

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL032-612	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 01/09/2019
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NAME OF PROVIDER OR SUPPLIER PP&V HEALTH CARE SOLUTIONS	STREET ADDRESS, CITY, STATE, ZIP CODE 1717 NORTH ALSTON AVENUE DURHAM, NC 27701
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V 000	<p>INITIAL COMMENTS</p> <p>An annual and follow-up survey was completed on January 9, 2019. There were deficiencies cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G. 5600A Supervised Living for Adults with Mental Illness</p>	V 000		
V 107	<p>27G .0202 (A-E) Personnel Requirements</p> <p>10A NCAC 27G .0202 PERSONNEL REQUIREMENTS</p> <p>(a) All facilities shall have a written job description for the director and each staff position which:</p> <ul style="list-style-type: none"> (1) specifies the minimum level of education, competency, work experience and other qualifications for the position; (2) specifies the duties and responsibilities of the position; (3) is signed by the staff member and the supervisor; and (4) is retained in the staff member's file. <p>(b) All facilities shall ensure that the director, each staff member or any other person who provides care or services to clients on behalf of the facility:</p> <ul style="list-style-type: none"> (1) is at least 18 years of age; (2) is able to read, write, understand and follow directions; (3) meets the minimum level of education, competency, work experience, skills and other qualifications for the position; and (4) has no substantiated findings of abuse or neglect listed on the North Carolina Health Care Personnel Registry. <p>(c) All facilities or services shall require that all applicants for employment disclose any criminal conviction. The impact of this information on a</p>	V 107		

Division of Health Service Regulation
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE _____ TITLE _____ (X6) DATE _____

Division of Health Service Regulation

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V 107	<p>Continued From page 1</p> <p>decision regarding employment shall be based upon the offense in relationship to the job for which the applicant is applying.</p> <p>(d) Staff of a facility or a service shall be currently licensed, registered or certified in accordance with applicable state laws for the services provided.</p> <p>(e) A file shall be maintained for each individual employed indicating the training, experience and other qualifications for the position, including verification of licensure, registration or certification.</p> <p>This Rule is not met as evidenced by: Based on record review and interview, the facility failed to ensure (1) a written job description for each staff position was available and (2) maintain a personnel file for each staff employed including the training, education, experience and other qualifications for the position for two of two staff and the Qualified Professional (#1, #2 and QP). The finding are:</p> <p>Review on 1/4/19 of Staff #1's personnel record revealed:</p> <ul style="list-style-type: none"> - Hire date: 9/3/18. - Job title: Paraprofessional/Live-In Staff. -There was no evidence of educational credentials. -There was no physical personnel record available to review trainings, job description and educational information. 	V 107		

Division of Health Service Regulation

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V 107	<p>Continued From page 2</p> <p>Review on 1/4/19 of Staff #2 personnel record revealed: - Hire date: 11/28/18. - Job title: Paraprofessional/PRN (As needed). -There was no physical personnel record available to review trainings, job description and educational information.</p> <p>Review on 1/4/19 of the Qualified Professional personnel record revealed: - Hire date: No hired date. - Job title: Contract/QP. -There was no physical personnel record available to review trainings, job description and educational information.</p> <p>Interview on 1/14/19 with the Administrator revealed: -There should be a personnel file for staff #1 and staff #2 and the Qualified Professional at the group home. -He had some employee information at his home office. -Staff kept their own files. -The QP had copies of her personnel files and staff. -He would create new personnel files.</p>	V 107		
V 108	<p>27G .0202 (F-I) Personnel Requirements</p> <p>10A NCAC 27G .0202 PERSONNEL REQUIREMENTS (f) Continuing education shall be documented. (g) Employee training programs shall be provided and, at a minimum, shall consist of the following: (1) general organizational orientation; (2) training on client rights and confidentiality as delineated in 10A NCAC 27C, 27D, 27E, 27F and</p>	V 108		

