

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL041-857	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 08/23/2019
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NAME OF PROVIDER OR SUPPLIER FRESH START HOME FOR CHILDREN	STREET ADDRESS, CITY, STATE, ZIP CODE 1929 MURRYHILL ROAD GREENSBORO, NC 27403
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on 8/23/19. The complaint was substantiated (Intake # NC00154500). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .1700 Residential Treatment-Staff Secure for Children or Adolescents</p>	V 000		
V 132	<p>G.S. 131E-256(G) HCPR-Notification, Allegations, & Protection</p> <p>G.S. §131E-256 HEALTH CARE PERSONNEL REGISTRY</p> <p>(g) Health care facilities shall ensure that the Department is notified of all allegations against health care personnel, including injuries of unknown source, which appear to be related to any act listed in subdivision (a)(1) of this section. (which includes:</p> <ul style="list-style-type: none"> a. Neglect or abuse of a resident in a healthcare facility or a person to whom home care services as defined by G.S. 131E-136 or hospice services as defined by G.S. 131E-201 are being provided. b. Misappropriation of the property of a resident in a health care facility, as defined in subsection (b) of this section including places where home care services as defined by G.S. 131E-136 or hospice services as defined by G.S. 131E-201 are being provided. c. Misappropriation of the property of a healthcare facility. d. Diversion of drugs belonging to a health care facility or to a patient or client. e. Fraud against a health care facility or against a patient or client for whom the employee is providing services). <p>Facilities must have evidence that all alleged acts are investigated and must make every effort</p>	V 132		

Division of Health Service Regulation
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

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V 132	<p>Continued From page 1</p> <p>to protect residents from harm while the investigation is in progress. The results of all investigations must be reported to the Department within five working days of the initial notification to the Department.</p> <p>This Rule is not met as evidenced by: Based on interviews, the facility failed to report allegations against health care personnel to the Health Care Personnel Registry. The findings are:</p> <p>Interview on 8/22/19 with the Licensee revealed: - She had been told by client #2 that staff #3 punched her in the face. - "On that Monday (8/5/19) she (client #2) said that [staff #3] punched her in the face and I said how did she punch you in the face? And I said I don't see any marks." - After being told that a staff member allegedly punched a client, she failed to notify the Health Care Personnel Registry (HCPR) about the abuse allegations of client #2.</p>	V 132		
V 367	<p>27G .0604 Incident Reporting Requirements</p> <p>10A NCAC 27G .0604 INCIDENT REPORTING REQUIREMENTS FOR CATEGORY A AND B PROVIDERS</p>	V 367		

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V 367	<p>Continued From page 2</p> <p>(a) Category A and B providers shall report all level II incidents, except deaths, that occur during the provision of billable services or while the consumer is on the providers premises or level III incidents and level II deaths involving the clients to whom the provider rendered any service within 90 days prior to the incident to the LME responsible for the catchment area where services are provided within 72 hours of becoming aware of the incident. The report shall be submitted on a form provided by the Secretary. The report may be submitted via mail, in person, facsimile or encrypted electronic means. The report shall include the following information:</p> <ol style="list-style-type: none"> (1) reporting provider contact and identification information; (2) client identification information; (3) type of incident; (4) description of incident; (5) status of the effort to determine the cause of the incident; and (6) other individuals or authorities notified or responding. <p>(b) Category A and B providers shall explain any missing or incomplete information. The provider shall submit an updated report to all required report recipients by the end of the next business day whenever:</p> <ol style="list-style-type: none"> (1) the provider has reason to believe that information provided in the report may be erroneous, misleading or otherwise unreliable; or (2) the provider obtains information required on the incident form that was previously unavailable. <p>(c) Category A and B providers shall submit, upon request by the LME, other information obtained regarding the incident, including:</p> <ol style="list-style-type: none"> (1) hospital records including confidential 	V 367		

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V 367	<p>Continued From page 3</p> <p>information;</p> <p>(2) reports by other authorities; and</p> <p>(3) the provider's response to the incident.</p> <p>(d) Category A and B providers shall send a copy of all level III incident reports to the Division of Mental Health, Developmental Disabilities and Substance Abuse Services within 72 hours of becoming aware of the incident. Category A providers shall send a copy of all level III incidents involving a client death to the Division of Health Service Regulation within 72 hours of becoming aware of the incident. In cases of client death within seven days of use of seclusion or restraint, the provider shall report the death immediately, as required by 10A NCAC 26C .0300 and 10A NCAC 27E .0104(e)(18).</p> <p>(e) Category A and B providers shall send a report quarterly to the LME responsible for the catchment area where services are provided. The report shall be submitted on a form provided by the Secretary via electronic means and shall include summary information as follows:</p> <p>(1) medication errors that do not meet the definition of a level II or level III incident;</p> <p>(2) restrictive interventions that do not meet the definition of a level II or level III incident;</p> <p>(3) searches of a client or his living area;</p> <p>(4) seizures of client property or property in the possession of a client;</p> <p>(5) the total number of level II and level III incidents that occurred; and</p> <p>(6) a statement indicating that there have been no reportable incidents whenever no incidents have occurred during the quarter that meet any of the criteria as set forth in Paragraphs (a) and (d) of this Rule and Subparagraphs (1) through (4) of this Paragraph.</p>	V 367		

