

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL007-053	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 09/04/2020
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NAME OF PROVIDER OR SUPPLIER WOODED ACRES #1	STREET ADDRESS, CITY, STATE, ZIP CODE 3706 CHERRY ROAD WASHINGTON, NC 27889
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on September 4, 2020. The complaint was substantiated (intake # NC00167124). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5600C Supervised Living for Adults with Developmental Disabilities.</p>	V 000		
V 291	<p>27G .5603 Supervised Living - Operations</p> <p>10A NCAC 27G .5603 OPERATIONS</p> <p>(a) Capacity. A facility shall serve no more than six clients when the clients have mental illness or developmental disabilities. Any facility licensed on June 15, 2001, and providing services to more than six clients at that time, may continue to provide services at no more than the facility's licensed capacity.</p> <p>(b) Service Coordination. Coordination shall be maintained between the facility operator and the qualified professionals who are responsible for treatment/habilitation or case management.</p> <p>(c) Participation of the Family or Legally Responsible Person. Each client shall be provided the opportunity to maintain an ongoing relationship with her or his family through such means as visits to the facility and visits outside the facility. Reports shall be submitted at least annually to the parent of a minor resident, or the legally responsible person of an adult resident. Reports may be in writing or take the form of a conference and shall focus on the client's progress toward meeting individual goals.</p> <p>(d) Program Activities. Each client shall have activity opportunities based on her/his choices, needs and the treatment/habilitation plan. Activities shall be designed to foster community inclusion. Choices may be limited when the court or legal system is involved or when health or</p>	V 291		

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

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V 291	<p>Continued From page 1</p> <p>safety issues become a primary concern.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure it would serve no more clients than the number and capacity for which it is licensed to provide. The findings are:</p> <p>Review on 8/19/20 of the facility's license issued by the Division of Health Service Regulation was valid through 12/31/2020 revealed: - Capacity: 6.</p> <p>Review on 8/24/20 of the Client Census form completed by the Administrator revealed: - Six current clients resided at the facility. - One former client (FC) had been discharged over the last 6 months (FC #7).</p> <p>Interview on 8/26/20 client #4 stated: - She had resided with agency for approximately 18 months. - Six clients resided at the facility. - There were seven clients at the facility prior to former client (FC #7) being discharged "the other day."</p> <p>Interview on 8/26/20 and 8/28/20 client #6 stated: - She had resided with agency for approximately 5-6 years. - Six clients resided at the facility. - FC #7 had been living at facility until "this month." - There were 7 clients residing at the residence prior to FC #7's discharge.</p> <p>Interview on 8/26/20 staff #1 stated: - Six clients resided at the facility.</p>	V 291		

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V 291	<p>Continued From page 2</p> <ul style="list-style-type: none"> - One FC (FC #&7) had been discharged over the last week. - There were 7 clients residing at the residence prior to FC #7's discharge. <p>Interview on 8/26/20 staff #2 stated:</p> <ul style="list-style-type: none"> - Six clients resided at the facility. - One FC (FC #&7) had been discharged over the last week. - There were 7 clients residing at the residence prior to FC #7's discharge. <p>Interview on 8/27/20 the Qualified Professional (QP) stated:</p> <ul style="list-style-type: none"> - One FC (FC #&7) had been discharged over the last two weeks. - She was uncertain how many clients resided at the residence. <p>Interview on 8/28/20 the Administrator stated:</p> <ul style="list-style-type: none"> - FC #7 resided at facility until the past month. - There were 7 residents residing at the facility while FC #7 was living there. - Residential changes had been made to maintain safety and supervision with COVID 19 concerns. 	V 291		
V 364	<p>G.S. 122C- 62 Additional Rights in 24 Hour Facilities</p> <p>§ 122C-62. Additional Rights in 24-Hour Facilities.</p> <p>(a) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-61, each adult client who is receiving treatment or habilitation in a 24-hour facility keeps the right to:</p> <ol style="list-style-type: none"> (1) Send and receive sealed mail and have access to writing material, postage, and staff assistance when necessary; (2) Contact and consult with, at his own expense 	V 364		