Division of Health Service Regulation

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V 108	<p>Continued From page 3</p> <p>10A NCAC 26B; (3) training to meet the mh/dd/sa needs of the client as specified in the treatment/habilitation plan; and (4) training in infectious diseases and bloodborne pathogens. (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. (i) The governing body shall develop and implement policies and procedures for identifying, reporting, investigating and controlling infectious and communicable diseases of personnel and clients.</p> <p>This Rule is not met as evidenced by: Based on record review and interview the facility failed to ensure two of three audited staff (#1 and #2) received training in infectious diseases and bloodborne pathogens including diabetic training. The findings are:</p> <p>Review on 1/4/19 of Staff #1's personnel record revealed: - Hire date: 9/3/18. - Job title: Paraprofessional/Live-In Staff. - There was no evidence of diabetic training. - There was no evidence of bloodborne pathogens</p>	V 108		

Division of Health Service Regulation

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V 108	Continued From page 4 training. Review on 1/4/19 of Staff #2 personnel record revealed: - Hire date: 11/28/18. - Job title: Paraprofessional/PRN (As needed). -There was no evidence of diabetic training. Interview on 1/14/19 with the Administrator confirmed staff #1 was not trained in infectious diseases and bloodborne pathogens including diabetic training and staff #2 did not receive diabetic training.	V 108		
V 114	27G .0207 Emergency Plans and Supplies 10A NCAC 27G .0207 EMERGENCY PLANS AND SUPPLIES (a) A written fire plan for each facility and area-wide disaster plan shall be developed and shall be approved by the appropriate local authority. (b) The plan shall be made available to all staff and evacuation procedures and routes shall be posted in the facility. (c) Fire and disaster drills in a 24-hour facility shall be held at least quarterly and shall be repeated for each shift. Drills shall be conducted under conditions that simulate fire emergencies. (d) Each facility shall have basic first aid supplies accessible for use. This Rule is not met as evidenced by: Based on record review and interview the facility failed to conduct fire and disaster drills on each shift at least quarterly. The findings are:	V 114		

Division of Health Service Regulation

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V 114	<p>Continued From page 5</p> <p>Review on 1/3/19 of the facility's fire and disaster drills record revealed: -There were drills conducted on the following dates: -Fire Drills - 1/9/18, 2/5/18, 11/30/18 and 12/17/18 - 2nd shift. -Disaster Drills - 1/5/18 - 2nd shift and 2/10/18, 3/12/18 and 12/5/18 - 1st shift. -There were no fire drills conducted on 1st or 3rd shift. -There were no disaster drills conducted on 3rd shift. -Fire and disaster drills were not conducted on each shift at least quarterly.</p> <p>Interview on 1/3/19 with Staff #1 revealed: -She worked at the group home for a couple of months. -She was just informed during construction inspection that she needed to conduct drills monthly. -She conducted her first fire and disaster drill in December 2018.</p> <p>Interview on 1/4/19 with the Administrator revealed: -He thought the fire and disaster drills were conducted. -Confirmed staff #1 completed drills in Decemember 2018. -He was unsure how often drills needed to be conducted.</p>	V 114		
V 118	<p>27G .0209 (C) Medication Requirements</p> <p>10A NCAC 27G .0209 MEDICATION REQUIREMENTS (c) Medication administration:</p>	V 118		

