

Division of Health Service Regulation

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| STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:<br><br><b>MHL081-104</b> | (X2) MULTIPLE CONSTRUCTION<br>A. BUILDING: _____<br><br>B. WING _____ | (X3) DATE SURVEY COMPLETED<br><br><b>07/15/2019</b> |
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| NAME OF PROVIDER OR SUPPLIER<br><br><b>KELLY'S CARE #7</b> | STREET ADDRESS, CITY, STATE, ZIP CODE<br><b>1998 HARRIS HENRIETTA ROAD<br/>MOORESBORO, NC 28114</b> |
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| V 000              | <p>INITIAL COMMENTS</p> <p>An annual survey was completed on July 15, 2019. Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5600C Supervised Living for Adults with Developmental Disabilities.</p>   | V 000         |   |                    |
| V 113              | <p>27G .0206 Client Records</p> <p>10A NCAC 27G .0206 CLIENT RECORDS</p> <p>(a) A client record shall be maintained for each individual admitted to the facility, which shall contain, but need not be limited to:</p> <p>(1) an identification face sheet which includes:</p> <ul style="list-style-type: none"> <li>(A) name (last, first, middle, maiden);</li> <li>(B) client record number;</li> <li>(C) date of birth;</li> <li>(D) race, gender and marital status;</li> <li>(E) admission date;</li> <li>(F) discharge date;</li> </ul> <p>(2) documentation of mental illness, developmental disabilities or substance abuse diagnosis coded according to DSM IV;</p> <p>(3) documentation of the screening and assessment;</p> <p>(4) treatment/habilitation or service plan;</p> <p>(5) emergency information for each client which shall include the name, address and telephone number of the person to be contacted in case of sudden illness or accident and the name, address and telephone number of the client's preferred physician;</p> <p>(6) a signed statement from the client or legally responsible person granting permission to seek emergency care from a hospital or physician;</p> <p>(7) documentation of services provided;</p> <p>(8) documentation of progress toward outcomes;</p> <p>(9) if applicable:</p> <ul style="list-style-type: none"> <li>(A) documentation of physical disorders</li> </ul> | V 113         |   |                    |

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 113              | <p>Continued From page 1</p> <p>diagnosis according to International Classification of Diseases (ICD-9-CM);<br/>(B) medication orders;<br/>(C) orders and copies of lab tests; and<br/>(D) documentation of medication and administration errors and adverse drug reactions.<br/>(b) Each facility shall ensure that information relative to AIDS or related conditions is disclosed only in accordance with the communicable disease laws as specified in G.S. 130A-143.</p> <p>This Rule is not met as evidenced by:<br/>Based on record review and interview, the facility failed to keep current an identification face sheet on 1 of 3 audited client records (Client #4). The findings are:</p> <p>Review on 7/12/19 of Client #4's record revealed:<br/>-Admission date: 4/18/19<br/>-Diagnoses: Post-Traumatic Stress Disorder (PTSD), Mood Disorder, Mild Mental Retardation (MR), Unspecified Bipolar and Related Disorder, Attention-Deficit Hyperactivity Disorder, Obesity, Diabetes Mellitus, Gastroesophageal Reflux Disease (GERD), Asthma, Hyperthyroidism, Vitamin B-12 Deficiency<br/>-Her face sheet contained the name and contact information of a former legal guardian;<br/>-Her admission paperwork and treatment plan were signed by her current legal guardian.</p> | V 113         |   |                    |
| V 364              | <p>G.S. 122C- 62 Additional Rights in 24 Hour Facilities</p> <p>§ 122C-62. Additional Rights in 24-Hour</p>  | V 364         |   |                    |

