| STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: | (X2) MULTIPLE CONSTRUCTION | (X3) DATE SURVEY COMPLETED |
|---|---|---|---|
| | MHL098-168 | A. BUILDING: _____ B. WING _____ | 12/13/2018 |

| NAME OF PROVIDER OR SUPPLIER | STREET ADDRESS, CITY, STATE, ZIP CODE |
|---|---|
| WILSON COUNTY GROUP HOME #3 | 1300 GOLD STREET WILSON, NC 27893 |

| (X4) ID PREFIX TAG | SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION) | ID PREFIX TAG | PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY) | (X5) COMPLETE DATE |
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| V 000 | INITIAL COMMENTS<br><br>An annual survey was completed on December 13, 2018. Deficiencies were cited.<br><br>This facility is licensed for the following service category: 10A NCAC 27G .5600C Supervised Living for Adults with Developmental Disabilities. | V 000 | RECEIVED<br>By DHSR - Mental Health Lic. & Cert. Section at 8:10 am, Jan 03, 2019 | |
| V 108 | 27G .0202 (F-I) Personnel Requirements<br><br>10A NCAC 27G .0202 PERSONNEL REQUIREMENTS<br>(f) Continuing education shall be documented.<br>(g) Employee training programs shall be provided and, at a minimum, shall consist of the following:<br>(1) general organizational orientation;<br>(2) training on client rights and confidentiality as delineated in 10A NCAC 27C, 27D, 27E, 27F and 10A NCAC 26B;<br>(3) training to meet the mh/dd/sa needs of the client as specified in the treatment/habilitation plan; and<br>(4) training in infectious diseases and bloodborne pathogens.<br>(h) Except as permitted under 10a NCAC 27G .5602(b) of this Subchapter, at least one staff member shall be available in the facility at all times when a client is present. That staff member shall be trained in basic first aid including seizure management, currently trained to provide cardiopulmonary resuscitation and trained in the Heimlich maneuver or other first aid techniques such as those provided by Red Cross, the American Heart Association or their equivalence for relieving airway obstruction.<br>(i) The governing body shall develop and implement policies and procedures for identifying, reporting, investigating and controlling infectious and communicable diseases of personnel and | V 108 | | |

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| V 108 | Continued From page 1<br>clients.<br><br>This Rule is not met as evidenced by:<br>Based on record reviews, observations, and interviews, the facility failed to provide training to meet the needs of the client for 3 of 3 staff audited (#2, #4, and the Group Home Manager/Qualified Professional). The findings are:<br><br>Review on 12/6/18 of client #5's record revealed:<br>-53 year old female, admission date 8/11/11.<br>-Diagnoses included mild mental retardation, hypertension, hyperlipidemia, sleep apnea, asthma, Bipolar disorder with anxiety.<br>-Order dated 10/25/18 for new mask for CPAP (continuous positive airway pressure) machine.<br><br>Observations on 12/6/18 during facility tour at approximately 1:00pm revealed:<br>-A CPAP machine beside client #5's bed.<br>-The mask and tubing were still connected to the machine.<br><br>Review of the CPAP manual for client #5's machine revealed:<br>-WARNING... Regularly clean your mask and its components to maintain the quality of your mask and to prevent the growth of germs that can adversely affect your health<br>-There were daily and weekly cleaning instructions.<br>-Daily/after each use instructions included:<br>- Soak and agitate the cushion, elbow and short tube in warm water using a mild liquid detergent for up to 10 minutes. | V 108 | | |

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| V 108 | Continued From page 2<br>- Allow the components to dry out of direct sunlight before assembling.<br>-Weekly instructions included cleaning the head gear: Soak and agitate the separated headgear and frame in warm water using a mild liquid detergent for up to 10 minutes.<br><br>Review on 12/6/18 of Staff #2's file revealed:<br>-Hire date 12/3/15.<br>-Paraprofessional, direct care staff.<br>-No documentation of training on the care of the CPAP machine/equipment or sleep apnea.<br><br>Interview on 12/6/18 Staff #2 stated the CPAP equipment was cleaned weekly, sometimes on Friday and sometimes during the week end.<br><br>Review on 12/6/18 of Staff #4's file revealed:<br>-Hire date 12/3/15.<br>-Paraprofessional, direct care staff.<br>-No documentation of training on the care of the CPAP machine/equipment or sleep apnea.<br><br>Review on 12/13/18 of the Group Home Manager/Qualified Professional's personnel file revealed:<br>-Hire date 11/30/15.<br>-No documentation of training on the care of the CPAP machine/equipment or sleep apnea.<br><br>During interview on 12/6/18 the Group Home Manager/Qualified Professional stated:<br>-There is no documentation of training in staff records regarding client #6's CPAP machine/equipment or sleep apnea.<br>-Staff cleaned the mask as needed. This was not done daily unless needed.<br>-She was not aware of a filter on the side of the machine that needed to be checked. | V 108 | | |

