

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL068-003</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>05/06/2020</b>
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NAME OF PROVIDER OR SUPPLIER  <b>FREEDOM HOUSE RECOVERY CENTER</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>104 NEW STATESIDE DRIVE CHAPEL HILL, NC 27516</b>
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V 000	INITIAL COMMENTS  A complaint survey was completed on May 6, 2020. The complaint was substantiated (intake #NC00161901). Deficiency cited.	V 000		
V 110	27G .0204 Training/Supervision Paraprofessionals  10A NCAC 27G .0204 COMPETENCIES AND SUPERVISION OF PARAPROFESSIONALS (a) There shall be no privileging requirements for paraprofessionals. (b) Paraprofessionals shall be supervised by an associate professional or by a qualified professional as specified in Rule .0104 of this Subchapter. (c) Paraprofessionals shall demonstrate knowledge, skills and abilities required by the population served. (d) At such time as a competency-based employment system is established by rulemaking, then qualified professionals and associate professionals shall demonstrate competence. (e) Competence shall be demonstrated by exhibiting core skills including: (1) technical knowledge; (2) cultural awareness; (3) analytical skills; (4) decision-making; (5) interpersonal skills; (6) communication skills; and (7) clinical skills. (f) The governing body for each facility shall develop and implement policies and procedures for the initiation of the individualized supervision plan upon hiring each paraprofessional.	V 110		

Division of Health Service Regulation LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
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V 110	<p>Continued From page 1</p> <p>This Rule is not met as evidenced by: Based on record review and interviews the facility failed to assure one of one Former Staff (FS#2) demonstrated the knowledge, skills and abilities required by the population served. The findings are:</p> <p>Review on 5/4/20 of the Facility's Incident Report dated 3/4/20 revealed: - "It has been reported that [FS#2] member at the women's halfway house engaged in text messages and phone conversation of sexual and personal nature with [FC#1] ..."</p> <p>Review on 5/4/20 of FS#2's Personnel record revealed: -Hired: 8/28/19. -Worked 2nd shift as a Health Care Counselor. -Boundaries Training Certificate: no date noted. -Code of Ethics Training: 7/30/19. -Consumer Rights Training: 7/31/19. -Confidentiality Training: 7/31/19. -Standards of Behavior Training: 7/31/19. -Substance Withdrawal and Symptoms of Secondary Complications to Substance Abuse Training: 7/31/19.</p> <p>Review on 5/4/20 of FC#1's record revealed: -Admission to Crisis: 9/19/19. -Diagnoses of Bipolar I Disorder, current or most recent episode unspecified, Post-Traumatic Stress Disorder, Alcohol Use Disorder, Severe and Opioid Use Disorder, Severe. -Discharged from Halfway House: 12/23/19. -Admitted to Substance Abuse Comprehensive Outpatient Treatment (SACOT): 12/30/19. -Completed SACOT: 1/10/20.</p>	V 110		

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V 110	<p>Continued From page 2</p> <p>-Last service contact: 3/31/20.</p> <p>Review on 5/5/20 of the Facility's Internal Investigation dated 3/2/20 revealed: "On 3/2/20 [Therapist #1] came to the [Clinic Director], to alert [Clinic Director] to a concerning claim and complaint made to [Therapist #1] by [FC#1] regarding [FS#2], a Health Care Counselor at the women's Halfway House. [Therapist #1] stated that [FC#1] emailed [Therapist #1] over the weekend and [Therapist #1] was concerned about [FC#1] based on the email contents. [Therapist #1] stated that [Therapist #1] asked that [FC#1] come in to see [Therapist #1]. [FC#1] came to the clinic and saw [Therapist #1] Monday 3/2/20."</p> <p>- "[Therapist #1] stated to [Clinic Director] that [FS#2] is sexually harassing [FC#1] or making advances toward [FC#1] and [FC#1] doesn't know how to handle it. [Therapist #1] reported that [FC#1] indicated that [FS#2] wanted to have sex with [FC#1], [FC#1] refused, and then [FS#1] stated that, as a result of [FC#1's] refusal, [FS#2] would "badmouth" [FC#1] in the recovery community. [FC#1] reports that it started late December/early January and that [FC#1] has texts. [Therapist #1] reported that [FC#1] stated that it escalated over the weekend of 2/29/20 and that [FC#1] felt it was so bad that [FC#1] had to threaten [FS#2] that [FC#1] would call the police if it didn't stop."</p> <p>-While [Clinic Director] was meeting with [Therapist #1] discussing the concern, another clinician [Therapist #2], stated that he needed to speak with [Clinic Director] urgently. [Therapist #2] showed [Clinic Director] a text from [FC#1] that stated, "I really need to talk to you on Monday will you be there. It has something to do with</p>	V 110		