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V 367	<p>Continued From page 4</p> <p>This Rule is not met as evidenced by: Based on interview and record review, the facility failed to report all Level II incidents that occurred during the provision of billable services to the LME (Local Management Entity) within 72 hours of becoming aware of the incident. The findings are:</p> <p>Interview on 8/22/19 with the Licensee revealed: - She had been told by client #2 that staff #3 punched her in the face. - "On that Monday (8/5/19) she (client #2) said that [staff #3] punched her in the face and I said how did she punch you in the face? And I said I don't see any marks." - After being told that a staff member allegedly punched a client, she completed an incident report but did not ensure that the allegations against staff were put into the Incident Response Improvement System (IRIS). - An internal investigation of the staff member who allegedly punched a client was not completed.</p> <p>Review on 8/21/19 of IRIS revealed: - An incident report was submitted on 8/5/19 by the group home. - "Client became upset with staff because she didn't want to go on a outing with her one on one worker. One on one worker had already planned an activity for [client #2] but she did not want to attend unless the other clients were going with her. Client then went to her room and threw her personal belonging at staff and became verbally aggressive. Client then ran outside and started throwing rocks at staff. Once staff managed to talk her down she came back inside the facility. Staff offered client to use her coping skills but</p>	V 367		

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V 367	Continued From page 5 client refused. Client then attempted to jump out of her bedroom window. Staff blocked the window and client then bit staff on the hand and attempted to hit her. Staff then placed client in therapeutic hold." - "Does this incident include an allegation against the facility? 'no' "	V 367		
V 500	27D .0101(a-e) Client Rights - Policy on Rights 10A NCAC 27D .0101 POLICY ON RIGHTS RESTRICTIONS AND INTERVENTIONS (a) The governing body shall develop policy that assures the implementation of G.S. 122C-59, G.S. 122C-65, and G.S. 122C-66. (b) The governing body shall develop and implement policy to assure that: (1) all instances of alleged or suspected abuse, neglect or exploitation of clients are reported to the County Department of Social Services as specified in G.S. 108A, Article 6 or G.S. 7A, Article 44; and (2) procedures and safeguards are instituted in accordance with sound medical practice when a medication that is known to present serious risk to the client is prescribed. Particular attention shall be given to the use of neuroleptic medications. (c) In addition to those procedures prohibited in 10A NCAC 27E .0102(1), the governing body of each facility shall develop and implement policy that identifies: (1) any restrictive intervention that is prohibited from use within the facility; and (2) in a 24-hour facility, the circumstances under which staff are prohibited from restricting the rights of a client. (d) If the governing body allows the use of restrictive interventions or if, in a 24-hour facility,	V 500		

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V 500	<p>Continued From page 6</p> <p>the restrictions of client rights specified in G.S. 122C-62(b) and (d) are allowed, the policy shall identify:</p> <p>(1) the permitted restrictive interventions or allowed restrictions;</p> <p>(2) the individual responsible for informing the client; and</p> <p>(3) the due process procedures for an involuntary client who refuses the use of restrictive interventions.</p> <p>(e) If restrictive interventions are allowed for use within the facility, the governing body shall develop and implement policy that assures compliance with Subchapter 27E, Section .0100, which includes:</p> <p>(1) the designation of an individual, who has been trained and who has demonstrated competence to use restrictive interventions, to provide written authorization for the use of restrictive interventions when the original order is renewed for up to a total of 24 hours in accordance with the time limits specified in 10A NCAC 27E .0104(e)(10)(E);</p> <p>(2) the designation of an individual to be responsible for reviews of the use of restrictive interventions; and</p> <p>(3) the establishment of a process for appeal for the resolution of any disagreement over the planned use of a restrictive intervention.</p> <p>This Rule is not met as evidenced by: Based on interviews, the facility failed to notify the County Department of Social Services of an abuse allegation. Affecting 1 of 4 clients. The findings are:</p> <p>Interview on 8/22/19 with the Licensee revealed: - She had been told by client #2 that staff #3</p>	V 500		

