

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL080035</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING: _____	(X3) DATE SURVEY COMPLETED  <b>11/15/2019</b>
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NAME OF PROVIDER OR SUPPLIER  <b>TIMBER RIDGE TREATMENT CENTER</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>14225 STOKES FERRY ROAD GOLD HILL, NC 28071</b>
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V 000	<p><b>INITIAL COMMENTS</b></p> <p>A complaint survey was completed on 11-15-19. The complaint was unsubstantiated (#NC00157192). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5200 Therapeutic Wilderness Camp</p>	V 000		
V 537	<p>27E .0108 Client Rights - Training in Sec Rest &amp; ITO</p> <p>10A NCAC 27E .0108 TRAINING IN SECLUSION, PHYSICAL RESTRAINT AND ISOLATION TIME-OUT</p> <p>(a) Seclusion, physical restraint and isolation time-out may be employed only by staff who have been trained and have demonstrated competence in the proper use of and alternatives to these procedures. Facilities shall ensure that staff authorized to employ and terminate these procedures are retrained and have demonstrated competence at least annually.</p> <p>(b) Prior to providing direct care to people with disabilities whose treatment/habilitation plan includes restrictive interventions, staff including service providers, employees, students or volunteers shall complete training in the use of seclusion, physical restraint and isolation time-out and shall not use these interventions until the training is completed and competence is demonstrated.</p> <p>(c) A pre-requisite for taking this training is demonstrating competence by completion of training in preventing, reducing and eliminating the need for restrictive interventions.</p> <p>(d) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable</p>	V 537	<p><i>see attached</i></p>	<p><i>12/13/19</i></p>

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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE <i>Thomas Hilbert</i>	TITLE <i>CEO</i>	(X6) DATE <i>12/16/19</i>
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V 537	<p>Continued From page 1</p> <p>methods to determine passing or failing the course.</p> <p>(e) Formal refresher training must be completed by each service provider periodically (minimum annually).</p> <p>(f) Content of the training that the service provider plans to employ must be approved by the Division of MH/DD/SAS pursuant to Paragraph (g) of this Rule.</p> <p>(g) Acceptable training programs shall include, but are not limited to, presentation of:</p> <ol style="list-style-type: none"> <li>(1) refresher information on alternatives to the use of restrictive interventions;</li> <li>(2) guidelines on when to intervene (understanding imminent danger to self and others);</li> <li>(3) emphasis on safety and respect for the rights and dignity of all persons involved (using concepts of least restrictive interventions and incremental steps in an intervention);</li> <li>(4) strategies for the safe implementation of restrictive interventions;</li> <li>(5) the use of emergency safety interventions which include continuous assessment and monitoring of the physical and psychological well-being of the client and the safe use of restraint throughout the duration of the restrictive intervention;</li> <li>(6) prohibited procedures;</li> <li>(7) debriefing strategies, including their importance and purpose; and</li> <li>(8) documentation methods/procedures.</li> </ol> <p>(h) Service providers shall maintain documentation of initial and refresher training for at least three years.</p> <p>(1) Documentation shall include:</p> <ol style="list-style-type: none"> <li>(A) who participated in the training and the outcomes (pass/fail);</li> <li>(B) when and where they attended; and</li> </ol>	V 537		

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V 537	Continued From page 2  (C) instructor's name. (2) The Division of MH/DD/SAS may review/request this documentation at any time. (i) Instructor Qualification and Training Requirements: (1) Trainers shall demonstrate competence by scoring 100% on testing in a training program aimed at preventing, reducing and eliminating the need for restrictive interventions. (2) Trainers shall demonstrate competence by scoring 100% on testing in a training program teaching the use of seclusion, physical restraint and isolation time-out. (3) Trainers shall demonstrate competence by scoring a passing grade on testing in an instructor training program. (4) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course. (5) The content of the instructor training the service provider plans to employ shall be approved by the Division of MH/DD/SAS pursuant to Subparagraph (j)(6) of this Rule. (6) Acceptable instructor training programs shall include, but not be limited to, presentation of: (A) understanding the adult learner; (B) methods for teaching content of the course; (C) evaluation of trainee performance; and (D) documentation procedures. (7) Trainers shall be retrained at least annually and demonstrate competence in the use of seclusion, physical restraint and isolation time-out, as specified in Paragraph (a) of this Rule.	V 537		