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V 364	<p>Continued From page 3</p> <p>and at no cost to the facility, legal counsel, private physicians, and private mental health, developmental disabilities, or substance abuse professionals of his choice; and</p> <p>(3) Contact and consult with a client advocate if there is a client advocate.</p> <p>The rights specified in this subsection may not be restricted by the facility and each adult client may exercise these rights at all reasonable times.</p> <p>(b) Except as provided in subsections (e) and (h) of this section, each adult client who is receiving treatment or habilitation in a 24-hour facility at all times keeps the right to:</p> <p>(1) Make and receive confidential telephone calls. All long distance calls shall be paid for by the client at the time of making the call or made collect to the receiving party;</p> <p>(2) Receive visitors between the hours of 8:00 a.m. and 9:00 p.m. for a period of at least six hours daily, two hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over therapies;</p> <p>(3) Communicate and meet under appropriate supervision with individuals of his own choice upon the consent of the individuals;</p> <p>(4) Make visits outside the custody of the facility unless:</p> <p>a. Commitment proceedings were initiated as the result of the client's being charged with a violent crime, including a crime involving an assault with a deadly weapon, and the respondent was found not guilty by reason of insanity or incapable of proceeding;</p> <p>b. The client was voluntarily admitted or committed to the facility while under order of commitment to a correctional facility of the Division of Adult Correction of the Department of Public Safety; or</p> <p>c. The client is being held to determine capacity</p>	V 364		

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V 364	<p>Continued From page 4</p> <p>to proceed pursuant to G.S. 15A-1002; A court order may expressly authorize visits otherwise prohibited by the existence of the conditions prescribed by this subdivision; (5) Be out of doors daily and have access to facilities and equipment for physical exercise several times a week; (6) Except as prohibited by law, keep and use personal clothing and possessions, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002; (7) Participate in religious worship; (8) Keep and spend a reasonable sum of his own money; (9) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes; and (10) Have access to individual storage space for his private use. (c) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-57 and G.S. 122C-59 through G.S. 122C-61, each minor client who is receiving treatment or habilitation in a 24-hour facility has the right to have access to proper adult supervision and guidance. In recognition of the minor's status as a developing individual, the minor shall be provided opportunities to enable him to mature physically, emotionally, intellectually, socially, and vocationally. In view of the physical, emotional, and intellectual immaturity of the minor, the 24-hour facility shall provide appropriate structure, supervision and control consistent with the rights given to the minor pursuant to this Part. The facility shall also, where practical, make reasonable efforts to ensure that each minor client receives treatment apart and separate from adult clients unless the treatment needs of the minor client dictate otherwise.</p>	V 364		

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V 364	<p>Continued From page 5</p> <p>Each minor client who is receiving treatment or habilitation from a 24-hour facility has the right to:</p> <p>(1) Communicate and consult with his parents or guardian or the agency or individual having legal custody of him;</p> <p>(2) Contact and consult with, at his own expense or that of his legally responsible person and at no cost to the facility, legal counsel, private physicians, private mental health, developmental disabilities, or substance abuse professionals, of his or his legally responsible person's choice; and</p> <p>(3) Contact and consult with a client advocate, if there is a client advocate.</p> <p>The rights specified in this subsection may not be restricted by the facility and each minor client may exercise these rights at all reasonable times.</p> <p>(d) Except as provided in subsections (e) and (h) of this section, each minor client who is receiving treatment or habilitation in a 24-hour facility has the right to:</p> <p>(1) Make and receive telephone calls. All long distance calls shall be paid for by the client at the time of making the call or made collect to the receiving party;</p> <p>(2) Send and receive mail and have access to writing materials, postage, and staff assistance when necessary;</p> <p>(3) Under appropriate supervision, receive visitors between the hours of 8:00 a.m. and 9:00 p.m. for a period of at least six hours daily, two hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over school or therapies;</p> <p>(4) Receive special education and vocational training in accordance with federal and State law;</p> <p>(5) Be out of doors daily and participate in play, recreation, and physical exercise on a regular basis in accordance with his needs;</p> <p>(6) Except as prohibited by law, keep and use</p>	V 364		