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V 500	Continued From page 7 punched her in the face. - "On that Monday (8/5/19) she (client #2) said that [staff #3] punched her in the face and I said how did she punch you in the face? And I said I don't see any marks." - After being told that a staff member allegedly punched a client, she failed to notify the County Department of Social Services about the abuse allegations of client #2.	V 500		
V 512	27D .0304 Client Rights - Harm, Abuse, Neglect 10A NCAC 27D .0304 PROTECTION FROM HARM, ABUSE, NEGLECT OR EXPLOITATION (a) Employees shall protect clients from harm, abuse, neglect and exploitation in accordance with G.S. 122C-66. (b) Employees shall not subject a client to any sort of abuse or neglect, as defined in 10A NCAC 27C .0102 of this Chapter. (c) Goods or services shall not be sold to or purchased from a client except through established governing body policy. (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. (e) Any violation by an employee of Paragraphs (a) through (d) of this Rule shall be grounds for dismissal of the employee. This Rule is not met as evidenced by:	V 512		

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V 512	<p>Continued From page 8</p> <p>Based on observations, record reviews and interviews, 1 of 4 current staff (staff #3) abused 1 of 4 clients (client #2) and the Licensee failed to protect 1 of 4 clients (#2) from harm. The findings are:</p> <p>Review on 8/23/19 of client #2's record revealed:</p> <ul style="list-style-type: none"> - Admission Date: 7/31/19 - Diagnoses: Bipolar II Disorder (D/O), Social Anxiety D/O; Oppositional Defiant D/O; Attention-Deficit/Hyperactivity Disorder (ADHD) Combined Type; Borderline Intellectual Functioning - Age: 16 years-old - Review of client #2's Admission Assessment dated 7/30/19: - "Description of interventions: [Client #2] uses her calming techniques of: frozen items to eat such as popsicles, lying down, washing hair, going to her room." - Review of client #2's Psychological Evaluation dated 1/28/19 revealed: - "Collateral information states Fetal Alcohol Syndrome as her biological mother consumed alcohol while she was pregnant. Autism is also a concern. She has executive functioning deficits, social skills deficits, and becomes aggressive when she does not get access to desired items/activities. " - Review of client #2's goals in the Person-Centered Profile (PCP) updated 7/30/19 revealed: - "Client and her family will improve ability to manage emotions and develop healthy strategies for expression..." - "...will comply with all rules and expectations with the daily schedule without using any explicit language or behaviors, cursing or arguing ..." - "Client will make better choices/decisions ..." 	V 512		

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V 512	<p>Continued From page 9</p> <p>Review on 7/16/19 of the Licensee's personnel record revealed:</p> <ul style="list-style-type: none"> - Hire Date: 1/19/07 - Position: Qualified Professional/Executive Director - Trainings: <ul style="list-style-type: none"> - On 2/27/19 completed "National Crisis Intervention Plus (NCI +)" - On 3/6/18 completed "Abuse/Neglect/Exploitation/Mistreatment" <p>Review on 7/16/19 of staff #3's record revealed:</p> <ul style="list-style-type: none"> - Hire Date: 9/1/18 - Position: Para Professional - Completed "National Crisis Intervention Plus (NCI +)" <p>Interviews on 8/23/19 and 8/21/19 and observations on 8/21/19 at 2:58 pm with client #2 revealed:</p> <ul style="list-style-type: none"> - She was pulled off her bed by staff #3 and laid on by staff #3 on her bedroom floor on 8/3/19. - During the incident she was on her stomach with staff #3 laying on her back "choking" her. - "I was in my bedroom and she came in and said what's wrong with you. I said can you get out of my room because it is triggering me. Can you leave me alone because I'm thinking about my mother..." - "She (staff #3) dragged me off the bed. I was sitting on the bed. She dragged me by my braids." - "She pushed me on the floor and jumped on top of me. She was laying on me." - "I slammed (to) the ground real quick and if you were here you would have heard it." - "I got choked and she (staff #3) was on top of me." - "I couldn't breathe. I couldn't feel my lungs. I was huffing and puffing." 	V 512		

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V 512	<p>Continued From page 10</p> <ul style="list-style-type: none"> - "She (staff #3) took her hands off my neck and grabbed my wrist." - "Then [FS #10] came into the room and said 'get off of her.' " - "She (staff #3) had her nails in my arm." - "I said I need water because I couldn't talk, my voice was like this ..." Observed client #2 whispering. - Observed multiple scratches to client #2's inside left forearm and one scratch to the inside of the right forearm. - "I (went outside and) knocked on someone's door and asked them to call the police. I got restrained on the dirt outside (by staff #3). I was laying on my stomach and she (staff #3) was laying on me. She's heavy. It hurt." - "She pulled me inside the car with her hand around my mouth. She had [FS #10] to open the door to her car." - She denied throwing any clothes out the window and only recalled being brought back to the group home where she went to her bedroom and cried. - Her back was hurting after the restraint. <p>Observations at 11:05 am and Review on 8/23/19 of client #2's "thoughts journal" revealed:</p> <ul style="list-style-type: none"> - Client #2 presented her "thoughts journal" and pointed out an entry she wrote on "the day it (restraint) happened": - "Attention Everyone!!! So while at this group home (Fresh Start Home for Children): [Legal Guardian], [Guardian Ad Litem], [Care Coordinator] Listen up: Ever since Ive been 1 to 1 with [staff #3] she has been pulling me out of camp early to go see others that was not related into the circle in the group home. She (staff #3) was smoking cigars in the front of me which gets on my nerves because it makes my nose burns, because it goes towards my way. Also when at camp if I tell her I don't wanna leave because I 	V 512		