Division of Health Service Regulation

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| V 364              | <p>Continued From page 2</p> <p>Facilities.</p> <p>(a) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-61, each adult client who is receiving treatment or habilitation in a 24-hour facility keeps the right to:</p> <p>(1) Send and receive sealed mail and have access to writing material, postage, and staff assistance when necessary;</p> <p>(2) Contact and consult with, at his own expense and at no cost to the facility, legal counsel, private physicians, and private mental health, developmental disabilities, or substance abuse professionals of his choice; and</p> <p>(3) Contact and consult with a client advocate if there is a client advocate.</p> <p>The rights specified in this subsection may not be restricted by the facility and each adult client may exercise these rights at all reasonable times.</p> <p>(b) Except as provided in subsections (e) and (h) of this section, each adult client who is receiving treatment or habilitation in a 24-hour facility at all times keeps the right to:</p> <p>(1) Make and receive confidential telephone calls. All long distance calls shall be paid for by the client at the time of making the call or made collect to the receiving party;</p> <p>(2) Receive visitors between the hours of 8:00 a.m. and 9:00 p.m. for a period of at least six hours daily, two hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over therapies;</p> <p>(3) Communicate and meet under appropriate supervision with individuals of his own choice upon the consent of the individuals;</p> <p>(4) Make visits outside the custody of the facility unless:</p> <p>a. Commitment proceedings were initiated as the result of the client's being charged with a violent crime, including a crime involving an</p> | V 364         |   |                    |

Division of Health Service Regulation

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| V 364              | <p>Continued From page 3</p> <p>assault with a deadly weapon, and the respondent was found not guilty by reason of insanity or incapable of proceeding;</p> <p>b. The client was voluntarily admitted or committed to the facility while under order of commitment to a correctional facility of the Division of Adult Correction of the Department of Public Safety; or</p> <p>c. The client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>A court order may expressly authorize visits otherwise prohibited by the existence of the conditions prescribed by this subdivision;</p> <p>(5) Be out of doors daily and have access to facilities and equipment for physical exercise several times a week;</p> <p>(6) Except as prohibited by law, keep and use personal clothing and possessions, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>(7) Participate in religious worship;</p> <p>(8) Keep and spend a reasonable sum of his own money;</p> <p>(9) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes; and</p> <p>(10) Have access to individual storage space for his private use.</p> <p>(c) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-57 and G.S. 122C-59 through G.S. 122C-61, each minor client who is receiving treatment or habilitation in a 24-hour facility has the right to have access to proper adult supervision and guidance. In recognition of the minor's status as a developing individual, the minor shall be provided opportunities to enable him to mature physically, emotionally, intellectually, socially, and vocationally. In view of the physical, emotional,</p> | V 364         |   |                    |

Division of Health Service Regulation

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| V 364              | <p>Continued From page 4</p> <p>and intellectual immaturity of the minor, the 24-hour facility shall provide appropriate structure, supervision and control consistent with the rights given to the minor pursuant to this Part. The facility shall also, where practical, make reasonable efforts to ensure that each minor client receives treatment apart and separate from adult clients unless the treatment needs of the minor client dictate otherwise.</p> <p>Each minor client who is receiving treatment or habilitation from a 24-hour facility has the right to:</p> <p>(1) Communicate and consult with his parents or guardian or the agency or individual having legal custody of him;</p> <p>(2) Contact and consult with, at his own expense or that of his legally responsible person and at no cost to the facility, legal counsel, private physicians, private mental health, developmental disabilities, or substance abuse professionals, of his or his legally responsible person's choice; and</p> <p>(3) Contact and consult with a client advocate, if there is a client advocate.</p> <p>The rights specified in this subsection may not be restricted by the facility and each minor client may exercise these rights at all reasonable times.</p> <p>(d) Except as provided in subsections (e) and (h) of this section, each minor client who is receiving treatment or habilitation in a 24-hour facility has the right to:</p> <p>(1) Make and receive telephone calls. All long distance calls shall be paid for by the client at the time of making the call or made collect to the receiving party;</p> <p>(2) Send and receive mail and have access to writing materials, postage, and staff assistance when necessary;</p> <p>(3) Under appropriate supervision, receive visitors between the hours of 8:00 a.m. and 9:00 p.m. for a period of at least six hours daily, two</p> | V 364         |   |                    |