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V 364	<p>Continued From page 6</p> <p>personal clothing and possessions under appropriate supervision, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>(7) Participate in religious worship;</p> <p>(8) Have access to individual storage space for the safekeeping of personal belongings;</p> <p>(9) Have access to and spend a reasonable sum of his own money; and</p> <p>(10) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes.</p> <p>(e) No right enumerated in subsections (b) or (d) of this section may be limited or restricted except by the qualified professional responsible for the formulation of the client's treatment or habilitation plan. A written statement shall be placed in the client's record that indicates the detailed reason for the restriction. The restriction shall be reasonable and related to the client's treatment or habilitation needs. A restriction is effective for a period not to exceed 30 days. An evaluation of each restriction shall be conducted by the qualified professional at least every seven days, at which time the restriction may be removed. Each evaluation of a restriction shall be documented in the client's record. Restrictions on rights may be renewed only by a written statement entered by the qualified professional in the client's record that states the reason for the renewal of the restriction. In the case of an adult client who has not been adjudicated incompetent, in each instance of an initial restriction or renewal of a restriction of rights, an individual designated by the client shall, upon the consent of the client, be notified of the restriction and of the reason for it. In the case of a minor client or an incompetent adult client, the legally responsible person shall be notified of each instance of an initial restriction or renewal of a restriction of rights and of the</p>	V 364		

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V 364	<p>Continued From page 7</p> <p>reason for it. Notification of the designated individual or legally responsible person shall be documented in writing in the client's record.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure the restriction of client access to personal property was documented and reviewed as required for two of three audited clients (#4 and #6). The findings are:</p> <p>Review on 8/28/20 of client #4's record revealed:</p> <ul style="list-style-type: none"> - 47-year-old female. - Admission date of 6/17/20. - Diagnoses of Mild Intellectual Developmental Disability, Schizophrenia, Renal Insufficiency, Hypothyroidism, and Diabetes. - No required documentation of the restriction of client #4's personal cell phone during the evenings. <p>Review on 8/28/18 of client #6's record revealed:</p> <ul style="list-style-type: none"> - 48-year-old female. - Admission date of 8/10/16. - Diagnoses of Mild Intellectual Developmental Disability, Obesity, and Diabetes. - No required documentation of the restriction of client #6's personal cell phone at 8pm every evening. <p>Review on 8/28/20 of client #6's Person Centered Profile revealed:</p> <ul style="list-style-type: none"> - "[Client #6] will turn in her cell phone at 8pm each night to staff and staff will return phone by 8pm the next morning." 	V 364		

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V 364	<p>Continued From page 8</p> <p>Interview on 8/26/20 client #4 stated:</p> <ul style="list-style-type: none"> - She had resided at the facility for 2-3 months. - She used a personal cell phone to make calls. - She had to turn her personal cell phone in to staff at approximately 7:30pm every evening. <p>Interview on 8/26/20 and 8/28/20 client #6 stated:</p> <ul style="list-style-type: none"> - She had resided at the facility for 5 or 6 years. - She used a personal cell phone to make calls. - She had to turn her personal cell phone in to staff at approximately 7:30pm - 8:00pm every evening. - She was required to sit in the living room when using her cell phone. <p>Interview on 8/26/20 staff #1 stated:</p> <ul style="list-style-type: none"> - She had worked at the facility for approximately 6 months. - Client #4 and #6 were required to turn in their personal cell phones at 8pm to avoid disruptions. - Cell phones were returned the following morning. - Client cell phone use was not restricted to any location in the house. <p>Interview on 8/26/20 staff #2 stated:</p> <ul style="list-style-type: none"> - She had worked at the facility for approximately 13 years. - Clients were required to turn in their personal cell phones at 8pm as a house rule. - Cell phones were returned the following morning. - Client cell phone use was not restricted to any location in the house. <p>Interview on 8/27/20 the Qualified Professional stated:</p> <ul style="list-style-type: none"> - She had worked at the facility for approximately one year. 	V 364		

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V 364	<p>Continued From page 9</p> <ul style="list-style-type: none"> - Clients were required to turn in their personal cell phones at approximately 7:30pm each evening. - Client cell phone use was restricted in the evenings due to client #6 staying up all night on the phone. - Client #6's cell phone use was causing sleep disturbance and subsequently disrupting her daily activities. - She did not believe client cell phone use was restricted to any location in the house. <p>Interview on 8/26/20 the Facility Administrator stated:</p> <ul style="list-style-type: none"> - Client #6 would talk on the phone late at night, which made it difficult to wake her up the next morning. - The facility had client #6 turn her phone in every evening. - Client cell phone use was not restricted to any location in the house. - She would review requirements for restricting personal property of clients. 	V 364		