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| V 131 | Continued From page 3 | V 131 | | |
| V 131 | G.S. 131E-256 (D2) HCPR - Prior Employment Verification<br><br>G.S. §131E-256 HEALTH CARE PERSONNEL REGISTRY<br>(d2) Before hiring health care personnel into a health care facility or service, every employer at a health care facility shall access the Health Care Personnel Registry and shall note each incident of access in the appropriate business files.<br><br>This Rule is not met as evidenced by:<br>Based on interviews and record reviews, the facility failed to access the health care personnel registry (HCPR) prior to hiring 1 of 3 audited staff (#4). The findings are:<br><br>Review on 12/11/18 and 12/13/18 of Staff #4's file revealed:<br>-Hire date 5/12/18.<br>-Paraprofessional, direct care staff.<br>-HCPR accessed 4/18/17 and 10/3/18.<br><br>Per interview on 12/13/18 the Program Manger stated:<br>-Staff #4 was rehired on 5/12/18.<br>-Her original hire date was 4/18/17.<br>-Her employment was terminated 10/12/17.<br>-The HCPR was not contacted prior to her rehire on 5/12/18.<br>-The Licensee's policy was to not repeat the HCPR check if an employee was rehired within 6 months of termination. | V 131 | | |

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| V 133 | Continued From page 4 | V 133 | | |
| V 133 | G.S. 122C-80 Criminal History Record Check<br><br>G.S. §122C-80 CRIMINAL HISTORY RECORD CHECK REQUIRED FOR CERTAIN APPLICANTS FOR EMPLOYMENT.<br>(a) Definition. - As used in this section, the term "provider" applies to an area authority/county program and any provider of mental health, developmental disability, and substance abuse services that is licensable under Article 2 of this Chapter.<br>(b) Requirement. - An offer of employment by a provider licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a State and national criminal history record check of the applicant. If the applicant has been a resident of this State for less than five years, then the offer of employment is conditioned on consent to a State and national criminal history record check of the applicant. The national criminal history record check shall include a check of the applicant's fingerprints. If the applicant has been a resident of this State for five years or more, then the offer is conditioned on consent to a State criminal history record check of the applicant. A provider shall not employ an applicant who refuses to consent to a criminal history record check required by this section. Except as otherwise provided in this subsection, within five business days of making the conditional offer of employment, a provider shall submit a request to the Department of Justice under G.S. 114-19.10 to conduct a criminal history record check required by this section or shall submit a request to a private entity to conduct a State criminal history record check required by this section. Notwithstanding G.S. 114-19.10, the Department of Justice shall | V 133 | | |

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| V 133 | Continued From page 5<br>return the results of national criminal history record checks for employment positions not covered by Public Law 105-277 to the Department of Health and Human Services, Criminal Records Check Unit. Within five business days of receipt of the national criminal history of the person, the Department of Health and Human Services, Criminal Records Check Unit, shall notify the provider as to whether the information received may affect the employability of the applicant. In no case shall the results of the national criminal history record check be shared with the provider. Providers shall make available upon request verification that a criminal history check has been completed on any staff covered by this section. A county that has adopted an appropriate local ordinance and has access to the Division of Criminal Information data bank may conduct on behalf of a provider a State criminal history record check required by this section without the provider having to submit a request to the Department of Justice. In such a case, the county shall commence with the State criminal history record check required by this section within five business days of the conditional offer of employment by the provider. All criminal history information received by the provider is confidential and may not be disclosed, except to the applicant as provided in subsection (c) of this section. For purposes of this subsection, the term "private entity" means a business regularly engaged in conducting criminal history record checks utilizing public records obtained from a State agency.<br>(c) Action. - If an applicant's criminal history record check reveals one or more convictions of a relevant offense, the provider shall consider all of the following factors in determining whether to hire the applicant: | V 133 | | |