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V 512	<p>Continued From page 11</p> <p>was having fun trying to enjoy the rest of summer. She says" well its not what you want its what I want so cmon." And she (staff #3) grabs my hand and pulls me to the point I stomp. pass morning while in group home she (staff #3) get a attitude to wake me up, meaning like "[client #2] get up I ain't got time Im already in bad mood lets go." So Im like saying in my head "why you gotta take it out on me." So if I don't wake up She'll start yelling "Get TF up." "Im not playing." So I ignored her until she said it in a calm voice which she didn't. So then she pulled the cover off me and pulled me out of the bed. She has been threatening me in the library. "If you don't come here I am going to beat you down." Im your 1 to 1 so you do as I say." "or else." So I said "you touch me Im going to tell [care coordinator]." So she said "I'll call for you." So she called her and said I walked out before I even walked yet. So since decided to lie on me I made her wish come true and I walked out. Then police came to talk to me and I rode with him he asked me what was going on. So I said "[staff #3] has been touching me." He said "what do you mean touching you." So I said she grabs my hand really tight decides to pull me everywhere like I am a dog." So he says "if she does it again call 9-1-1." I said "I can't they wont let me." Then he said "sneak on the phone or go outside and asked someone next door to call police." So I said "okay I will try." So then he asked me "are you hungry. I said "no I think I wanna starve myself." He said "cmon I'll buy you something." I said "okay." I want some hot fries and chicken nuggets and fries from cookout." He said, "okay." So got back to group home [staff #3] had asked to get the others cook out just to not get them jealous. So all of us got it (cook out) the girls started acted funny towards me. So I said "yall better be lucky if it wasn't for me yall wouldn't have cookout cause of me cause</p>	V 512		

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NAME OF PROVIDER OR SUPPLIER FRESH START HOME FOR CHILDREN	STREET ADDRESS, CITY, STATE, ZIP CODE 1929 MURRYHILL ROAD GREENSBORO, NC 27403
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V 512	<p>Continued From page 12</p> <p>really police had asked me what I want." So then I went in the kitchen to eat my food. She (staff #3) said "nope you can't eat til I get ready." So I went to my room and started packing. So then she pushed me on the floor and jumped on top of me so I started screaming for help. So I said get off me because she had her hand around my neck trying to choke me I guess. So I went outside and tried to go next door to asked someone to call the police so she pushed on the ground and got on top of me and had her hand around my mouth and dragged me into her car. Said "sit down and stfu and took back to the house. So I went to my room and started crying "I don't want to be here cause I don't get respect here." So she opened the door and said "stfu before I do it again." So I said Im telling my social worker. She said "I dont fxxing care." And left so I just was trying to catch my breath. Question (to my social worker): Can I have a diffrent 1 to 1? Or can I plz go to a new placement. "</p> <p>Interview on 8/23/19 with client #2 revealed:</p> <ul style="list-style-type: none"> - She packed her belonging on 8/3/19 because she wanted to leave and wanted her social worker to find a new placement. - Staff #3 told other staff not to talk to her. - "I packed (my belongings on 8/3/19) because I was going to call my social worker and see if she could get me a new placement." - "I wanted to leave because she (staff #3) keeps touching me. Meaning she keeps threatening, pulling my hand and getting on top of me." - "She tells other staff not to talk to me and that she is the only one I can talk to." <p>Interview on 8/22/19 with FS #10 revealed:</p> <ul style="list-style-type: none"> - When she arrived at the group home on 8/3/19 at 7:00 pm she was told there was a crisis going on with client #2. 	V 512		