Division of Health Service Regulation

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V 118	<p>Continued From page 6</p> <p>(1) Prescription or non-prescription drugs shall only be administered to a client on the written order of a person authorized by law to prescribe drugs.</p> <p>(2) Medications shall be self-administered by clients only when authorized in writing by the client's physician.</p> <p>(3) Medications, including injections, shall be administered only by licensed persons, or by unlicensed persons trained by a registered nurse, pharmacist or other legally qualified person and privileged to prepare and administer medications.</p> <p>(4) A Medication Administration Record (MAR) of all drugs administered to each client must be kept current. Medications administered shall be recorded immediately after administration. The MAR is to include the following: (A) client's name; (B) name, strength, and quantity of the drug; (C) instructions for administering the drug; (D) date and time the drug is administered; and (E) name or initials of person administering the drug.</p> <p>(5) Client requests for medication changes or checks shall be recorded and kept with the MAR file followed up by appointment or consultation with a physician.</p> <p>This Rule is not met as evidenced by: Based on record review and interviews, the facility failed to ensure medications, including injections, shall be administered only by licensed persons, or by unlicensed persons trained by a registered nurse, pharmacist or other legally qualified person to prepare and administer medications for four of four clients (#1, #2, #3 and</p>	V 118		

Division of Health Service Regulation

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V 118	<p>Continued From page 7</p> <p>#4). The findings are:</p> <p>Review on 1/3/19 of Client #1's record revealed:</p> <ul style="list-style-type: none"> -Admission date of 8/16/17. -Diagnoses of Schizophrenia Disorder, Anxiety Disorder, Unspecified, Vitamin D Deficiency, Hypothyroidism, Hypertension, Scoliosis and Tachycardia. -Medications administered by staff #1 included: <ul style="list-style-type: none"> -Hydroxyzine 25mg - 1 tablet once daily at 1:00 p.m. -Venlafaxine 150mg capsules - 1 tablet daily. -Levothyroxine Sodium 50mg tablets - take 1 tablet by mouth daily. -Lithium Carbonate 300mg - take 1 tablet at bedtime. -Hydroxyzine 25mg - take 2 capsules by mouth in the a.m. -Olanzapine 20mg - take 1 tablet at bedtime. -Omeprazole 20mg - take 1 capsule by mouth daily. -Docusate Sodium 100mg - take 1 capsule by mouth 2x day. -Benzotropine 0.5mg - take 1 tablet by mouth 2x day. -Clozapine 25mg - take 2 tablets by mouth at 9 a.m. combined with a 200mg clozapine tablet. -Clozapine 200mg - take 1 tablet by mouth 2x daily. <p>Review on 1/3/19 of Client #2's record revealed:</p> <ul style="list-style-type: none"> -Admission date of 12/14/17. -Diagnosis of Schizophrenia Disorder. -Medications administered by staff #1 included: <ul style="list-style-type: none"> -Haloperidol 5mg - take 1 tablet by mouth in the morning. -Haloperidol 5mg - take 2 tablets by mouth at bedtime. -Divalproex 500mg - take 1 tablet by mouth 2x day. 	V 118		

Division of Health Service Regulation

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V 118	<p>Continued From page 8</p> <ul style="list-style-type: none"> -Benzotropine Mesylate 0.5 mg - take 1 tablet by mouth 2x daily. -Risperidone 4mg - take 1 tablet by mouth 2x daily. <p>Review on 1/3/19 of Client #3's record revealed:</p> <ul style="list-style-type: none"> -Diagnoses of Schizoaffective Disorder, Bipolar Type, Post-Traumatic Stress Disorder, Cannabis Abuse by History and Type II Diabetes. -Medications administered by staff #1 included: <ul style="list-style-type: none"> -Olanzapine 5mg - take 1 tablet by mouth every morning. -QC Vitamin D3- take 1 tablet by mouth every day. -Olanzapine 15mg - take 1 tablet by mouth at noon. -Guanfacine HCL 1mg - take 3 tablets by mouth at bedtime. -Benzotropine 0.5 mg - take 1 tablet by mouth 2x daily. -Clonazepam -0.5mg - take 1 tablet by mouth 2x daily. -Omega 3 - take 1 capsule by mouth 2x daily. -Freestyle Blood Glucose Test Strips - test breakfast, lunch, dinner and bedtime - self-administered. -Novolog Flexpen - use 3 times daily with meals, (sliding scale) - self-administered. -Tresiba Flex Touch - inject 42 units subcutaneously at bedtime - self-administered. <p>Review on 1/3/19 of Client #4's record revealed:</p> <ul style="list-style-type: none"> -Admission date of 12/29/16. -Diagnosis of Schizophrenia Disorder. -Medications administered by staff #1 included: <ul style="list-style-type: none"> -Clozapine 200mg - take 1 tablet by mouth at bedtime. -Metformin HCL 500mg - take 1 tablet at bedtime. 	V 118		

