

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL092-678	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 06/28/2019
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NAME OF PROVIDER OR SUPPLIER THE BRUSON GROUP /NEW BEGINNINGS HEALTH C.	STREET ADDRESS, CITY, STATE, ZIP CODE 4513 FOX ROAD RALEIGH, NC 27616
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on June 28, 2019. The complaint was unsubstantiated (NC#00152306). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .1300 Residential Treatment for Children or Adolescents.</p>	V 000		
V 179	<p>27G .1301 Residential Tx - Scope</p> <p>10A NCAC 27G .1301 SCOPE</p> <p>(a) The rules of this Section apply only to a residential treatment facility that provides residential treatment, level II, program type service.</p> <p>(b) A residential treatment facility providing residential treatment, level III service, shall be licensed as set forth in 10A NCAC 27G .1700.</p> <p>(c) A residential treatment facility for children and adolescents is a free-standing residential facility which provides a structured living environment within a system of care approach for children or adolescents who have a primary diagnosis of mental illness or emotional disturbance and who may also have other disabilities.</p> <p>(d) Services shall be designed to address the functioning level of the child or adolescent and include training in self-control, communication skills, social skills, and recreational skills. Children or adolescents may receive services in a day treatment facility, have a job placement, or attend school.</p> <p>(e) Services shall be designed to support the child or adolescent in gaining the skills necessary to return to the natural, or therapeutic home setting.</p> <p>(f) The residential treatment facility shall coordinate with other individuals and agencies within the client's system of care.</p>	V 179		

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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE _____ TITLE _____ (X6) DATE _____

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V 179	<p>Continued From page 1</p> <p>This Rule is not met as evidenced by: Based on record review and interview, the governing body failed to coordinate with other individuals and agencies within the client's system of care effecting 1 of 6 clients (#5). The findings are:</p> <p>Review on 6/7/19 thru 6/20/19 of client #5's record revealed:</p> <ul style="list-style-type: none"> - admission date 10/16/18 - diagnoses of Depressive Disorder - Recurrent/Moderate, Post Traumatic Stress Disorder and Oppositional Defiant Disorder - a history of poor impulse control and self-injurious behaviors - a discharge Summary from a local hospital's Burn Unit with: "History of Present Illness: [Client #5] is a 17 y. o. (year old) girl, blonde hair, blue eyes, fair skin. Patient was at a pool party at her group home Monday (5/27/19), was in the sun and in the water the majority of the day, was not wearing sun screen. her burn started blistering yesterday (5/28/19) and worse today with pain. She denies fevers, chills, cough/cold/flu, chest pain, shortness of breath, nausea, emesis...Assessment...Plan: Admit to Pediatric Burn Surgery Service (PDX) for treatment to include pain control, wound care. Burn wounds will be dressed with Silvadene and covered with appropriate dressings. Medications to include Oxycodone, Fentanyl IV (Intravenous), Tylenol...Hospital Course: Patient was admitted to 	V 179		