Division of Health Service Regulation

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| V 364              | <p>Continued From page 5</p> <p>hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over school or therapies;</p> <p>(4) Receive special education and vocational training in accordance with federal and State law;</p> <p>(5) Be out of doors daily and participate in play, recreation, and physical exercise on a regular basis in accordance with his needs;</p> <p>(6) Except as prohibited by law, keep and use personal clothing and possessions under appropriate supervision, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>(7) Participate in religious worship;</p> <p>(8) Have access to individual storage space for the safekeeping of personal belongings;</p> <p>(9) Have access to and spend a reasonable sum of his own money; and</p> <p>(10) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes.</p> <p>(e) No right enumerated in subsections (b) or (d) of this section may be limited or restricted except by the qualified professional responsible for the formulation of the client's treatment or habilitation plan. A written statement shall be placed in the client's record that indicates the detailed reason for the restriction. The restriction shall be reasonable and related to the client's treatment or habilitation needs. A restriction is effective for a period not to exceed 30 days. An evaluation of each restriction shall be conducted by the qualified professional at least every seven days, at which time the restriction may be removed. Each evaluation of a restriction shall be documented in the client's record. Restrictions on rights may be renewed only by a written statement entered by the qualified professional in the client's record that states the reason for the renewal of the restriction. In the case of an adult</p> | V 364         |   |                    |

Division of Health Service Regulation

|  |   |   |   |
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| V 364              | <p>Continued From page 6</p> <p>client who has not been adjudicated incompetent, in each instance of an initial restriction or renewal of a restriction of rights, an individual designated by the client shall, upon the consent of the client, be notified of the restriction and of the reason for it. In the case of a minor client or an incompetent adult client, the legally responsible person shall be notified of each instance of an initial restriction or renewal of a restriction of rights and of the reason for it. Notification of the designated individual or legally responsible person shall be documented in writing in the client's record.</p> <p>This Rule is not met as evidenced by:<br/>Based on record review and interview, the facility failed to ensure clients kept the right to make and receive telephone calls affecting 1 of 3 audited clients (Client #3). The findings are:</p> <p>Review on 7/11/19 of Client #3's record revealed:<br/>Date of Admission: 5/25/19<br/>Diagnoses: Schizophrenia-Continuous, Capgras Syndrome, Unspecified Neurocognitive Disorder, Hypothyroidism, Medicine-induced Hyperprolactinemia, History of Opioid Use Disorder-sustained remission, Psychogenic Polydipsia, Dyslipidemia<br/>-5/29/19, her treatment plan goals included:<br/>-Maintaining her placement while she worked on her various activities of daily living;<br/>-Increasing her independent living by engaging in safe and unsupervised time by following the house rules, accessing the community with appropriate behaviors up to 2 hours and using her individual support of 28 hours per week;<br/>-Developing socialization skills in the home and</p> | V 364         |   |                    |

Division of Health Service Regulation

|  |   |   |   |
|--|---|---|---|
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| V 364              | <p>Continued From page 7</p> <p>community.</p> <p>Review on 7/11/19 of the facility's written house rules revealed:</p> <ul style="list-style-type: none"> <li>-There were 2 written set of house rules;</li> <li>-One set of the rules had a fax date of 8/25/15 and referenced all the licensee's facilities;               <ul style="list-style-type: none"> <li>-This set of rules limited client telephone calls to 3 incoming and 3 outgoing calls per day with a 10-minute limit unless the call was to talk with a guardian, court or concerned a job;</li> </ul> </li> <li>-The 2nd set of house rules was undated and appeared to be handwritten;               <ul style="list-style-type: none"> <li>-This set of rules about client telephone call use was limited to 3 telephone calls per day for 10 minutes unless a client was on "restrictions;"</li> <li>-There was no written explanation of what the use of the word "restrictions" meant.</li> </ul> </li> </ul> <p>Review on 7/12/19 of Clients #1 and #3's written the behavior tracking notes revealed:</p> <ul style="list-style-type: none"> <li>-The behavior tracking notes were contained in a white-colored notebook entitled "Crisis Plan" that was at the facility;</li> <li>-Each note was dated and either signed or initialed by a staff;</li> <li>-7/10/19 at 6:00 am, a written note that Client #3 was not getting out of bed on time to take her shower; her consequence for this inaction was no phone calls on 7/10/19 and 1 cigarette was taken away from her;</li> <li>-7/12/19 at an unknown time, Client #1 refused to clean the dining table; her consequence for this refusal was she was not allowed to have phone calls on 7/12/19.</li> </ul> <p>Interview on 7/11/19 with Client #3 revealed:</p> <ul style="list-style-type: none"> <li>-She had lived at the facility since 5/2019;</li> <li>-She had a legal guardian who had not restricted her telephone calls;</li> </ul> | V 364         |   |                    |