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| V 133 | Continued From page 6<br>(1) The level and seriousness of the crime.<br>(2) The date of the crime.<br>(3) The age of the person at the time of the conviction.<br>(4) The circumstances surrounding the commission of the crime, if known.<br>(5) The nexus between the criminal conduct of the person and the job duties of the position to be filled.<br>(6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed.<br>(7) The subsequent commission by the person of a relevant offense.<br>The fact of conviction of a relevant offense alone shall not be a bar to employment; however, the listed factors shall be considered by the provider. If the provider disqualifies an applicant after consideration of the relevant factors, then the provider may disclose information contained in the criminal history record check that is relevant to the disqualification, but may not provide a copy of the criminal history record check to the applicant.<br>(d) Limited Immunity. - A provider and an officer or employee of a provider that, in good faith, complies with this section shall be immune from civil liability for:<br>(1) The failure of the provider to employ an individual on the basis of information provided in the criminal history record check of the individual.<br>(2) Failure to check an employee's history of criminal offenses if the employee's criminal history record check is requested and received in compliance with this section.<br>(e) Relevant Offense. - As used in this section, "relevant offense" means a county, state, or federal criminal history of conviction or pending indictment of a crime, whether a misdemeanor or | V 133 | | |

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| V 133 | Continued From page 7<br>felony, that bears upon an individual's fitness to have responsibility for the safety and well-being of persons needing mental health, developmental disabilities, or substance abuse services. These crimes include the criminal offenses set forth in any of the following Articles of Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing Monetary Substitutes; Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7A, Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretenses and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 19B, Financial Transaction Card Crime Act; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; Article 40, Protection of the Family; Article 59, Public Intoxication; and Article 60, Computer-Related Crime. These crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5. | V 133 | | |

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| V 133 | Continued From page 8<br>(f) Penalty for Furnishing False Information. - Any applicant for employment who willfully furnishes, supplies, or otherwise gives false information on an employment application that is the basis for a criminal history record check under this section shall be guilty of a Class A1 misdemeanor.<br>(g) Conditional Employment. - A provider may employ an applicant conditionally prior to obtaining the results of a criminal history record check regarding the applicant if both of the following requirements are met:<br>(1) The provider shall not employ an applicant prior to obtaining the applicant's consent for criminal history record check as required in subsection (b) of this section or the completed fingerprint cards as required in G.S. 114-19.10.<br>(2) The provider shall submit the request for a criminal history record check not later than five business days after the individual begins conditional employment. (2000-154, s. 4; 2001-155, s. 1; 2004-124, ss. 10.19D(c), (h); 2005-4, ss. 1, 2, 3, 4, 5(a); 2007-444, s. 3.)<br><br>This Rule is not met as evidenced by:<br>Based on record reviews and interview the facility failed to request a criminal background check within five business days of employment for 1 of 3 audited staff (#4). The findings are:<br><br>Review on 12/11/18 and 12/13/18 of Staff #4's file revealed:<br>-Hire date 5/12/18.<br>-Paraprofessional, direct care staff.<br>-Statewide criminal background check dated 3/31/17 | V 133 | | |

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| V 133 | Continued From page 9<br>Per interview on 12/13/18 the Program Manger stated:<br>-Staff #4 was rehired on 5/12/18.<br>-Her original hire date was 4/18/17.<br>-Her employment was terminated 10/12/17.<br>-The criminal background check was not done when she was rehired on 5/12/18.<br>-The Licensee's policy was to not repeat the criminal background check if an employee was rehired within 6 months of termination. | V 133 | | |

easterseals UCP
5171 Glenwood Ave. Suite 400, Raleigh, NC 27612

December 31, 2018

Mental Health Licensure & Certification Section
NC Division of Health Service Regulation
2718 Mail Service Center
Raleigh, NC 27699-2705

RE: MHL 098-170
MHL 098-167
MHL 098-168

Dear Pam Pridgen,

Attached please find the Corrective Action noted on the Statement of Deficiencies resulting from the recent Division of Health Service Regulation- Mental Health Licensure & Certification Section
Section Biennial Survey on December 13, 2018 at the Easter Seals UCP Wilson County Group Homes 2,3, and 4. I sincerely hope that this satisfactorily addresses the issues from the survey. Should you have questions or require additional information, please contact Tomeka Savage by phone at (252) 373-8135 or through e-mail at tomeka.savage@eastersealsucp.com.

Respectfully submitted,

Tomeka Savage

Tomeka Savage, BSQP
Residential Program Manager
Easter Seals UCP North Carolina & Virginia, Inc.