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V 110	<p>Continued From page 3</p> <p>[FS#2]. [FS#2] came onto me and sent me nude photos of herself and [FC#1] felt uncomfortable about it and told [FS#2] that [FC#1] wasn't interested in having sex with [FS#2] and now [FS#2] running around talking a whole bunch of s**t to [FS#2] clients and people are coming back and letting [FC#1] know about it and it's a real mess and [FC#1] don't know what to do other than let you guys know about it. [FC#1] have all the text if you want to see it but it's a mess and like [FS#2] really spreading a whole bunch of lie about [FC#1] up there with the ladies and it's getting around in the recovery community. [FC#1] don't know what to do about it and [FC#1] wanted to bring it to your attention. If you have any suggestions of what how I might go about this, please let me know."</p> <p>"At about 12:00 pm on 3/2/20, [FC#1] met with both [Clinic Director] and [Regional Operations Director] in her office. [FC#1] stated that he and [FS#2] in late December, around Christmas time. [FC#1] was discharged from the Men's Halfway house on 12/23/19. [FC#1] reports that [FS#2] sent him a friend request on [social media] and that [FC#1] and [FS#2] started messaging back and forth. [FC#1] stated that it started as a friendly, supportive interchange but, over time, began to take on a flirtatious tone. [FC#1] sated that a couple of weeks into January 2020, [FS#2] "came out" with wanting to have sex with him. [FC#1] reported that [FS#2] said that they could be "friends with benefits and it could be confidential." [FC#1] stated that [FS#2] stated, "I wanted to "f**k you" on your work truck. [FC#1] also stated that [FS#2] invited [FC#1] to come to the women's house when [FS#2] was working overnight so that they could have sex. [FC#1] reports that [FS#2] had stated that [FS#2] could get in trouble for having a relationship with</p>	V 110		

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V 110	<p>Continued From page 4</p> <p>[FC#1]. [FC#1] revealed that this was said in texts that he had available on his phone. [FC#1] stated that [FS#2] then asked for a sexual picture and that [FS#2] sent him some that were "pretty gross." [FC#1] stated that on a phone call [FC#1] informed [FS#2] that [FC#1] wasn't attracted to [FS#2] and that [FS#2] got hurt and wouldn't speak to [FC#1] anymore. [FC#1] stated that [FC#1] blocked [FS#2] on [social media] but [FS#2] continued to text [FC#1]. [FC#1] reports that [FC#1] asked [FS#2] to leave [FC#1] alone and that on Sunday, 3/1/20, [FS#2] relentlessly texted him. [FC#1] stated that [FS#2] called [FC#1] "crazy" and "psycho." [FC#1] further stated that [FS#2] worked to separate him from someone that [FC#1] was interested in that is a resident of the women's house and that other people in the recovery community are telling him that [FS#2] was talking about him. [FC#1] said that [FS#2] and some [FS#2's] friends in the recovery community have told [FC#1] that nobody will believe him. [FC#1] also stated that [FC#1] felt that [FS#2] may have made advances to female residents of the halfway house, but that none of the clients would be willing to come forward. When asked, [FC#1] said [FC#1] was not aware of any specific incidences of this occurring.</p> <p>"[Regional Operations Director] scrolled through the texts with [FC#1's] permission. [Regional Operations Director] was able to confirm that the person [FC#1] was texting with was [FS#2] as the texts had [FS#2's] photo and [FS#2's] known phone number. Texts began on 12/23/19. There were multiple texts of sexual nature exchanged between [FS#2] and [FC#1] including photos of both of their genitalia. It was clear from the texts that [FS#2] realized that [FS#2] should not be sexually involved with an active consumer as</p>	V 110		

