

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL0411090</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>12/12/2019</b>
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NAME OF PROVIDER OR SUPPLIER  <b>CREATIVE MANAGEMENT SOURCE, INC</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>3407-G WEST WENDOVER AVENUE GREENSBORO, NC 27407</b>
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V 000	<p><b>INITIAL COMMENTS</b></p> <p>An annual and complaint survey was completed on 12/12/19. The complaint was unsubstantiated (intake # NC00158722 and intake # NC00158730). Deficiencies were cited.</p> <p>This facility is licensed for the following service categories: 10A NCAC 27G .1200 Psychosocial Rehabilitation; 10A NCAC 27G .2300 Adult Developmental Vocational Programs and 10A NCAC 27G .5400 Day Activity</p>	V 000		
V 108	<p><b>27G .0202 (F-I) Personnel Requirements</b></p> <p>10A NCAC 27G .0202 PERSONNEL REQUIREMENTS (f) Continuing education shall be documented. (g) Employee training programs shall be provided and, at a minimum, shall consist of the following: (1) general organizational orientation; (2) training on client rights and confidentiality as delineated in 10A NCAC 27C, 27D, 27E, 27F and 10A NCAC 26B; (3) training to meet the mh/dd/sa needs of the client as specified in the treatment/habilitation plan; and (4) training in infectious diseases and bloodborne pathogens. (h) Except as permitted under 10a NCAC 27G .5602(b) of this Subchapter, at least one staff member shall be available in the facility at all times when a client is present. That staff member shall be trained in basic first aid including seizure management, currently trained to provide cardiopulmonary resuscitation and trained in the Heimlich maneuver or other first aid techniques such as those provided by Red Cross,</p>	V 108		

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

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V 108	<p>Continued From page 1</p> <p>the American Heart Association or their equivalence for relieving airway obstruction. (i) The governing body shall develop and implement policies and procedures for identifying, reporting, investigating and controlling infectious and communicable diseases of personnel and clients.</p> <p>This Rule is not met as evidenced by: Based on record review and interview, the facility failed to ensure staff were trained in basic first aid, including seizure management and trained to provide cardiopulmonary resuscitation (CPR), the Heimlich maneuver or other first aid techniques such as those provided by Red Cross, the American Heart Association or their equivalence affecting 5 of 6 audited staff (#1, #2 #3, the Alternative Family Living (AFL) provider and the Executive Director/Qualified Professional #2 (ED/QP #2)). The findings are:</p> <p>Review on 12/9/19 of staff #1's record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 7/1/18</li> <li>- A certificate which reflected staff #1 had completed online training in First Aid/CPR (cardiopulmonary resuscitation) with the "American Academy of CPR and First Aid."</li> <li>- This training was set to expire on 9/18/20</li> <li>- A statement on the First Aid/CPR certificate read as follows: "This individual has successfully completed the above mentioned course and has demonstrated proficiency in the subject by passing the examination, in accordance with the terms and conditions of American Academy of CPR and First Aid, Inc."</li> <li>- No further documentation which reflected</li> </ul>	V 108		

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V 108	<p>Continued From page 2</p> <p>staff #1 had demonstrated proficiency in the subject though other than the completion of an online training with a company which was not equivalent to the American Red Cross (ARC) or the American Heart Association (AHA)</p> <p>Interview on 12/9/19 with staff #1 revealed:</p> <ul style="list-style-type: none"> <li>- He worked in the facility's day activity and community networking programs as a one on one staff for client #1.</li> </ul> <p>Review on 12/9/19 of staff #2's record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 9/24/18</li> <li>- A certificate which reflected staff #2 had completed online training in First Aid/CPR with the "American Academy of CPR and First Aid."</li> <li>- This training was set to expire on on 11/13/21</li> <li>- A statement on the First Aid/CPR certificate read as follows: "This individual has successfully completed the above mentioned course and has demonstrated proficiency in the subject by passing the examination, in accordance with the terms and conditions of American Academy of CPR and First Aid, Inc."</li> <li>- No further documentation which reflected staff #2 had demonstrated proficiency in the subject through other than the completion of an online training with a company which was not equivalent to the ARC or the AHA</li> </ul> <p>Interview on 12/9/19 with staff #2 revealed:</p> <ul style="list-style-type: none"> <li>- He worked in the facility's day activity program as well as a one on one staff with client #2.</li> </ul> <p>Review on 12/9/19 of staff #3's record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 1/29/18</li> <li>- A certificate which reflected staff #3 had completed online training in First Aid/CPR with the "American Academy of CPR and First Aid."</li> </ul>	V 108		

