

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL047-169	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 08/12/2019
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NAME OF PROVIDER OR SUPPLIER MULTICULTURAL RESOURCES CENTER GRO	STREET ADDRESS, CITY, STATE, ZIP CODE 518 EAST 5TH AVENUE RAEFORD, NC 28376
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V 000	<p>INITIAL COMMENTS</p> <p>An annual survey was completed on August 12, 2019. 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 118	<p>27G .0209 (C) Medication Requirements</p> <p>10A NCAC 27G .0209 MEDICATION REQUIREMENTS</p> <p>(c) Medication administration:</p> <p>(1) Prescription or non-prescription drugs shall only be administered to a client on the written order of a person authorized by law to prescribe drugs.</p> <p>(2) Medications shall be self-administered by clients only when authorized in writing by the client's physician.</p> <p>(3) Medications, including injections, shall be administered only by licensed persons, or by unlicensed persons trained by a registered nurse, pharmacist or other legally qualified person and privileged to prepare and administer medications.</p> <p>(4) A Medication Administration Record (MAR) of all drugs administered to each client must be kept current. Medications administered shall be recorded immediately after administration. The MAR is to include the following:</p> <p>(A) client's name;</p> <p>(B) name, strength, and quantity of the drug;</p> <p>(C) instructions for administering the drug;</p> <p>(D) date and time the drug is administered; and</p> <p>(E) name or initials of person administering the drug.</p> <p>(5) Client requests for medication changes or checks shall be recorded and kept with the MAR file followed up by appointment or consultation with a physician.</p>	V 118		

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

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V 118	<p>Continued From page 1</p> <p>This Rule is not met as evidenced by: Based on record reviews, observation and interviews, the facility staff failed to assure: a) medication was administered as ordered by a physician and b) MARs were kept current. The findings are:</p> <p>Review on 8/9/19 of Client #1's record revealed: - Admission date of 6/13/19 - Diagnoses of Schizophrenia -Bipolar Type; Intermittent Explosive Disorder; Intellectual Disability; Borderline Intellectual Functioning; Factitious Disorder. - Physician's orders included the following: 1) 6/25/19 - Clonazepam (Klonopin) .5mg, - "Decrease from BID (two times a day) to one in the morning." 2) 6/25/19 - Risperdal, 3mg, two times a day as needed (PRN) for agitation and an order dated 7/19/19 to discontinue the current order with a change for the Risperdal 3mg to be administered two times a day plus 1 tablet as needed (PRN) for agitation. - The July 2019 MAR documented: 1) Clonazepam .5mg was administered two times a day from 7/1 thru 7/10. A handwritten notation documented "D/C (discontinued), None" from 7/11 thru 8/9. 2) Risperdal 3mg was documented as administered as a PRN medication 2 times a day from 7/1 thru 7/19, then medication was discontinued.</p> <p>Additional review on 8/9/19 of Client #1's record revealed:</p>	V 118		

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V 118	<p>Continued From page 2</p> <ul style="list-style-type: none"> - No discontinue order was available for Clonazepam .5mg as documented on the client's July 2019 MAR beginning 7/11/19. - No order to completely discontinue the Risperdal 3mg, two times a day plus 1 tablet as needed (PRN) for agitation. - Due to lack of a discontinue order, it was not possible to determine if the medications were being administered as ordered. <p>Review on 8/9/19 of Client #2's record revealed:</p> <ul style="list-style-type: none"> - Admission date of 3/31/19 - Diagnoses of Schizophrenia; Bipolar Disorder; Post Traumatic Stress Disorder; Personality Disorder - Physician's orders the following PRN medications to manage behavior: <ol style="list-style-type: none"> 1. Chlorpromazine 50mg, 1 and one half for agitation 2. Lorazepam 2mg, One every 6 hours for agitation 3. Olanzapine 10mg, One every 8 hours for acute agitation (one from all sources per day) - Physician's orders for the following PRN medications to manage pain and nausea: <ol style="list-style-type: none"> 1. Sumatriptan 100mg, One tablet at headache onset 2. Ondansetron 4mg (Zofran), One every 6 to 8 hours for nausea <p>Observation on 8/9/19 of Client #2's medications on hand revealed:</p> <ul style="list-style-type: none"> - None of the above PRN medications were available to be administered to the client in response to the onset of agitation which could result in a behavior nor at the onset of pain or nausea. <p>Interview on 8/12/19 with the Facility Director confirmed the above findings.</p>	V 118		