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V 110	<p>Continued From page 5</p> <p>[FC#2] indicated in the texts that [FS#2] waited to talk with [FC#1] until after [FC#1] left the halfway house and after [FS#2] said [FC#1] sent [FS#2] a sexually suggestive video. [FS#2] stated that [FS#2] "backed up off [FC#1]" and just tried to be a friend when [FS#2] realized that [Freedom House] rules say staff cannot be involved with a client even after they leave care. However, [FS#2] had received the [Freedom House] ethical guidelines when [FS#2] was hired and had training that addressed boundaries with consumers two weeks prior to the first text being sent between [FS#2] and [FC#1]."</p> <p>- "The texts also confirmed that [FS#2] called [FC#1] "psycho" and "crazy" that [FS#2] was speaking to others in the recovery community about [FC#1] and the situation. Texts indicated that [FS#2] was aware that [FS#2] would lose her job if the text were shared with [FS#2's] supervisors. Text also indicated that [FS#2] invited [FC#1] to the halfway house for sex on [FS#2's] shift, but [FC#1] declined. At no time did [FS#2] bring this issue to [FS#2's] supervisor for guidance on how to remove herself and act in the client's best interest.</p> <p>- "At about 4:00 p.m. on 3/2/20, [Regional Operations Director] and [Clinic Director] met with [FS#2]. [FS#2] was informed of the allegations of [FC#1]. [FS#2] immediately acknowledged that [FS#2] had a texting relationship with [FC#1] that had been sexual in nature and that recently had become emotionally volatile. [FS#2] stated that [FS#2] knew [FC#1] left the men's house and that [FS#2] didn't know [FC#1] was in outpatient services until recently. [FS#2] stated they became [social media] friends and messaged. [FS#2] acknowledged that, because [FS#2] is in recovery, that [FS#2] was having difficulty</p>	V 110		

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V 110	<p>Continued From page 6</p> <p>separating client relationships from peers' relationships. [FS#2] stated that [FC#1] introduced flirting to the relationship. [FS#2] stated that one night [FC#1] shared at a meeting that [FC#1] was angry with his ex-girlfriend and that he said, "f**k everybody" and was in relapse mode. [FS#2] expressed concern. [FS#2] stated that in [FC#1's] conversations, [FC#1] stated women wanted to have sex with [FC#1] and [FS#2] thought that it was very narcissitic. [FS#2] stated that [FS#2] told [FC#1] things that he didn't want to hear and that [FC#1] said, "you just want to f**k me." [FS#2] then stated, "[FC#1's] crazy." [FS#2] did not acknowledge that [FS#2] had told [FC#1] that [FS#2] wanted to have sex with him or that [FS#2] had sent nude photos until confronted with the information. When asked if [FS#2] invited [FC#1] to the halfway house for sex, [FS#2] said, that was a joke and [FS#2] never would have done that." [FS#2] then reported that something was going on between [FC#1] and a client in the halfway house and that [FS#2] advised the women not to be involved with the [FC#1]. [FS#2] felt that telling consumer in the house not to interact with [FC#1] was what sparked [FC#1] to come forward. [FS#2] stated that [FS#2] friend told [FS#2] that [FC#1] was texting her too. "</p> <p>-[FC#1] thought [FS#2] was talking about [FC#1] and said to [FS#2], "my name is in your mouth." [FS#2] stated that she ignored [FC#1]. [FS#2] stated that [FC#1] then called [FS#2] from another phone. [FS#2] said that [FS#2] picked up the phone and that [FC#1] yelled at [FS#2]. [FS#2] stated that [FC#1] told [FS#2] that [FC#1] was going to her [FS#2] fired and that [FS#2] "waking a sleeping monster." [FS#2] reported that [FC#1] accused [FS#2] of being a predator. [FS#2] stated that "I recognized after the fact that</p>	V 110		