Division of Health Service Regulation

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V 118	<p>Continued From page 9</p> <p>Review on 1/4/19 of Staff #1's personnel record revealed: -Hire date: 9/3/18. -Job title: Paraprofessional/Live-In Staff. -There was no evidence of medication administration training.</p> <p>Interview on 1/4/19 with Clients #1, #2, #3 and #4 revealed: -They received medication between 7:30 a.m. and 8:00 a.m. daily. -Received evening medication between 7:30 p.m. and 8:00 p.m. daily. -Some clients received afternoon medication. -Confirmed medication was received daily.</p> <p>Interview on 1/4/19 with Staff #1 revealed: -She initially started working on the weekends as the relief staff. -The previous staff and staff #2 trained her to work in the home. -She shadowed the previous staff. -The Administrator asked her if she wanted to work full-time. -Started working as the Paraprofessional live-in staff December 1, 2018. -Reported telling the Administrator she needed medication administration training. -The Administrator kept saying, "ok" but never scheduled her. -Confirmed she was not trained in medication administration. -She had medication administration training over 15 years ago with another company. -She received medication administration training on 1/8/19.</p> <p>Interview on 1/9/19 with the Qualified Professional revealed: -She provided contract work at the group home.</p>	V 118		

Division of Health Service Regulation

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V 118	<p>Continued From page 10</p> <ul style="list-style-type: none"> -Services provided included meeting with clients, mental health training and medication review. -Informed Administrator the list of trainings she would facilitate. -She reminded the Administrator what trainings staff #1 needed. -She was unaware staff #1 did not receive training before given work schedule. <p>Interview on 1/4/19 and 1/9/19 with the Administrator revealed:</p> <ul style="list-style-type: none"> -Confirmed staff #1 was not trained in medication administration. -He was aware staff #1 did not receive training before working weekends and full-time live-in. -Asked if he should remove staff #1 from the home until training was completed. -He was not able to stay during exit on 1/9/19. -He had to go to work. <p>Review on 1/9/19 of the Plan of Protection written by the Qualified Professional dated 1/9/19 revealed:</p> <ul style="list-style-type: none"> -What will you immediately do to correct the above rule violations in order to protect clients from further risk or additional harm? "Staff #1 live-in staff has been trained by a Registered Nurse as of 1/8/19. Going forward the Administrator will not schedule anyone without the proper trainings to work one-on-one in the home. This means that the staff person will not administer medications or work alone without supervision if they're not properly certified in medication administration." -Describe your plans to make sure the above happens: "QP will review the rules with the Administrator to ensure his understanding of the rules as stated in his policy & procedure manual as well as the State Regulations." 	V 118		

Division of Health Service Regulation

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V 118	Continued From page 11 Staff #1 was hired on 9/3/18 as the Paraprofessional weekend relief staff and then offered and started working the full-time live-in position on 12/1/18. During this time, Staff #1 administered medication to four of four clients without the completing of medication administration training. The Administrator was aware staff #1 was not trained prior to offering weekend and full-time live-in employment. This deficiency constitutes a Type B rule violation. If the violation is not corrected within 45 days, an administrative penalty of \$200.00 per day will be imposed for each day the facility is out of compliance beyond the 45th day.	V 118		
V 131	G.S. 131E-256 (D2) HCPR - Prior Employment Verification G.S. §131E-256 HEALTH CARE PERSONNEL REGISTRY (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. This Rule is not met as evidenced by: Based on record review and interview the facility failed to access the Health Care Personnel Registry (HCPR) prior to employment for two of three audited staff (#1 and #2). The findings are: Review on 1/4/19 of Staff #1's personnel record revealed:	V 131		