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V 179	<p>Continued From page 2</p> <p>the [local hospital] on 5/29/19 with 10% TBSA (Total Body Surface Area) 2nd degree sunburn to the back, arms and chest. Sun exposure occurred on Monday 5/27/19. Upon admission she was given appropriate fluid resuscitation, wound care, and IV/PO (by mouth) pain medication as needed...it was determined that surgery was not indicated. Patient received appropriate wound care and prior to discharge the burn wounds are healing well.</p> <p>Second Degree Burn (Partial Thickness): Damage to the skin includes the outer layer and penetrates to the middle layer (Dermis). The wound is typically moist/wet and red, swelling is usually present; there may be blisters or sloughing (loss) of skin and it is extremely painful.</p> <p>Review on 6/11/19 of paperwork dated 5/30/19 submitted by the Licensee revealed: - "The client participated in a planned activity at the residential placement for Memorial Day (5/27/19). The agency had a fun day at the residential group home to include a cook out, pools, games and water guns, etc. The staff supplied and offered all clients suntan/sun protection. This and one other client refused, stating they wanted to be really tanned. The client on that day was slightly red around her chest area with no reports of pain. On the next day the Director received a call from school stating that the client was sun burned and had pus oozing out of a few spots on her body. The Director called the clients perpetration and immediately and scheduled an appointment for the client to be seen on that day; staff picked the client up from school and transported her to the MD (Medical Doctor). Upon arrival she was referred to the burn center for second degree burns. The staff remained with the client and has</p>	V 179		
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V 179	<p>Continued From page 3</p> <p>agreed to learn wound care. The client is expected to return home on 6/1/19. It will now be mandatory for all outside activities, unless the clients interject their client rights and insist on not being sprayed. In that event the event may be canceled to avoid this from happening again. All clients will be taught on the dangers of not wearing protection and sun exposure."</p> <p>During an interview on 6/6/19, client #5 reported:</p> <ul style="list-style-type: none"> - she was at the Memorial Day party on 5/27/19 and was having a good time. She was having too much fun on the waterslide and did not think about putting on any sun screen. - she did not hear any staff offering her sunscreen. She said another resident told her staff offered sun screen but she didn't "hear it" - she went to school on Tuesday and complained to Student Services about being in pain. Student Services saw the blisters and called the group home for her to be picked up. As it was already 1:30pm at the time, she got picked up at the regular dismissal time (shortly after 2:00pm) - staff saw the blisters, but did not offer her any treatment; she then corrected herself and said staff offered her Aloe Vera for the burns - she returned to school on Wednesday (5/29/19) and complained again to Student Services. Student Services called the group home and she was picked up and brought to the doctor's office that day <p>During an interview on 6/10/19, a representative from Student Services at client #5's school reported:</p> <ul style="list-style-type: none"> - on Tuesday, 5/28/19 client #5 came into their offices and complained of pain from the sunburn. She saw blisters on her arms and chest. She called the group home at 1:30 and 	V 179		
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V 179	<p>Continued From page 4</p> <p>they said they could get there by 1:50. Their policy is that after 1:50pm they just keep the student until regular dismissal time because of the difficulty of getting through all the school buses and cars in the pickup lane</p> <ul style="list-style-type: none"> - on Wednesday, 5/29/19 she returned to school and was again complaining of pain from the sunburn. A nurse was not available but a second staff from the office saw blisters on client #5's legs also. This second person reported client #5 "was a lobster" <p>During an interview on 6/10/19, a staff person reported:</p> <ul style="list-style-type: none"> - when client #5 came home Tuesday (5/28/19), she "was burnt and had blisters" - the Licensee, Associate Professional (AP) and the Qualified Professional (QP) were notified but no treatment was sought - there was only one staff working the second shift that day - client #5 was taken to the doctor's office on Wednesday (5/29/19) after the school called them a second time <p>During interviews on 6/6/19, 6/20/19 and 6/28/19, the Licensee reported:</p> <ul style="list-style-type: none"> - clients were all offered and encouraged to wear sun screen but had the right to refuse per clients' rights - "my skin does not burn and I am not familiar with the needs of white people..." - "I do not know anything about sunscreen" and "Do you think it is unreasonable that I don't know about sunscreen?" - the school only called the group home once and it was the day she was taken to the doctor's (Wednesday) - the school was "lying to protect themselves from the state" 	V 179		

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V 179	<p>Continued From page 5</p> <ul style="list-style-type: none"> - her own staff were "lying because they were disgruntled and on probation" - client #5 was taken to the doctor's office as soon as they became aware of the blistering <p>Review on 6/28/19 of a Plan of Protection written and submitted by the Licensee on 6/28/19 revealed: What will you immediately do to correct the above rule violation in order to protect clients from further risk or additional harm? "...The agency has the right to make the clients remain in the house when they're fair skinned, if they select not to wear sunscreen. Coordination of care for sunburn shall be to monitor. Effective 6.28.19 The agency will not allow any outside activities over a time frame of 2 - 4 hours. The agency shall ask each client if they need to seek medical attention for potential sun burn and have them sign a document of such (see attached)." Describe your plans to make the above happen. "[Licensee] called [local pediatric clinic] but line was busy; [Licensee] left message to seek advice of how long the agency should wait until they ask the client if they are sunburned, have blisters, need to seek medical advice. The agency will hold an emergency board meeting and obtain professional advice of a qualified RN (Registered Nurse) or MD (Medical Doctor) to decide when children should or should not be allowed outside in hot weather, how long to check for sunburn and when to seek medical advice. [Licensee] will review policy with team to promoted best practice." Attached Document: "Re: Sun Screen Letter Policy Notification To Whom It May Concern, I understand that per request from the state in order to prevent sunburn or second degree burns, I can refuse sunscreen; however if they do not</p>	V 179		