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V 110	<p>Continued From page 7</p> <p>[FC#1] was a client and I cut [FC#1] off on [social media]. I was very much involved. [FC#1] was a predator of women in the house ..."</p> <p>Attempted interview on 5/5/20 with FC#1. Surveyor contacted phone number obtained from therapist #2. Therapist #2 reported the number was the most recent. Surveyor called phone number at 8:42 a.m. The number is no longer available.</p> <p>Attempted interview on 5/5/20 with FC#1. Surveyor contacted the emergency phone number listed on the FC#1's assessment. The emergency contact answered the phone and reported she had no contact with FC#1 "in a very long time and she thought it was interested FC#1 had her down as a contact."</p> <p>Interview on 5/4/20 with FS#2 revealed:</p> <ul style="list-style-type: none"> <li>-She worked full-time on 2nd shift and some overnights and weekends.</li> <li>-She attended and knew FC#1 from participating at a local anonymous program.</li> <li>-Reported FC#1 lived at a halfway house.</li> <li>-She took clients to the program as well a participant.</li> <li>-Reported initially there was "not much communication" with FC#1.</li> <li>-She reported one day FC#1 looked upset and told him she hoped he had a sponsor.</li> <li>- "I didn't know he was a FC#1."</li> <li>-She learned he was a former client later.</li> <li>- "Looking back, I should have known better."</li> <li>-Texting at the beginning was through social media.</li> <li>-She admitted to sending FC#1 a friend invite on social media.</li> <li>-She sent FC#1 a friend request because they had neutral friends on social media.</li> </ul>	V 110		



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V 110	<p>Continued From page 8</p> <ul style="list-style-type: none"> <li>-FC#1 accepted the request.</li> <li>-After some time, FC#1 initiated flirting.</li> <li>-She couldn't remember who gave out their phone number first.</li> <li>-FC#1 started flirting; "it was innocent flirting."</li> <li>- "I didn't take it seriously."</li> <li>- "I knew we shouldn't have much contact."</li> <li>-She reported there was no flirting until after FC#1 left the halfway house.</li> <li>-She never engaged FC#1 prior to FC#1 living at the halfway house.</li> <li>-She and FC#1 did social media chatting, then it went to phone calls and texting.</li> <li>-Telephone call was at midnight after work.</li> <li>-FC#1 told her FC#1 was going to send her a video through social media.</li> <li>-It was a video of FC#1 "pleasuring" himself.</li> <li>-She admitted to sending FC#1 nude pictures of herself after FC#1's video.</li> <li>-She sent pictures through text.</li> <li>- "I'm bipolar and could have been manic but I take full responsibility."</li> <li>- "I should have known better."</li> <li>- "There were so many messages."</li> <li>-She didn't have the exact timeline with the chats, text, etc.</li> <li>-She and FC#1 talked about getting together but it never happened.</li> <li>-The flirting lasted about one week.</li> <li>-She and FC#1 talked about just being friends.</li> <li>-FC#1 talked about an ex-girlfriend and how FC#1 didn't trust anybody.</li> <li>-She sent FC#1 a text later and said, "if [FC#1] wanted to talk I'm here."</li> <li>-FC#1 said thank you and told her FC#1 just didn't trust women.</li> <li>-She seen a relapse coming from FC#1 because FC#1 felt he didn't need anybody.</li> <li>-FC#1 didn't like what she was saying.</li> <li>-FC#1 started getting upset and cursing.</li> </ul>	V 110		

