

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL092-791</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>R-C 01/22/2019</b>
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NAME OF PROVIDER OR SUPPLIER  <b>ALPHA HOME CARE SERVICES, INC III</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>3716 ARROWWOOD DRIVE RALEIGH, NC 27604</b>
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V 000	<p>INITIAL COMMENTS</p> <p>A Follow up and Complaint Survey was completed January 22, 2019. The complaints were substantiated (Intake #NC00147429 and #NC000146871). Deficiencies were 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 512	<p>27D .0304 Client Rights - Harm, Abuse, Neglect</p> <p>10A NCAC 27D .0304 PROTECTION FROM HARM, ABUSE, NEGLECT OR EXPLOITATION</p> <p>(a) Employees shall protect clients from harm, abuse, neglect and exploitation in accordance with G.S. 122C-66.</p> <p>(b) Employees shall not subject a client to any sort of abuse or neglect, as defined in 10A NCAC 27C .0102 of this Chapter.</p> <p>(c) Goods or services shall not be sold to or purchased from a client except through established governing body policy.</p> <p>(d) Employees shall use only that degree of force necessary to repel or secure a violent and aggressive client and which is permitted by governing body policy. The degree of force that is necessary depends upon the individual characteristics of the client (such as age, size and physical and mental health) and the degree of aggressiveness displayed by the client. Use of intervention procedures shall be compliance with Subchapter 10A NCAC 27E of this Chapter.</p> <p>(e) Any violation by an employee of Paragraphs (a) through (d) of this Rule shall be grounds for dismissal of the employee.</p> <p>This Rule is not met as evidenced by: Based on record review and interview, one of</p>	V 512		

Division of Health Service Regulation LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
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V 512	<p>Continued From page 1</p> <p>three employees (staff #1) subjected four of five audited clients (#1, #2, #3 and #6) to abuse. The findings are:</p> <p>Review on 01/15/19 of staff #1's record revealed: -Hired: May 25, 2014 -05/26/18 Abuse, Neglect and Exploitation training</p> <p>During interview on 01/14/19, staff #1 reported he: -Worked for the company at another facility -Had worked at this particular group home for about a month</p> <p>A. Review on 01/14/19 of client #6's record revealed: -Admitted: 02/27/14 -Diagnoses inclusive of Schizoaffective Disorder (bipolar type), Obsessive Compulsive Disorder, Obesity, Hypothyroidism, Hypertension and Parkinson -Age: 52 -Walker for ambulation of distance</p> <p>During interview on 01/14/19, four of five audited clients reported: -Sunday (01/13/19), client #6 threw a cup at staff #1 during mealtime. All expressed concerns about staff #1's response and expressed they did not want to get in trouble with staff #1 for sharing the information. -Two clients explained: Staff #1 responded by cursing, standing over client #6 in an intimidating manner, lifting his hands and saying "what you want to do" to the client and kicked the trash can causing gravy to spill on the wall. Client #6 cursed and went to his room. They thought client #6 was fearful of staff #1. Both indicated they were fearful of staff #1 either for themselves or for other</p>	V 512		

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V 512	<p>Continued From page 2</p> <p>clients. Both described staff #1 as "hateful, mean" and questioned if "he needed to be in the group home."</p> <p>During interview on 01/14/19, client #6 reported he:</p> <ul style="list-style-type: none"> <li>-Did not recall much about 01/13/19, except he threw a cup at staff.</li> <li>-Had a chance to think about it, it was his fault.... The cup had water in it. Staff told him to go to his room...,can't recall exactly what happened. Staff #1 said "now what you gonna do? He didn't raise his voice much. it was elevated...scared I'm gonna get kicked out... I don't want to get kicked out."</li> </ul> <p>During interviews between 01/14/19 and 01/16/19, staff #1 reported:</p> <ul style="list-style-type: none"> <li>-01/14/19: Had an incident of verbal behavior on yesterday (01/13/19). Client #6 used some profane language. Client #6 left his plate on the table and said "don't you work here? you can do it." Client #6 "had just visited with family. Nothing else happened. It's not like he's (client #6) not done that before." In the past, client #6 had taken something and thrown it down, but on this occasion client #6 just pushed the chair back and threw the plate away. Staff #1 reported he responded calmly and let client #6 calm down. "Sometimes its random. He (client #6) does have an illness." *Note: staff #1 did not reference a cup thrown at him by client #6 during this interview.</li> <li>-01/16/19: "After plates were served. Just so I can maneuver around the small house, I like them to wait until I'm finished. They don't let me get done. I guess they were hungry, can't wait. I'm going around giving beverages. [Client #6] was already drinking, I bypassed him &amp; gave it to everyone else.. I put the drink in kitchen. [Client #6] says after I sat down that he wanted</li> </ul>	V 512		