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V 512	<p>Continued From page 13</p> <ul style="list-style-type: none"> - "[Staff #1] told me there was a crisis going on with [client #2]. I sat there and I hear someone screaming 'leave me alone, get out of here and I want you to get out of my room.' [Client #2] was screaming." - "[Staff #1] said I will take the girls for a walk and told me to stay there. I stayed at the house. I started hearing more screaming and cursing by [client #2]. I got up and went to [client #2's] bedroom and when I got into the bedroom [staff #3] her (client #2's) one on one was standing there on the phone with [the Licensee]." - "[Client #2] started saying leave me alone and I hate you. [Staff #3] was saying I am not leaving your room. " - "[Client #2] tore down the curtains, screaming b***h leave me alone and you're trying to rape me and I hate you. [Client #2] tried to throw the dresser at [staff #3]." - "[The Licensee] (who was on the phone) told her daughter [staff #3] to take her down." - "[Client #2] was standing up and [staff #3] threw her on the ground. [Staff #3] football player grabbed her to the ground. Now [client #2] is on the floor with [Staff #3] on top of her. [Client #2] is face down and [Staff #3] is doing a choke hold with her right arm." - "[Client #2] started screaming, you're choking me I can't breathe." - "[Staff #3] is yelling at me 'where is my phone?' I could not find her phone. While [staff #3] is choking [client #2], [client #2] is biting [staff #3's] thumb. I am praying Jesus, Jesus what do I do? [Client #2] is looking at me and sweating and saying to me 'I can't breathe.' I say to [staff #3] you have got to let her go because [client #2] has asthma and couldn't breathe. [Client #2] is crying and saying 'I can't breathe' so I said to [client #2] 'my name is [FS #10] say my name' so that I know that she is breathing. I am asking her 	V 512		

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V 512	<p>Continued From page 14</p> <p>to say my name. So when she (client #2) said my name I knew she was breathing and I say to [staff #3] get up off of her."</p> <p>- "[Staff #3] got up off of her and [Client #2] got up and said (to staff #3) 'you tried to kill me you tried to kill me' and then ran out of the house. [Staff #3] told me to get the keys to her car and I got the keys to the car. I got in the car following and [staff #3] was on foot and [client #2] was running."</p> <p>- "We (FS #10 and staff #3) find her and [staff #3] says 'I am going to take her down and put her in the car.' [Staff #3] wrestled [client #2] to the ground and it happened quickly. [Staff #3] dragged [client #2]. [Client #3] was standing and [staff #3] pulled her by her arm to make her get into the car and pushed [client #2] into the car."</p> <p>- "Then [staff #3] told me she was going to drive and I got in the passenger seat. [Staff #3] drove to [local road]. I asked (staff #3), 'why are you driving this way?' I asked her, 'what are you doing?' and she said, 'shut up.' She made a U turn at the light and starts driving into traffic and [client #2] is yelling you tried to kill me and [client #2] was throwing [staff #3's] clothes out the car window. Now we are driving back down [local road] and [client #2] is throwing clothes out the window. [Staff #3] starts yelling this b***h is throwing my clothes out the car."</p> <p>- "Then I am like Jesus we are going into traffic and it is crazy. [Staff #3] stops the car in the middle of the street in traffic and said get in the driver's seat because I am going to kill this girl. When I looked at her face I knew she was angry and I knew at that point I needed to get [client #2] away from her because [staff #3] was very angry. I jumped out of the passenger seat and jumped in the driver's seat. [Staff #3] was picking up her clothes and coming back to the car but I did not trust her and [client #2] together so I took off."</p> <p>- "I am sure she (client #2) had some injuries ...</p>	V 512		

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V 512	<p>Continued From page 15</p> <p>[Client #2] did tell me when we were in the car alone that her back was hurting her, there was bruises on her knee and elbow. I think it was her right elbow. I do remember her telling me her back was hurting. Unsure which knee had bruise. She did not have marks on her face when I left on 8/4/19. Her knee was scraped up from when [staff #3] wrestled her on the concrete getting her into the car."</p> <p>- "I got [client #2] calmed down and she said over and over [staff #3] is going to kill me and I told her to calm down. I drove [client #2] back to the group home and got her back to her room. She told me she was going to leave if I left and I told her I wasn't going to leave. I would stay the whole night. She kept saying [staff #3] was going to kill her. I stayed the whole shift. I was scared [staff #3] was going to come back so I called [the Licensee] and told her that [staff #3] did not need to come back."</p> <p>- The Licensee arrived at the group home and confronted client #2.</p> <p>- "I felt like at that point I was going to stay and protect [client #2]. I didn't like the way [the Licensee] was confronting [client #2]. She had her (client #2) like in a hug hold around [client #2's] neck and taking her back to her room. [The Licensee] took her back to her room and I followed them. [The Licensee] lets her go. [The Licensee] told [client #2] 'you are going to get it and I don't like ugly' and [client #2] tried to tell [the Licensee] that [staff #3] hurt her and the owner said "[staff #3] had to hurt you because you were acting up. [Staff#1] and the other residents were in the kitchen and could not hear what was happening."</p> <p>- "[The Licensee] did not ask me what happened. She didn't ask me anything. She only talked to [client #2] and was confrontational with [client #2] and was not concerned. I told [the Licensee] I</p>	V 512		