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V 537	<p>Continued From page 3</p> <p>(8) Trainers shall be currently trained in CPR.</p> <p>(9) Trainers shall have coached experience in teaching the use of restrictive interventions at least two times with a positive review by the coach.</p> <p>(10) Trainers shall teach a program on the use of restrictive interventions at least once annually.</p> <p>(11) Trainers shall complete a refresher instructor training at least every two years.</p> <p>(k) Service providers shall maintain documentation of initial and refresher instructor training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcome (pass/fail);</p> <p>(B) when and where they attended; and</p> <p>(C) instructor's name.</p> <p>(2) The Division of MH/DD/SAS may review/request this documentation at any time.</p> <p>(l) Qualifications of Coaches:</p> <p>(1) Coaches shall meet all preparation requirements as a trainer.</p> <p>(2) Coaches shall teach at least three times, the course which is being coached.</p> <p>(3) Coaches shall demonstrate competence by completion of coaching or train-the-trainer instruction.</p> <p>(m) Documentation shall be the same preparation as for trainers.</p> <p> </p> <p>This Rule is not met as evidenced by: Based on records review and interviews, the facility failed to ensure staff demonstrated competency in the proper use of restrictive interventions for one of one audited facility staff</p>	V 537		

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V 537	<p>Continued From page 4</p> <p>(staff #1). The findings are:</p> <p>Review on 11-15-19 of staff #1's personnel record revealed:</p> <ul style="list-style-type: none"> <li>-Hire date of 9-12-19.</li> <li>-Staff #1 was a rehire and had previously been with the facility for several years.</li> <li>-Trained In North Carolina Interventions (NCI) Plus: 9-12-19, re-trained 10-11-19</li> </ul> <p>Review on 11-13-19 of the internal investigation undated and signed by the Program Director for incident on 10-5-19 revealed:</p> <ul style="list-style-type: none"> <li>-Client #1 alleged that staff had improperly performed interventions and he was assaulted by staff #1.</li> <li>-"Findings: Based on the reports provided by staff and clients, it is clear the [client #1] displayed significant aggression towards [staff #1] who underestimated the strength of the clients when he attempted to utilize a restrictive intervention. Evidence also suggest the [client #1] collaborated with [client #2] to get their stories to match...There is no evidence to suggest that [client #1] was punched or choked by [staff #1]...However it is clear that [staff #1] deviated from his training in NCI plus, by not releasing the clients during the initial struggle. Also, [staff #1] held the client in a prone restraints (lying on his side) which is prohibited."</li> <li>-"Conclusion: [Staff #1] will receive re-training on the appropriate physical technique when using a therapeutic wrap or seated release on 10-11-19. Additionally he will be re-trained on properly assessing the situation and early crisis intervention. Also, [staff #1] will receive reinforcement that prone restraints are prohibited and that he should have released the client safely if he could not maintain the hold."</li> </ul>	V 537		

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V 537	<p>Continued From page 5</p> <p>Interview on 11-13-19 with client #1 revealed:                      -The group had been in a huddle and he was trying to explain to another client why apologizing doesn't always fix the situation when staff #1 "got in my face and started pushing me."                      -He stated that he and staff #1 were pushing each other when staff #1 punched him and he fell to the ground.                      -Staff #1 then fell on top of him and "I don't remember all of it."                      -he stated that he couldn't breath and staff #1 had his arm over his mouth.                      -All other clients and staff had proceeded up the trail and left the two of them alone.                      -he stated that there were no witnesses to the restraint.</p> <p>Interview on 11-14-19 with client #2 revealed;                      -Client #1 was pushing staff #1 so staff #1 tried to restrain him.                      -Client #1 was punching staff #1 but he did not see staff #1 push or punch client #1.                      -Client #1 later asked the clients to say that staff #1 beat him up so they could sue the facility.                      -He did see client #1 and staff #1 fall to the ground and staff #1 was trying to restrain him on the ground.                      -He couldn't say how staff #1 was holding onto client #1 but he thought they were both on their sides.                      -Staff #1 "didn't do anything wrong."</p> <p>Interview on 11-14-19 with staff #1 revealed:                      -He had been standing next to client #1 in the huddle, when client #1 escalated and "just went off."                      -Client #1 was pushing him so he reminded him to stay back and j                      -Staff #1 said that he grabbed client #1's sweatshirt while trying to grab his wrists.</p>	V 537		