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V 108	<p>Continued From page 3</p> <ul style="list-style-type: none"> <li>- This training was set to expire on 9/19/20</li> <li>- A statement on the First Aid/CPR certificate read as follows: "This individual has successfully completed the above mentioned course and has demonstrated proficiency in the subject by passing the examination, in accordance with the terms and conditions of American Academy of CPR and First Aid, Inc."</li> <li>- No further documentation which reflected staff #3 had demonstrated proficiency in the subject through other than the completion of an online training with a company which was not equivalent to the ARC or the AHA</li> </ul> <p>Interview on 12/9/19 with staff #3 revealed:</p> <ul style="list-style-type: none"> <li>- He worked at the facility's day activity and community networking programs as a one on one with client #4.</li> </ul> <p>Review on 12/9/19 of the Alternative Family Living (AFL) provider record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 11/27/17 as an AFL provider</li> <li>- A certificate which reflected the AFL provider had completed online training in First Aid/CPR with the "American Academy of CPR and First Aid."</li> <li>- This training was set to expire on 11/7/21</li> <li>- A statement on the First Aid/CPR certificate read as follows: "This individual has successfully completed the above mentioned course and has demonstrated proficiency in the subject by passing the examination, in accordance with the terms and conditions of American Academy of CPR and First Aid, Inc."</li> <li>- No further documentation which reflected the AFL provider had demonstrated proficiency in the subject through other than the completion of an online training with a company which was not equivalent to the ARC or the AHA</li> </ul>	V 108		

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V 108	<p>Continued From page 4</p> <p>Interview on 12/9/19 with the AFL provider revealed:</p> <ul style="list-style-type: none"> <li>- He had been hired as an AFL provider by the agency being surveyed</li> <li>- His AFL client (client #1) received day activity and community networking services through this same agency.</li> </ul> <p>Review on 12/9/19 of the Executive Director/Qualified Professional #2's (ED/QP #2's) record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 2/17/13</li> <li>- A certificate which reflected the ED/QP #2 had completed online training in First Aid/CPR with the "American Academy of CPR and First Aid."</li> <li>- This training was set to expire on 3/21/20</li> <li>- A statement on the First Aid/CPR certificate read as follows: "This individual has successfully completed the above mentioned course and has demonstrated proficiency in the subject by passing the examination, in accordance with the terms and conditions of American Academy of CPR and First Aid, Inc."</li> <li>- No further documentation which reflected the ED/QP #2 had demonstrated proficiency in the subject other than the completion of an online training with a company which was not equivalent to the ARC or the AHA</li> </ul> <p>Interview on 12/11/19 and on 12/12/19 with the ED/QP #2 revealed:</p> <ul style="list-style-type: none"> <li>- She had been informed by Local Management Entity/Managed Care Organization personnel that it was acceptable to have staff participate in an online computer class for First Aid/CPR</li> <li>- She did not realize that online training was not approved by the Division of Health Service Regulation</li> </ul>	V 108		

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V 108	Continued From page 5  - She would be seeking someone to teach the staff in a hands-on setting as soon as possible.	V 108		
V 537	27E .0108 Client Rights - Training in Sec Rest & ITO  10A NCAC 27E .0108 TRAINING IN SECLUSION, PHYSICAL RESTRAINT AND ISOLATION TIME-OUT (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. (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. (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. (d) 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. (e) Formal refresher training must be completed by each service provider periodically (minimum annually).	V 537		

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V 537	<p>Continued From page 6</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> <ol style="list-style-type: none"> <li>(1) Documentation shall include: <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> <li>(C) instructor's name.</li> </ol> </li> <li>(2) The Division of MH/DD/SAS may review/request this documentation at any time.</li> </ol> <p>(i) Instructor Qualification and Training Requirements:</p>	V 537		

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V 537	<p>Continued From page 7</p> <p>(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.</p> <p>(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.</p> <p>(3) Trainers shall demonstrate competence by scoring a passing grade on testing in an instructor training program.</p> <p>(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.</p> <p>(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.</p> <p>(6) Acceptable instructor training programs shall include, but not be limited to, presentation of:</p> <p>(A) understanding the adult learner;</p> <p>(B) methods for teaching content of the course;</p> <p>(C) evaluation of trainee performance; and</p> <p>(D) documentation procedures.</p> <p>(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.</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</p>	V 537		