Division of Health Service Regulation

|  |   |   |   |
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| V 364              | <p>Continued From page 8</p> <ul style="list-style-type: none"> <li>-She had a cell phone but had no minutes on her phone to call anyone;</li> <li>-She was allowed to use the facility telephone for 3 calls a day and each call was not to exceed 10 minutes;</li> <li>-The 3 telephone calls a day for 10 minutes on each call was a house rule;</li> <li>-The reason for this house rule was not explained to her;</li> <li>-She often called and talked with her mother and her sister;</li> <li>-She had to comply with staff instructions to get out of bed at a certain time, take her shower and complete her chores before she could have a cigarette and a cup of coffee or soda;</li> <li>-Before her admission, she was used to start her day with a soda or cup of coffee and have a cigarette and then showered because it helped her become more awake;</li> <li>-She did not understand the reason her routine to get her day started had to changed when she moved to the group home.</li> </ul> <p>Interview on 7/11/19 with House Manager (HM) revealed:</p> <ul style="list-style-type: none"> <li>-The handwritten house rules posted on the dining room wall were the house she set up for the facility;</li> <li>-Her written rules were similar to the 1st set of house rules that had been posted on the wall for a few years;</li> <li>-She was uncertain if the 1st set of house rules with a faxed date of 8/25/15 and which referenced all of the licensee's facilities continued to be effective;</li> <li>-The rule on use of the facility telephone was to limit the client time during the day because of calls that may need to come in or go out to the pharmacy and/or main office;</li> <li>-The clients at the facility knew this was the</li> </ul> | V 364         |   |                    |

Division of Health Service Regulation

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| V 364              | Continued From page 9<br><br>reason for the limited telephone calls;<br>-Some of the clients' legal guardians restricted the use of their telephone calls.<br><br>Interview on 7/12/19 with the Director/Qualified Professional (QP) revealed:<br>-He would clarify the written client house rules for the facility;<br>-Clients' legal guardians limited the client use of telephone calls;<br>-He did not realize limitations on client telephone use had to have detailed reason(s) in each client's treatment plan. .   | V 364         |   |                    |
| V 513              | 27E .0101 Client Rights - Least Restrictive Alternative<br><br>10A NCAC 27E .0101 LEAST RESTRICTIVE ALTERNATIVE<br>(a) Each facility shall provide services/supports that promote a safe and respectful environment. These include:<br>(1) using the least restrictive and most appropriate settings and methods;<br>(2) promoting coping and engagement skills that are alternatives to injurious behavior to self or others;<br>(3) providing choices of activities meaningful to the clients served/supported; and<br>(4) sharing of control over decisions with the client/legally responsible person and staff.<br>(b) The use of a restrictive intervention procedure designed to reduce a behavior shall always be accompanied by actions designed to insure dignity and respect during and after the intervention. These include:<br>(1) using the intervention as a last resort; and<br>(2) employing the intervention by people | V 513         |   |                    |

Division of Health Service Regulation

|  |   |   |   |
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| NAME OF PROVIDER OR SUPPLIER<br><br><b>KELLY'S CARE #7</b> | STREET ADDRESS, CITY, STATE, ZIP CODE<br><b>1998 HARRIS HENRIETTA ROAD<br/>MOORESBORO, NC 28114</b> |
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| V 513              | <p>Continued From page 10</p> <p>trained in its use.</p> <p>This Rule is not met as evidenced by:<br/>Based on record review and interview, the facility failed to provide client services which promoted a respectful environment respectful environment for 4 of 4 audited clients (Clients #1, #3 and #4). The findings are:</p> <p>Review on 7/11/19 of Client #3's record revealed:<br/>Date of admission: 5/25/19<br/>Diagnoses: Schizophrenia-Continuous, Capgras Syndrome, Unspecified Neurocognitive Disorder, Hypothyroidism, Medicine-induced Hyperprolactinemia, History of Opioid Use Disorder-sustained remission, Psychogenic Polydipsia, Dyslipidemia</p> <p>Review on 7/12/19 of Client #4's record revealed:<br/>-Date of admission: 4/18/19<br/>-Diagnoses: Post-Traumatic Stress Disorder (PTSD), Mood Disorder, Mild Mental Retardation (MR), Unspecified Bipolar and Related Disorder, Attention-Deficit Hyperactivity Disorder, Obesity, Diabetes Mellitus, Gastroesophageal Reflux Disease (GERD), Asthma, Hyperthyroidism, Vitamin B-12 Deficiency</p> <p>Confidential interviews on 7/11/19 about the clients (Clients #2, #3 and #4) revealed:<br/>-Clients were reluctant to voice issues or concerns they had to staff because they would not be taken seriously and/or they they would be "chewed out" by staff;<br/>-Clients knew they would be scolded by staff if they did not eat the food prepared them;<br/>-Clients did not feel their input was heard by staff</p> | V 513         |   |                    |