Division of Health Service Regulation

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V 131	<p>Continued From page 12</p> <ul style="list-style-type: none"> - Hire date: 9/3/18. - Job title: Paraprofessional/Live-In Staff. - There was no evidence the HCPR was accessed prior to employment. <p>Review on 1/4/19 of Staff #2's personnel record revealed:</p> <ul style="list-style-type: none"> - Hire date: 11/28/18. - Job title: Paraprofessional/PRN (As needed) - There was no evidence the HCPR was accessed prior to employment. <p>Interview on 1/4/19 with the Administrator revealed:</p> <ul style="list-style-type: none"> -He was not familiar with the HCPR. -He would ask the Qualified Professional about the HCPR. -Confirmed he did not access HCPR staff #1 and staff #2. 	V 131		
V 133	<p>G.S. 122C-80 Criminal History Record Check</p> <p>G.S. §122C-80 CRIMINAL HISTORY RECORD CHECK REQUIRED FOR CERTAIN APPLICANTS FOR EMPLOYMENT.</p> <p>(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.</p> <p>(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</p>	V 133		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL032-612	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 01/09/2019
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NAME OF PROVIDER OR SUPPLIER PP&V HEALTH CARE SOLUTIONS	STREET ADDRESS, CITY, STATE, ZIP CODE 1717 NORTH ALSTON AVENUE DURHAM, NC 27701
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V 133	<p>Continued From page 13</p> <p>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 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</p>	V 133		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL032-612	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 01/09/2019
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V 133	<p>Continued From page 14</p> <p>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.</p> <p>(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:</p> <ol style="list-style-type: none"> (1) The level and seriousness of the crime. (2) The date of the crime. (3) The age of the person at the time of the conviction. (4) The circumstances surrounding the commission of the crime, if known. (5) The nexus between the criminal conduct of the person and the job duties of the position to be filled. (6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed. (7) The subsequent commission by the person of a relevant offense. <p>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</p>	V 133		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL032-612	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 01/09/2019
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NAME OF PROVIDER OR SUPPLIER PP&V HEALTH CARE SOLUTIONS	STREET ADDRESS, CITY, STATE, ZIP CODE 1717 NORTH ALSTON AVENUE DURHAM, NC 27701
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V 133	<p>Continued From page 15</p> <p>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.</p> <p>(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:</p> <p>(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.</p> <p>(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.</p> <p>(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 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</p>	V 133		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL032-612	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 01/09/2019
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NAME OF PROVIDER OR SUPPLIER PP&V HEALTH CARE SOLUTIONS	STREET ADDRESS, CITY, STATE, ZIP CODE 1717 NORTH ALSTON AVENUE DURHAM, NC 27701
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V 133	<p>Continued From page 16</p> <p>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.</p> <p>(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.</p> <p>(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:</p> <p>(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.</p> <p>(2) The provider shall submit the request for a criminal history record check not later than five business days after the individual begins</p>	V 133		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL032-612	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 01/09/2019
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V 133	<p>Continued From page 17</p> <p>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.)</p> <p>This Rule is not met as evidenced by: Based on record review and interview, the facility failed to ensure the state criminal record check was ordered within five business days of making the conditional offer of employment for one of three audited staff (#1). The findings are:</p> <p>Review on 1/4/19 of Staff #1's personnel record revealed:</p> <ul style="list-style-type: none"> - Hire date: 9/3/18. - Job title: Paraprofessional/Live-In Staff. - There was evidence the criminal record check was ordered. <p>Interview on 1/4/19 with the Administrator revealed:</p> <ul style="list-style-type: none"> -Staff #1's criminal record check was ordered. -He had a copy of the criminal record check. -He was not able to locate the copy of the criminal record check prior to exit of survey. -He was responsible for ordering the criminal background check. 	V 133		