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V 512	<p>Continued From page 16</p> <p>am here and [client #2] is going to be ok and I told her everyone needs to go home because everyone has had enough for today."</p> <ul style="list-style-type: none"> - "She (the Licensee) already knew what happened in the bedroom because she was on the phone with [staff #3]." - "[Client #2] asked [the Licensee] if I could be her one on one. [Staff #3] left and went home. I thought I was going to die in that car that night." - "I told her (the Licensee) about [staff #3] getting mad about her clothes being thrown out and how [staff #3] drove crazy into on-coming traffic. I told her I was not prepared to handle that kind of situation and I did not have enough credentials." - "It could have gone tragic very quickly." - FS #10 was so concerned about client #2's safety that she stayed the night. - She never returned to work at the group home after that night. <p>Interview on 8/22/19 with staff #3 revealed:</p> <ul style="list-style-type: none"> - She is the daughter of the Licensee. - "I am her (client #2's) one on one. On 8/3/19 we went to the library ...[Client #2] wanted to be a part of the group with the other residents and felt she was singled out. We did go with the group home girls to the library but I made her do her own assignment and she got upset about that. We had a behavior at the library where she throws rocks at me ... The police officer was there and saw everything and the police drove [client #2] back to the group home." - "We are now at the group home. The police told her if she behaved for the day he would bring her Cook-out. She went into her room and started packing up things and was still upset about being pulled away from the rest of the group. I stood at the bedroom door. She was saying f**k you b***h I don't want you to be my one on one and I want to leave here." 	V 512		

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V 512	<p>Continued From page 17</p> <ul style="list-style-type: none"> - Client #2 did not say why she did not want her to be the one on one. - "The girls were in their room when this was happening. [FS #10] and [staff #1] were there. This is around 6:30 pm- 7 pm on Saturday 8/3/19." - "She (client #2) grabs her bag to leave the group home and I said you can't leave you have to stay here and I realize how you feel. She did not like that and puts her bag down. She picks up her hamper and throws it at me. I step back and then stepped back into the room and tell her she was going to have to stop or I will have to put her down. She said 'F-U b***h you are not going to touch me or I will call the police.' I tell her I am not going to touch you unless I have to. She starts banging the window and says I don't want to be here." - "I moved her (client #2) away from the window. I grabbed her arms and put her on the floor. I was behind her. She was on her stomach because I had her in a therapeutic hold and she was head butting me, trying to fight me and is biting me. She bit me on my finger. My body is on top of her. I was sitting on her bottom (straddling her) and holding her arms above her head. Her arms were straight up above her head. Her head was on the floor and she was head butting me and hitting my upper chest area. She was trying to bite me, my arms." - "[FS #10] was praying for her while I had her in the therapeutic hold and [client #2] said she was thirsty. [FS #10] went and got her a bottle of water. I got up and let her up so she could drink her water and calm down. She sits down on the bed and drinks of water. She (client #2) still is screaming and drinking water." - "[The Licensee] was on the phone facetime and saw everything." - "I did what I had to do so I wouldn't get hurt. It 	V 512		

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V 512	<p>Continued From page 18</p> <p>(the restraint of client #2) was not correct to do face down. I did start out the correct way but when she fought me, I had to protect myself."</p> <p>- "[The Licensee] told me after we got up to give her time alone and I started to exit the room and she ran out (of the group home)."</p> <p>- "We (staff #3 and FS #10) chased her with the car with [FS #10] driving asking her to get into the car and [client #2] refuses to get into the car and is yelling she wants to kill herself and wants to go to the hospital. [FS #10] pulls the car up. [Client #2] tries to go to the left to avoid getting in the car. The car door is open. I did not touch her. I basically walked her into the back seat. I closed her into the car. That's how I got her in. She fell into the back seat. Her legs hit the bottom of the car. I closed the door and got into the car and I start to bring her back to the group home."</p> <p>Interview on 8/22/19 with the Licensee revealed:</p> <p>- "(According to staff #3 on 8/3/19) [Client #2] wanted to hang out with the other girls (at the library) and she was upset. [Client #2] went and talked to the police and he bought all the girls something from fast food and brought [client #2] back to the group home because she would not get in the group home van."</p> <p>- "[Client #2] was cussing at [staff #3] and said she didn't want [staff #3] to be her worker and wanted another one on one working. [Client #2] kept calling [staff #3] a 'b.' [Staff #3] had me on messenger (like facetime). I was coaching her through it."</p> <p>- "(I told staff #3) If she (client #2) goes to hurt herself or destroy property you will have to restrain her."</p> <p>- "[Client #2] tries to go out the window (3-4 feet off the ground) and that's when [staff #3] got her. She went to restrain her so she would not go out the window. [Client #2] started cussing and</p>	V 512		