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V 537	<p>Continued From page 8</p> <p>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 record review, observation and interview, the facility failed to ensure staff demonstrated competency in the proper use of restrictive interventions for 4 of 6 audited staff (#1, #2, #3 and the Executive Director/Qualified Professional #2 (ED/QP #2)). The findings are:</p> <p> </p> <p>Review on 12/9/19 of client #1's record revealed: - Diagnoses of Moderate Intellectual</p>	V 537		

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V 537	<p>Continued From page 9</p> <p>Disabilities; Depressive Disorder (D/O), NOS (Not Otherwise Specified); ADHD (Attention Deficit Hyperactivity D/O); Oppositional Defiant D/O; Mood D/O; and Epilepsy Unspecified Without Intractable Epilepsy</p> <p>Observation of client #1 on 12/9/19 at approximately 10:20 am revealed:</p> <ul style="list-style-type: none"> <li>- No observable marks or bruising</li> </ul> <p>Interview on 12/9/19 with client #1 revealed:</p> <ul style="list-style-type: none"> <li>- He "got mad and spit on [his AFL provider]."</li> <li>- He tried to "run towards the road."</li> <li>- "I was standing at one time and then I fall down."</li> <li>- Staff from his day activity program were outside with him (he could not name every staff that was outside with him)</li> <li>- "[Staff #2] put his hand on my chest."</li> <li>- He liked attending the day activity program and felt safe at the facility.</li> </ul> <p>Review on 12/9/19 of staff #1's record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 7/1/18</li> <li>- Staff #1 was currently trained in NCI (North Carolina Interventions) Plus with his training set to expire on 11/18/20</li> </ul> <p>Interview on 12/9/19 with staff #1 revealed:</p> <ul style="list-style-type: none"> <li>- He worked in the facility's day activity and community networking programs as a one on one staff for client #1</li> <li>- On 11/25/19, client #1 ran from his Alternative Family Living (AFL) provider as they were leaving the day activity program</li> <li>- As client #1 was running towards a multi-lamed highway, his AFL provider was able to run and catch up with client #1</li> <li>- As client #1's AFL provider was speaking with client #1, client #1 attempted to punch and began</li> </ul>	V 537		

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V 537	<p>Continued From page 10</p> <p>spitting at his AFL provider</p> <ul style="list-style-type: none"> <li>- When client #1 attempted to strike his AFL provider, client #1 fell to the pavement in the parking lot</li> <li>- After client #1 fell to the pavement, he laid on his back on the pavement</li> <li>- While client #1 laid on the pavement, the Executive Director/Qualified Professional #2 (ED/QP #2) directed him to hold client #1's head as client #1 might "bang" his head on the ground, something he had done in the past</li> <li>- As client #1 remained on the pavement, he tried to bite and spit on the staff (#1, #2, #3, #4, the AFL provider and the ED/QP #2) as they stood around him</li> <li>- "The whole time he is moving, he's talking about demons and wanting to be in hell."</li> <li>- It was important to hold client #1's head as he had a history of seizures and we wanted to ensure he did not "bang his head on the ground."</li> </ul> <p>Review on 12/9/19 of staff #2's record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 9/24/18</li> <li>- Staff #2 was currently trained in NCI Plus with his training set to expire on 11/18/20</li> </ul> <p>Interview on 12/9/19 with staff #2 revealed:</p> <ul style="list-style-type: none"> <li>- On 11/25/19, as client #1 was leaving the facility with his AFL provider, he began to run away from him provider</li> <li>- Once he learned that client #1 was running, he went outside to assist the other staff</li> <li>- When he got outside, he observed client #1 to be lying on his back in the parking lot with his arms out to each side</li> <li>- Staff #1 was holding his head to keep client #1 from banging his head against the pavement</li> <li>- He kneeled down next to client #1 and placed his his forearm across client #1's chest</li> </ul>	V 537		