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V 537	<p>Continued From page 6</p> <ul style="list-style-type: none"> <li>-Both he and client #1 fell to the ground side by side.</li> <li>-He never pushed client #1, "he rushed me and I stood my ground."</li> <li>-He was holding client #1's sweatshirt over his mouth so client #1 couldn't spit on him.</li> <li>-He had been re-trained and realizes that he should have let client #1 go since he could not be safely and properly restrained.</li> </ul> <p>Interview on 11-15-19 with staff #2 revealed:</p> <ul style="list-style-type: none"> <li>-She had been the one to call a huddle because all of the clients in the group were "going crazy."</li> <li>-Staff #1 and client #1 were backing up when she saw client #1 fall.</li> <li>-She never saw client #1 get punched and "I can't really saw he (staff #1) pushed him."</li> </ul> <p>Interview on 11-14-19 with staff #3 revealed:</p> <ul style="list-style-type: none"> <li>-he came up as the situation was ending.</li> <li>-He saw staff #1 and client #1 on the ground.</li> <li>-Staff #1 was trying to hold client #1's arms because client #1 was punching staff #1.</li> <li>-Both staff and client got off the ground.</li> </ul> <p>Interview on 11-15-19 with staff #4 revealed:</p> <ul style="list-style-type: none"> <li>-He was just coming on shift.</li> <li>-He saw client #1 pushing staff #1 but never saw staff #1 push the client.</li> <li>-He saw staff #1 trying to restrain client #1 and they both fell on the ground. Client #1 continued hitting staff #1.</li> <li>-He never saw staff #1 choking client #1. "All I saw was [client #1] punching and he was talking very clearly, cussing."</li> <li>-He stepped in and both got off the ground.</li> </ul> <p>Interview on 11-14-19 with Department of Social Services investigator revealed:</p>	V 537		

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V 537	Continued From page 7  -He had investigated the accusations that staff #1 had pushed and/or punched client #1. -He did not find any evidence of this. -He did find evidence that client #1 had been improperly restrained.	V 537		



**Timber Ridge Treatment Center**

**MHL 080035**

**Survey Date: 11/25/2019**

**ID Prefix Tags: V537**

**Corrective Action**

1. To ensure staff is competent in the proper use of NCI Plus restrictive intervention
  - a. Re-trained staff #1 on 10-11-2019 on the correct performance of NCI plus restrictive interventions (i.e. a therapeutic hold wrap transitioning into a seated release). Also, updated staff #1 supervision plan to reflect re-training in appropriate NCI plus physical techniques, appropriate de-escalation practices, and avoiding behaviors and attitudes that escalates crisis behavior. Also, the program Director and Assistant Program Director will monitor staff #1 use of restrictive interventions for a period of 90 days.
  - b. Re-trained 18 direct care staff on 10-09-2019 on the correct performance of NCI Plus restrictive interventions with emphasis on the therapeutic wrap and transitioning into a seated release. Also, complete retraining in early crisis intervention, and the prohibition on the use of any prone restraints. Reinforced the legal responsibility of staff members to quickly intervene with the witness a restraint performed incorrectly, and inform management of any violations of the Resident Abuse Neglect Policy.
  - c. Scheduled the next NCI refresher course for December 13, 2019 where staff will demonstrate proficiency in performing using NCI plus physical techniques (i.e. therapeutic hold wrap, and the seated release as well as de-escalation strategies. Also, staff will be directed to use (and practice) the modified limited control walk and the two-person therapeutic hold as alternatives to transitioning a client to a sitting hold. Also, Staff will be directed, in accordance with NCI/TRTC guidelines, that a client must be immediately and safety released from a restrictive intervention if the staff member cannot maintain the hold.

Completion Date for all items: Dec 13, 2019