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V 512	<p>Continued From page 19</p> <p>fighting her. I was on the phone (facetime) and [FS #10] came in."</p> <p>- "She (staff #3) pulled [client #2] away from the window ...and that's when I got off the phone (facetime). Right about her wrist is where [staff #3] had [client #2] by both arms. [Staff #3] was behind [client #2] (pulling her back from the window) so she would not go out of the window. Then [FS #10] came in and I said I am leaving. I did not see any more beyond pulling her away from the window. I felt comfortable leaving then (and hung up the phone to drive to the group home) because [FS #10] was in the room."</p> <p>- "When I almost got there, I called [staff #3] back and they said [client #2] ran down to [local street]. When I pulled-up I saw [staff #3] in the middle of the road picking up clothes. [FS #10] had already taken [client #2] home."</p> <p>- "When I got there [FS #10] said [client #2] was asleep."</p> <p>- "On that Monday (8/5/19) she (client #2) said that [staff #3] punched her in the face (on 8/3/19) and I said, 'how did she punch you in the face?' And I said I don't see any marks."</p> <p>- She did not have staff #3 removed from the schedule after client #2 alleged that she was hit by staff #3.</p> <p>Interview on 8/22/19 with staff #1 revealed:</p> <p>- She, FS #10 and all the other residents were not in the group home when staff #3 restrained client #2 on 8/3/19.</p> <p>- "[Client #1] pulled me outside and said I am having a flashback. That's when me and the other staff (FS #10) took the girls for a walk."</p> <p>- "When we returned [client #2] came to me and [FS #10] and said [staff #3] put her hands on me. She (client #2) kept telling us that [staff #3] hit her and asked for Advil because her head was hurting. "</p>	V 512		

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V 512	<p>Continued From page 20</p> <p>- "[Client #2] said that [staff #3] hit her on the back of her neck and her head. That's when [client #2] asked me to be her one on one. "</p> <p>Interview on 8/21/19 with client #3 revealed:</p> <ul style="list-style-type: none"> - She was in her bedroom when staff #3 restrained client #2 on 8/3/19. - She never saw anything occur between client #2 and staff #3 and only heard things. - "[Client #2] blew up in her room. [Staff #3] went in to try to calm her (client #2) down." - "[Client #2] was screaming and telling [staff #3] she was going to bite her." <p>Interview on 8/21/19 with client #1 revealed:</p> <ul style="list-style-type: none"> - She was in her bedroom when staff #3 restrained client #2 on 8/3/19. - She never saw anything occur between client #2 and staff #3 and only heard things. - "I just heard [client #2] saying to [staff #3] to get off of me." - "(I heard) [Staff #3] say I can't get off of you until you stop kicking and biting." <p>Interview on 8/21/19 with client #4 revealed:</p> <ul style="list-style-type: none"> - She was in her bedroom when staff #3 restrained client #2 on 8/3/19. - She never saw anything occur between client #2 and staff #3 and only heard things. - "[Client #2] was telling [staff #3] to get off of her." - "[Staff #3] told [client #2] to calm down and she would let her go." - "[FS #10] was praying for [client #2] when it happened." <p>Review on 8/22/19 of the Plan of Protection dated 8/22/19 and written by the Qualified Professional revealed:</p>	V 512		

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V 512	<p>Continued From page 21</p> <p>"What will you immediately do to correct the above rule violations in order to protect clients from further risk or additional harm? The first course of action taken on August 22, 2019, to address the rule violation was to terminate the employment of the staff member involved, [staff #3], effective immediately. While it was determined that [staff #3] may have been involved in the rule violation, prior to this violation there had been no previous incidents of this nature. Further, [staff #3] received training in North Carolina Interventions (NCI) at the onset of her employment with the agency and a refresher course both of which were current and up to date. After debriefing with the DHHS representative, a staff meeting was held on August 22, 2019, with all staff, including [the Licensee], to address the day-to-day needs of clients, as well as address the concern regarding the rule violation, which included, but was not limited to reviewing with staff the importance of completing incidents reports in a timely manner, the appropriateness of completing an incident report when client report incidents, and the importance of consulting supervision if there are questions regarding if a report should be completed. Staff were also advised regarding utilization of the person-centered approach as it relates to meeting clients where they are and provided resources and interventions to assist in deescalating clients exhibiting behavioral concerns such as, but not limited to physical aggression, dishonesty or verbal outbursts. In addition to providing the staff with resources and interventions to address behavioral concerns of clients, we also reviewed NCI techniques, and the appropriateness of each technique as it relates to the individual needs of each client, including any medical concerns that may prevent the use of certain techniques. Prior to the staff meeting,</p>	V 512		