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V 179	<p>Continued From page 6</p> <p>they will not be allowed to go outside for activities lasting 4 - 6 hours. I understand that they agency will offer sun screen, shaded areas, sunburn risk exposure/education. I understand that by signing below, I agree that if I notice any form of blisters, I will immediately notify the staff on shift. I understand that I can request to seek medical attention and may be asked to go to the MD, even if I refuse to avoid second degree sun burn."</p> <p>_____</p> <p>Client Name _____ Date _____</p> <p>Witness Name _____ Date _____</p> <p>The agency sponsored a Memorial Day cookout on Monday, 5/27/19 which included clients from all three of the homes operated by the Licensee and involved outdoor games and activities. Although sunscreen was said to have been offered a few clients sustained sunburns and one client was hospitalized between 5/29/19 and 6/1/19 with second degree burns over 10% of her body. This client complained in school about the pain of her sunburn on Tuesday, 5/28/19. The school saw blisters on her chest and arms and called the group home to have her picked up but as it was close to the regular dismissal time she returned home as usual. When she returned to the facility, she complained of pain from the sunburn to the staff at the group home but was not seen medically. She was offered Aloe Vera to put on the sunburn. She returned to school on Wednesday, 5/29/19 and again complained of the burns. The school called the group home again and Client #5 was sent home with instructions to her staff that she should be seen by a medical professional. She was then seen at a pediatric clinic and was transferred and admitted to the</p>	V 179		

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V 179	Continued From page 7 burn unit of a local hospital for 4 days. This deficiency constitutes a Type A1 rule violation for serious neglect and must be corrected within 23 days. An administrative penalty 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 179		
V 180	27G .1302 Residential Tx - Staff 10A NCAC 27G .1302 STAFF (a) Each facility shall have a director who has a minimum of two years experience in child or adolescent services and who has educational preparation in administration, education, social work, nursing, psychology or a related field. (b) At all times, at least one direct care staff member shall be present with every four children or adolescents. If children or adolescents are cared for in separate buildings, the ratios shall apply to each building. (c) When two or more clients are in the facility, an emergency on-call staff shall be readily available by telephone or page and able to reach the facility within 30 minutes. (d) Psychiatric consultation shall be available as needed for each client. (e) Clinical consultation shall be provided by a qualified mental health professional to each facility at least twice a month. This Rule is not met as evidenced by: Based on record review and interviews, the governing body failed to ensure at least one direct care staff member was present with every four	V 180		

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V 180	<p>Continued From page 8</p> <p>children or adolescents effecting 6 of 6 clients (#1-#6). The findings are:</p> <p>Review on 6/14/19 of preprinted staff schedules submitted by the Associate Professional for May and June, 2019 revealed:</p> <ul style="list-style-type: none"> - Monday thru Friday there were 2 staff on schedule between 2:30pm and 8:00am the next morning. - there was one staff scheduled between 8:00am and 2:30pm when the clients were in school - Saturday and Sunday the schedule ran from 8:00am - 8:00pm and 8:00pm - 8:00am - 2 staff were on the schedule during times the clients were present in the facility. <p>Review on 6/13/19 of a hand written schedule for June, 2019 submitted by an anonymous staff revealed:</p> <ul style="list-style-type: none"> - single coverage in the 8:00am - 8:00pm slot on June 1st, 2nd and 9th. - other days in June when it currently showed only one staff working included 17th, 23rd, 25th, and 30th. (Part of the schedule was obscured). <p>During interviews on 6/10/19 and 6/13/19, 4 of 5 clients interviewed reported staff on the weekend day shift mostly worked alone. They reported this happened whether their was a full house of 6 clients or less. They also reported another staff person frequently worked alone on the 2nd shift during the week. The fifth client stated she couldn't remember how many people worked on the weekend.</p> <p>During interviews between 6/6/19 and 6/20/19, anonymous staff reported they had worked single shifts both on the weekend and during the week. They reported there were 6 clients present when</p>	V 180		

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V 180	<p>Continued From page 9</p> <p>they were single staffed.</p> <p>During a phone call on 6/12/19 at 10:45pm 2 staff were present at the facility. Neither of these staff were listed on the preprinted or handwritten staff schedule.</p> <p>During an interview on 6/7/19, the Associate Professional reported:</p> <ul style="list-style-type: none"> - she was responsible for doing scheduling at all three of their homes - none of the homes was ever short staffed or operated with only single coverage - if she was not able to find a relief staff person when their was an opening she or the Licensee would work the shift. They always made sure they were in ratio for any of the programs <p>During an interview on 6/28/19, the Licensee reported:</p> <ul style="list-style-type: none"> - they were never single staffed or under staffed and she could prove it by showing the staff schedule and a record of their time cards and paychecks - there were currently disgruntled staff on probation - programs were never operated with only single coverage on the weekend - stated she thought this surveyor seemed to be asking questions which made the staff very nervous and were repeated and directed to get a specific answer 	V 180		