Division of Health Service Regulation

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| V 513              | <p>Continued From page 11</p> <p>when they tried to help with meal planning and therefore, they were reluctant to ask for food substitutions;<br/>-Staff listened in on client conversations and staffed listened to client conversations with their family which gave the clients no feeling of privacy.</p> <p>Interview on 7/12/19 with Staff #1 revealed:<br/>-She listened to the clients when they brought concerns to her and wanted to talk;<br/>-Client #4 was emotional at times and she has told Client #4 "We are not going to cry today;"<br/>-Client #3 has a time schedule that she is to be out of the bed in the mornings and showered;<br/>-Client #3 does not like to get out of bed when prompted so she had consequences that included having her cigarettes taken away;<br/>-Client #3 knew why she was giving her a consequence but the next day, Client #3's behaviors remained unchanged;<br/>-Client #3 used to wake up, have her caffeine and cigarettes but she was now on a time schedule where she was to shower, take her medicines, and complete her chores before she can have a cigarette;<br/>-Client #1 who had diagnoses of Schizophrenia and Bipolar tended to "act out" when something did not go the way she wanted;<br/>-Last year, there was a "tug of war" over the dustpan with Client #1 and she told Client #1 she would take her telephone calls away from her if she did not calm down.</p> <p>Interview on 7/15/19 with the Director/Qualified Professional revealed:<br/>-He was surprised the clients did not feel comfortable voicing their issues and concerns to staff as Client #3 came into the office 2 times a week and talked with him;<br/>-Client #4 called him a couple of times a week at</p> | V 513         |   |                    |

Division of Health Service Regulation

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| V 513              | Continued From page 12<br><br>the office if she was bothered by something;<br>-Client #4 was upset over her personal spending money from her parents not having arrived on the same day the other residents had their personal spending money;<br>-Client #4's payeeship was being transferred to resolve this issue;<br>-He would provide additional in-service training to the staff to ensure the clients concerns were heard and respected by staff.   | V 513         |   |                    |
| V 736              | 27G .0303(c) Facility and Grounds Maintenance<br><br>10A NCAC 27G .0303 LOCATION AND EXTERIOR REQUIREMENTS<br>(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.<br><br>This Rule is not met as evidenced by:<br>Based on observation and interview, the facility failed to be maintained in a safe, clean and attractive manner. The findings are:<br><br>Observation on 7/11/19 at approximately 10:00 am revealed:<br>-A bottom hinge on the facility's front storm door appeared damaged or broken and the door was difficult to open and close.<br><br>Observations on 7/11/19 at approximately 11:31 am and 2:19 pm of the facility revealed:<br>-Clients #2 and #4's bedroom wall had a hole about the size of a fist and located in the wall behind their bedroom door; | V 736         |   |                    |

Division of Health Service Regulation

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| V 736              | <p>Continued From page 13</p> <p>-The client shared bathroom had broken window blind slats.</p> <p>Interviews on 7/11/19 with Clients #2 and #4 revealed:</p> <p>-Client #2 "slammed" a table against the bedroom wall which caused the hole in the wall;</p> <p>-Client #2 stated she was angry and the hole in the wall had been like that for a couple of months.</p> <p>Interview on 7/11/19 with the House Manager revealed:</p> <p>-She confirmed Client #2 made a hole in the wall of her shared bedroom with a table she threw against the wall;</p> <p>-She had been aware for over a month or two that the front storm door had a damaged hinge the reason it was difficult to open and close;</p> <p>-She was aware of the broken bathroom blinds and that the blinds needed to be replaced;</p> <p>-She would follow up with the Director/Qualified Professional (QP) on the facility repairs needed.</p> | V 736         |   |                    |