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V 133	<p>G.S. 122C-80 Criminal History Record Check</p> <p>G.S. §122C-80 CRIMINAL HISTORY RECORD CHECK REQUIRED FOR CERTAIN APPLICANTS FOR EMPLOYMENT.</p> <p>(a) Definition. - As used in this section, the term "provider" applies to an area authority/county program and any provider of mental health, developmental disability, and substance abuse services that is licensable under Article 2 of this Chapter.</p> <p>(b) Requirement. - An offer of employment by a provider licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a State and national criminal history record check of the applicant. If the applicant has been a resident of this State for less than five years, then the offer of employment is conditioned on consent to a State and national criminal history record check of the applicant. The national criminal history record check shall include a check of the applicant's fingerprints. If the applicant has been a resident of this State for five years or more, then the offer is conditioned on consent to a State criminal history record check of the applicant. A provider shall not employ an applicant who refuses to consent to a criminal history record check required by this section. Except as otherwise provided in this subsection, within five business days of making the conditional offer of employment, a provider shall submit a request to the Department of Justice under G.S. 114-19.10 to conduct a criminal history record check required by this section or shall submit a request to a private entity to conduct a State criminal history record check required by this section. Notwithstanding G.S. 114-19.10, the Department of Justice shall return the results of national criminal history</p>	V 133		

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V 133	<p>Continued From page 4</p> <p>record checks for employment positions not covered by Public Law 105-277 to the Department of Health and Human Services, Criminal Records Check Unit. Within five business days of receipt of the national criminal history of the person, the Department of Health and Human Services, Criminal Records Check Unit, shall notify the provider as to whether the information received may affect the employability of the applicant. In no case shall the results of the national criminal history record check be shared with the provider. Providers shall make available upon request verification that a criminal history check has been completed on any staff covered by this section. A county that has adopted an appropriate local ordinance and has access to the Division of Criminal Information data bank may conduct on behalf of a provider a State criminal history record check required by this section without the provider having to submit a request to the Department of Justice. In such a case, the county shall commence with the State criminal history record check required by this section within five business days of the conditional offer of employment by the provider. All criminal history information received by the provider is confidential and may not be disclosed, except to the applicant as provided in subsection (c) of this section. For purposes of this subsection, the term "private entity" means a business regularly engaged in conducting criminal history record checks utilizing public records obtained from a State agency.</p> <p>(c) Action. - If an applicant's criminal history record check reveals one or more convictions of a relevant offense, the provider shall consider all of the following factors in determining whether to hire the applicant:</p> <p>(1) The level and seriousness of the crime.</p>	V 133		

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V 133	<p>Continued From page 5</p> <p>(2) The date of the crime.</p> <p>(3) The age of the person at the time of the conviction.</p> <p>(4) The circumstances surrounding the commission of the crime, if known.</p> <p>(5) The nexus between the criminal conduct of the person and the job duties of the position to be filled.</p> <p>(6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed.</p> <p>(7) The subsequent commission by the person of a relevant offense.</p> <p>The fact of conviction of a relevant offense alone shall not be a bar to employment; however, the listed factors shall be considered by the provider. If the provider disqualifies an applicant after consideration of the relevant factors, then the provider may disclose information contained in the criminal history record check that is relevant to the disqualification, but may not provide a copy of the criminal history record check to the applicant.</p> <p>(d) Limited Immunity. - A provider and an officer or employee of a provider that, in good faith, complies with this section shall be immune from civil liability for:</p> <p>(1) The failure of the provider to employ an individual on the basis of information provided in the criminal history record check of the individual.</p> <p>(2) Failure to check an employee's history of criminal offenses if the employee's criminal history record check is requested and received in compliance with this section.</p> <p>(e) Relevant Offense. - As used in this section, "relevant offense" means a county, state, or federal criminal history of conviction or pending indictment of a crime, whether a misdemeanor or felony, that bears upon an individual's fitness to</p>	V 133		