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V 512	<p>Continued From page 3</p> <p>something to drink. I said if you talk to me like that, get your own drink. I guess I was upset, I kicked the trash can. He (client #6) had already finished a portion of that meal, so he got up and left. He said you so f****g lazy, you get it....He said he was sorry and didn't mean it. [Client #6] said it was his fault and the illness. He (client #6) does that cursing all the time all of a sudden. I probably used profanity. I probably should've done things differently, not kicked the trash can, tone."</p> <p>B. Review on 01/14/19 of client #1's record revealed: -Admitted: 09/07/13 -Diagnoses inclusive of Brain injury, Dementia and Depression</p> <p>During interview on 01/14/19, client #1 reported he: -Had issues remembering things...he normally wrote things down that bothered him in his journal -Recalled a cup thrown on Sunday (01/13/19)..he was not sure who threw the cup or the circumstances, thought it was over soda...he could not locate anything in his journal about the situation. -"Do you think I will not amount to anything? I was talking to [staff #1] about a job and he said I had a brain injury and would not amount to much, so I should just keep getting my check...I may have a brain injury but you can remember when someone says something to hurt your feelings." -Felt staff #1 would retaliate against him because staff #1 was "loud and he raises his hands towards me. I don't get involved." -Witnessed staff #1 raise his voice at other clients in the group home. He just went to his room</p>	V 512		

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V 512	<p>Continued From page 4</p> <p>-Staff #1 often requested clients to remain in their room.</p> <p>During interview on 01/16/19, staff #1 reported he:</p> <p>-Did not recall any conversation with clients in which he spoke of their diagnoses in a non therapeutic manner</p> <p>-Did not recall making any comments about client #1 having a brain injury or obtaining a job</p> <p>C. Review on 01/14/19 of client #2's record revealed:</p> <p>-Admitted: 11/08/18</p> <p>-Diagnoses inclusive of Schizoaffective Disorder, Personality Disorder, Morbid Obesity, Diabetes and Hyperlipidemia</p> <p>During interview on 01/14/19, client #2 reported:</p> <p>-He did not attend a day program and was the only client at home with staff #1 during the day.."all day"</p> <p>-Staff #1 asked him did he want to go outside and "tear up some grass"...he interrupted "tear up some grass" that meant to fight outside</p> <p>-Staff #1 often indicated he needed some "me time" and requested client #2 to go to his bedroom. It was the tone in which he would say "just go. Like I was trash....I'm a person just like you a person."</p> <p>-Last week, he called the Qualified Professional to complain about how staff #1 treated him and the others. The Qualified Professional came over and spoke with staff #1 but "I just can't take too much more."</p> <p>During interview on 01/14/19, the Qualified Professional reported:</p> <p>-On Thursday 01/10/19, he did receive a call from client #2 who did not give specifics but</p>	V 512		