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V 512	<p>Continued From page 22</p> <p>each client record was reviewed for medical conditions and any pertinent information that may impact how the staff may proceed during a time of crisis. In addition to review of medical conditions, we reviewed the Person-Centered Plan and Crisis Plan for each individual client, to ensure that the staff were aware of the specific needs of each client. The importance of notifying the supervisor was reiterated with the staff during this meeting. In an effort to prevent future rule violations and to maintain the skills and knowledge of staff, incident reporting will be added to the staff meeting agenda and addressed once a month.</p> <p>After the staff meeting, MSQP [QP] met with [the Licensee] to conduct an individual supervision session regarding the policies and procedures of the agency, as well as decision making protocols and staff training. [Licensed Practitioner (LP)], MSW, LCSW, joined the supervision session to advise [the Licensee] of his plans to assist the MSQP (QP) in supervision of [the Licensee] as it relates to addressing staff training, policies and procedures. Moving forward as of this 8/22/19 meeting [the Licensee] will be supervised by the MSQP [QP] and the LCSW [LP] with a minimal of 1hr a week.</p> <p>Subsequently, [LP], MSW, LCSW, contacted each client individually to assess their safety, inquiring about whether the client has recently been harmed, if the client is currently being harmed and if the client has any reason to feel that they may be harmed. In discussions with each client, [LP] was able to broaden his understanding of the facility's functioning and based on individual client reports, it was resolved that each client is safe and there are no concerns that harm has or may occur. After confirming their safety, each client identified who they feel comfortable in disclosing if safety concerns</p>	V 512		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL041-857	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 08/23/2019
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NAME OF PROVIDER OR SUPPLIER FRESH START HOME FOR CHILDREN	STREET ADDRESS, CITY, STATE, ZIP CODE 1929 MURRYHILL ROAD GREENSBORO, NC 27403
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V 512	<p>Continued From page 23</p> <p>arose. Describe your plans to make sure the above happens. I can attest that the above has occurred as I terminated [staff #3], facilitated the staff meeting, reviewed the Peron Centered Plan and Crisis Plan for each client and met with [LP] following his assessment of each client to determine if further interventions were necessary. The staff meeting has a memo to show the meeting minutes that where discussed and can be re-reviewed at any time as needed for a refresher. [LP] will have documentation of his assessment with the clients to reflect no safety concerns at this time for the clients. [QP] 8/22/2019"</p> <p>The facility serves 4 female clients ranging in age from 15 to 17. Some of their diagnoses include: Bipolar II Disorder (D/O), Social Anxiety D/O; Post Traumatic Stress D/O; Oppositional Defiant D/O; Attention-Deficit/Hyperactivity Disorder Combined Type; Disruptive Mood Dysregulation D/O; Cannabis Dependence; and Borderline Intellectual Functioning. Client #2 has a history of aggression and on 8/3/19 she was held face down by staff #3. The client was dragged down to her bedroom floor, was on her stomach and the staff was on top of her and had her in a choke hold. The client repeatedly screamed she could not breath and a second staff, FS #10, told staff #3 to get off the client. Afterwards, the client ran and when she was found by staff #3, she was again held on her stomach, dragged by her hand and pushed into a car. Staff #3 then drove the client and FS #10 in an erratic manner while client #2 threw her clothes out the window. Staff #3 stopped the car in the middle of traffic on a busy road and got out to retrieve her clothes. FS #10 was concerned for the safety of the client and</p>	V 512		

Division of Health Service Regulation

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V 512	Continued From page 24 herself so she drove herself and client #2 away leaving staff #3 in the road. FS #10 stated there was a bruise on the client's knee and elbow after the restraints. Client #2 complained that her back hurt as well. When the client reported the abuse to the Licensee, the Licensee did not report the allegations to HCPR, did not include the allegations in the incident report, and did not conduct an internal investigation. She also allowed staff #3 to continue to work at the facility until 8/22/19. This deficiency constitutes a Type A1 rule violation for failure to protect from harm and serious abuse and must be corrected within 23 days. An administrative penalty of is \$5,000.00 imposed. If the violation is not corrected within 23 days, an additional 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 interviews, the facility was not maintained in a safe manner. The findings are: Observation of client #4's bedroom on 8/21/19 revealed: - At 4:53 pm observed client #4's bedroom door	V 736		

Division of Health Service Regulation

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V 736	<p>Continued From page 25</p> <p>to be missing. Observed the door leaning on the wall cross from her room.</p> <p>Interview on 8/21/19 with client #4 revealed:</p> <ul style="list-style-type: none"> - She had kicked her door off a couple of weeks ago. - She had been told the group home would put it back when money was received from her social worker. <p>Interview on 8/22/19 with staff #1 revealed:</p> <ul style="list-style-type: none"> - Client #4's bedroom door was leaning against a wall across the hall from her room because client #4 had an "episode and tore it down." - Client #4's door had been down "approximately 3-4 days ago." - She did not know why the door had not been put back on the hinges. <p>Interview on 8/22/19 with staff #3 revealed:</p> <ul style="list-style-type: none"> - Client #4 tore down her door about two or three weeks ago. <p>Interview on 8/23/19 with the Licensee revealed:</p> <ul style="list-style-type: none"> - "(Client #4's) legal guardian told us to leave her (bedroom) door off because it's a natural consequence." 	V 736		