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V 110	<p>Continued From page 9</p> <ul style="list-style-type: none"> <li>-FC#1 was angry with her at this point.</li> <li>-FC#1 say she was fake and that she didn't care about FC#1.</li> <li>-FC#1 said all she wanted to do was "f**k" him.</li> <li>-She told FC#1 she was trying to be there as a friend.</li> <li>-FC#1 told her she was just mad God got to you before I did, "you predator motherfu*cker."</li> <li>-She then sent FC#1 a meditation about isolation and stated, "I'm just going to leave you with this."</li> <li>- "There was never a time I took advantage of FC#1.</li> <li>- "I never threatened to show FC#1's video or pictures."</li> <li>-She stopped talking to FC#1 but would see him during the program.</li> <li>- "I just didn't talk to FC#1."</li> <li>-She learned FC#1 showed his counselor text of her asking FC#1 to come to the women's house.</li> <li>-She stated, "I would never ever do that. I was only playing with FC#1."</li> <li>-There was a point when a client in the women's house was getting involved with FC#1.</li> <li>-She reported it was not allowed for clients to get involved with each other.</li> <li>-She told client to watch out for FC#1; she told client what happened with her.</li> <li>-She tried to warn her that FC#1 was the actual predator.</li> <li>-FC#1's name was around town and she just wanted the female client to be careful.</li> <li>- "It was known around town that FC#1 had predatory behavior."</li> <li>-FC#1 learned what she reported to the female client.</li> <li>-FC#1 kept calling her and she ignored his phone calls.</li> <li>-She wasn't going to answer FC#1's calls until FC#1 apologized.</li> <li>-She said FC#1 sent her messages saying she</li> </ul>	V 110		

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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL068-003</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>05/06/2020</b>
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NAME OF PROVIDER OR SUPPLIER  <b>FREEDOM HOUSE RECOVERY CENTER</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>104 NEW STATESIDE DRIVE CHAPEL HILL, NC 27516</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 110	<p>Continued From page 10</p> <p>needed to answer her phone.</p> <ul style="list-style-type: none"> <li>-FC#1 was sending her nasty messages and asked why she was talking about FC#1.</li> <li>-After a while she called him and stated, "you sent me "f**ked-up" messages; you can "f**k-off" and don't call me again." She hung up.</li> <li>-FC#1 continued to text with nasty messages.</li> <li>-She then sent FC#1 a text, "we both are in recovery and lets just squash this."</li> <li>-She said FC#1 said, no.</li> <li>-She reported that's when FC#1 said he would do everything in his power to get her fired.</li> <li>-FC#1 was texting her all day, telling her she was going to get fired and how FC#1 was already talking to his therapist.</li> <li>-It was only when she told the female client what happened that FC#1 made the complaint.</li> <li>-She confirmed not seeking support from her sponsor and/or supervisor.</li> <li>-She continued to accept responsibility and stated, "I should have known better."</li> <li>-She admitted at the time having difficulty understanding the difference between someone in treatment and recovery.</li> <li>-She was informed of the allegation made by FC#1 and met with Clinic Director and Regional Operations Director.</li> <li>-She took responsibility, but management never asked to see her text and chat messages.</li> </ul> <p>Interview on 5/6/20 with the Clinic Director revealed:</p> <ul style="list-style-type: none"> <li>-She and the Regional Operations Director spoke with FC#1 and FS#2.</li> <li>-FS#2 was informed of the allegation and that FS#2 crossed boundaries with FC#1.</li> <li>-FS#2 received training to prepare her for the job.</li> <li>-The house FS#2 worked did not have a manager at the time of the allegation.</li> <li>-She supervised the facility until they hired a new</li> </ul>	V 110		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL068-003</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>05/06/2020</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 110	Continued From page 11  manager. -Staff received monthly supervision and support as needed -She contacted FS#2 and other staff on a regular basis to provide support. -FC#2 was terminated from employment as of 3/3/20. -The organization discouraged clients and staff attendance at the same anonymous program. -The organization would continue to provide mandatory trainings and supervision to prevent inappropriate staff and client relationships.	V 110		