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NAME OF PROVIDER OR SUPPLIER  <b>CREATIVE MANAGEMENT SOURCE, INC</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>3407-G WEST WENDOVER AVENUE GREENSBORO, NC 27407</b>
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(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
V 537	<p>Continued From page 11</p> <ul style="list-style-type: none"> <li>- "I asked him to calm down and told him that he didn't need to do all that, (spitting, cussing, kicking and trying to fight everyone)."</li> </ul> <p>Review on 12/9/19 of staff #3's record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 1/29/18</li> <li>- Staff #3 was currently trained in NCI Plus with his training set to expire on 11/18/20</li> </ul> <p>Interview on 12/9/19 with staff #3 revealed:</p> <ul style="list-style-type: none"> <li>- On 11/25/19, client #1 ran from his AFL provider as they were leaving the facility</li> <li>- Client #1's AFL provider was able to catch up to him as client #1 ran from him and grab him by his shoulders</li> <li>- When the AFL provider grabbed client #1, client #1 fell to the ground</li> <li>- As client #1 laid on his back on the ground, he tried to "swing at, cuss, kick and spit at the staff."</li> <li>- The ED/QP #2 instructed staff #1 to hold client #1's head to keep him from banging his head against the pavement</li> <li>- As client #1 laid on the ground, "I held one of his arms."</li> <li>- Staff #3 demonstrated that he held area between client #1's forearm and bicep and asked client #1 to calm down</li> <li>- No one held the client to the ground in an attempt to restrain him, only touching him in an attempt to comfort him and to keep him from hitting his head against the pavement.</li> </ul> <p>Review on 12/9/19 of the Alternative Family Living (AFL) provider's record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 11/27/17 as an AFL provider</li> <li>- His AFL client (client #1) received day activity and community networking services through the same agency that hired him</li> <li>- The AFL provider was currently trained in NCI</li> </ul>	V 537		

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V 537	<p>Continued From page 12</p> <p>Plus with his training set to expire on 11/20/20</p> <p>Interview on 12/9/19 with the AFL provider revealed:</p> <ul style="list-style-type: none"> <li>- On 11/25/19, he received a call from staff at the day activity program with a request for him to come pick client #1 up from the facility</li> <li>- "[Client #1] was mad about something...I can usually calm him down..."</li> <li>- Once he arrived at the facility and after he spoke with client #1, he appeared to have calmed down, so they began to leave the facility</li> <li>- As they were walking out of the facility, client #1 began to run from him</li> <li>- He ran behind client #1 and was able to stop him by "grabbing him by his shoulder."</li> <li>- He had to "grab" him because a car was coming towards them and he needed to move client #1 out of the path of the car</li> <li>- Client #1 began swinging at him and "lost his balance and fell to the ground."</li> <li>- Staff from the day activity program came outside to assist him when they learned client #1 was running from him</li> <li>- He couldn't recall all of the staff who came outside as his main focus was on his client; however, he did recall that "[staff #1] and [staff #2] were outside with him</li> <li>- As client #1 laid on his back on the ground, "[Staff #2] was over him and rubbing his chest and telling him to calm down and relax."</li> <li>- "[Staff #3] was holding his arm..."</li> <li>- Client #1 was "on his back the entire time he was on the ground."</li> <li>- Once client #1 calmed down, "[Staff #2] helped him (client #1) up" and everyone started walking back towards the AFL provider's vehicle</li> <li>- He did not observe client #1 had any injuries as a result of this incident and client #1 did not require any medical attention afterwards.</li> </ul>	V 537		

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V 537	<p>Continued From page 13</p> <p>Review on 12/9/19 of the Executive Director/Qualified Professional #2's (ED/QP #2's) record revealed:</p> <ul style="list-style-type: none"> <li>- A hire date of 2/17/13</li> <li>- The ED/QP #2 was currently trained in NCI Plus as an instructor with her training set to expire on 7/23/20</li> </ul> <p>Interviews on 12/5/19, 12/11/19 and on 12/12/19 with the ED/QP #2 revealed:</p> <ul style="list-style-type: none"> <li>- On 11/25/19, she requested client #1's AFL provider come to the facility to pick him up as client #1 had been upset during most of the day</li> <li>- As the two of them were leaving the facility, she saw "[Client #1 take off towards [the name of the street]."</li> <li>- She and other staff began running out after the AFL provider and client #1 because she "knew if he got away, he would be able to get to the street."</li> <li>- The AFL provider was able to catch up to client #1 by "grabbing on his (client #1's) shoulders."</li> <li>- As he "grabbed" client #1, client #1 turned around and "swung on [the AFL provider]."</li> <li>- Client #1 lost his balance and fell to the ground and laid on the pavement, cussing, spitting and kicking at staff and the AFL provider</li> <li>- As client #1 laid on the pavement, she and staff #2 stood over client #1 while staff #3 placed his hand near client #1's head to keep him from hitting his head against the pavement</li> <li>- She had directed staff to cradle client #1's head to keep him from hitting it against the pavement</li> <li>- There were no therapeutic holds used used on client #1 as he laid on the pavement other than staff using blocks to ward off his client #1's swings and kicks at them.</li> </ul>	V 537		

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V 537	Continued From page 14  - The staff touched client #1 as he laid on the ground in an attempt to soothe him and to encourage him to calm down, not to restrain him.	V 537		