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V 512	<p>Continued From page 5</p> <p>expressed concerns of how staff #1 spoke to and treated clients at the home as well as staff smoking. He came over the same day and provided verbal directives to the staff regarding tone and delivery. Since January 10, 2019, no one had told him anything else regarding staff #1 inclusive of the 01/13/19 trash can kicking incident.</p> <p>During interview on 01/16/19, staff #1 reported: -At other home, he had more flexibility and time to himself...all clients were at the day program during the day and he did transportation if needed for the other homes. -The clients probably heard him talking on the phone and shared he needed time to himself...he had not necessarily told the clients to just go.</p> <p>D. Review on 01/14/19 of client #3's record revealed: -Admitted: 04/03/18 -Diagnosis of Schizophrenia</p> <p>During interview on 01/14/19, client #3 reported: -Within the past month, staff #1 "asked me to come outside like he was going to kick my a**...I was sitting there eating..He didn't put his hands on me...other clients were there but I can't recall who...everybody has problems with him...if he keeps on, I am going to fight him."</p> <p>During interview on 01/14/19, client #2 reported: -He heard staff #1 invite client #3 to "go outside to tear up some grass....when the mom (client #3's) approached staff about it, staff said it was the client. I didn't say nothing because I did not want to get involved...he (staff #1) got attitude."</p> <p>During interview on 01/16/19, staff #1 reported:</p>	V 512		

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V 512	<p>Continued From page 6</p> <p>-He had not asked a client to go outside except to smoke or to cool off as a coping mechanism.</p> <p>-"Probably", raised his voice at the clients. "It was a more aggressive tone than anything else...I do talk in a firm manner."</p> <p>-For most people, he's a tall person, and had been told he had a "demanding/intimidating presence. It maybe the way I carry myself."</p> <p>Review on 01/15/19 of a plan of protection dated 01/15/19 submitted by the Licensee revealed: -"What will you immediately do to correct the above rule violations in order to protect clients from further risk or additional harm? The staff was removed immediately. All other staff will be retrained on abuse, neglect, and exploitation, and communication skills.</p> <p>-Describe your plans to make sure the above happens. The Qualified Professional will facilitate these measures and monitor weekly for correspondence."</p> <p>Clients #1, #2, #3 and #6 in the group home had mental health diagnoses inclusive of Schizophrenia, Traumatic Brain Injury, Dementia, Schizoaffective Disorder and Depression. Despite having had the required training in providing care and services for clients with mental health diagnoses staff #1 was abusive to the clients on at least 6 different occasions during his short one month employment at this group home. Staff #1 used threatening language insinuating the desire to fight in saying to client did he want to "tear up some grass", degrading comments regarding a client's mental health diagnosis and his self-worth in life, physical intimidation with invading close personal space to clients in threatening posture</p>	V 512		

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V 512	Continued From page 7  during arguments and physical aggression with kicking trash can during altercation as methods used against clients during his one month of employment at this facility. Clients indicated they were fearful of staff #1 either for themselves or other clients in the group home. This deficiency constitutes a Type A1 rule violation for serious abuse and must be corrected within 23 days. An administrative penalty in the amount of \$2000.00 is imposed. If the violation is not corrected within 23 days, an additional administrative penalty of \$500.00 per day will be imposed for each day the facility is out of compliance beyond the 23rd day.	V 512		
V 736	27G .0303(c) Facility and Grounds Maintenance  10A NCAC 27G .0303 LOCATION AND EXTERIOR REQUIREMENTS (c) Each facility and its grounds shall be maintained in a safe, clean, attractive and orderly manner and shall be kept free from offensive odor.  This Rule is not met as evidenced by: Based on observation and interview, the facility was not maintained in a safe and orderly manner. The findings are:  Observation on 01/14/19 between 5:15-5:30 PM of the facility revealed: -Downstairs: client #1's bedroom ceiling tile protruding downward  Interview on 01/14/19, client #1 reported -He had diagnosis of Traumatic Brain Injury and was not aware of how long the ceiling tile had	V 736		



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V 736	<p>Continued From page 8</p> <p>protruded downward</p> <p>Interview on 01/15/19, staff #1 reported: -He worked at the group home for approximately one month...not noticed any issues with client #1's ceiling tile</p> <p>Interview on 01/15/19, the Qualified Professional reported he: -Was not aware of the ceiling tile issue in client #1's bedroom. -Would contact the maintenance person immediately</p> <p>This deficiency constitutes a re-cited deficiency and must be corrected within 30 days.</p>	V 736		