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V 133	Continued From page 6 have responsibility for the safety and well-being of persons needing mental health, developmental disabilities, or substance abuse services. These crimes include the criminal offenses set forth in any of the following Articles of Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing Monetary Substitutes; Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7A, Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretenses and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 19B, Financial Transaction Card Crime Act; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; Article 40, Protection of the Family; Article 59, Public Intoxication; and Article 60, Computer-Related Crime. These crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5. (f) Penalty for Furnishing False Information. - Any	V 133		

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V 133	<p>Continued From page 7</p> <p>applicant for employment who willfully furnishes, supplies, or otherwise gives false information on an employment application that is the basis for a criminal history record check under this section shall be guilty of a Class A1 misdemeanor.</p> <p>(g) Conditional Employment. - A provider may employ an applicant conditionally prior to obtaining the results of a criminal history record check regarding the applicant if both of the following requirements are met:</p> <p>(1) The provider shall not employ an applicant prior to obtaining the applicant's consent for criminal history record check as required in subsection (b) of this section or the completed fingerprint cards as required in G.S. 114-19.10.</p> <p>(2) The provider shall submit the request for a criminal history record check not later than five business days after the individual begins conditional employment. (2000-154, s. 4; 2001-155, s. 1; 2004-124, ss. 10.19D(c), (h); 2005-4, ss. 1, 2, 3, 4, 5(a); 2007-444, s. 3.)</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility management failed to assure a State and national criminal history record check was requested within the required time frame for 2 of 3 audited paraprofessional staff (#1 & #2.) The findings are:</p> <p>Review on 8/9/19 of Staff #1's record revealed:</p> <ul style="list-style-type: none"> - Hire date of 7/31/18 - Criminal records check dated 6/26/18 for North Carolina only. - The criminal record check did not include a 	V 133		
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V 133	Continued From page 8 national search as is required for persons who have lived in the state for less than five years. Interview on 8/9/19 with Staff #1 revealed: - He live in another state prior to moving to North Carolina. - He moved to this state in 2017. Review on 8/9/19 of Staff #2's record revealed: - No hire date. - No documentation of a State and national criminal history record check. Interview on 8/12/19 with the Facility Director confirmed the above findings.	V 133		
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 record reviews, observation and interviews, the facility management failed to assure the facility was maintained in a safe and orderly manner. The findings are: Review on 7/30/19 of the facility license revealed: - Facility was licensed on March 18, 2018 - Client capacity was approved as a 5600A for four ambulatory adults with mental illness.	V 736		

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V 736	<p>Continued From page 9</p> <p>Observation on 8/9/19 at 5:00 PM revealed:</p> <ul style="list-style-type: none"> - Clients exited the facility to go outside and smoke - Clients were unable to regain access to the inside of the facility without staff opening the door from the inside. <p>Interview on 8/9/19 with the Facility Director revealed:</p> <ul style="list-style-type: none"> - The doors have special locks which cause them to automatically lock upon exit from the facility. - The doors cannot be set so they remain unlocked and must always be opened from the inside. - They cannot be opened from the outside without a key. - The local Fire Marshall required this type of lock. <p>Interview on 8/12/19 with the Construction Section of DHSR revealed:</p> <ul style="list-style-type: none"> - This type of lock is not required and may present a risk to clients who get locked out of the facility. - Requested the Licensee check with the DHSR Construction unit regarding their interpretation of the local Fire Marshall's directive or have the local Fire Marshall contact DHSR Construction. 	V 736		