

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL0601444	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 01/29/2021
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NAME OF PROVIDER OR SUPPLIER STEPHEN GREAVES	STREET ADDRESS, CITY, STATE, ZIP CODE 4054 MAYBERRY LANE CHARLOTTE, NC 28212
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on 1-29-21. The complaint was unsubstantiated (#NC00172640). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G 5600F Supervised Living For All Disability Groups In A Private Residence.</p>	V 000		
V 110	<p>27G .0204 Training/Supervision Paraprofessionals</p> <p>10A NCAC 27G .0204 COMPETENCIES AND SUPERVISION OF PARAPROFESSIONALS</p> <p>(a) There shall be no privileging requirements for paraprofessionals.</p> <p>(b) Paraprofessionals shall be supervised by an associate professional or by a qualified professional as specified in Rule .0104 of this Subchapter.</p> <p>(c) Paraprofessionals shall demonstrate knowledge, skills and abilities required by the population served.</p> <p>(d) At such time as a competency-based employment system is established by rulemaking, then qualified professionals and associate professionals shall demonstrate competence.</p> <p>(e) Competence shall be demonstrated by exhibiting core skills including:</p> <ol style="list-style-type: none"> (1) technical knowledge; (2) cultural awareness; (3) analytical skills; (4) decision-making; (5) interpersonal skills; (6) communication skills; and (7) clinical skills. <p>(f) The governing body for each facility shall develop and implement policies and procedures for the initiation of the individualized supervision</p>	V 110		

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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>plan upon hiring each paraprofessional.</p> <p>This Rule is not met as evidenced by: Based on record reviews, interviews and observation one of one AFL (Alternative Family Living) provider (AFL Provider) failed to demonstrate the knowledge, skills, and ability required by the population served. The findings are:</p> <p>Cross Reference 10A NCAC 27 G .0205 Assessment and Treatment/habilitation or Service Plan (V112) Based on record review, observation and interview the facility failed to implement strategies, effecting one of one client (Client #1).</p> <p>Review on 1-28-21 of Plan of Protection dated and signed by the Executive Director on 1-28-21 revealed:</p> <p>What will you immediately do to correct the above violations in order to protect the clients from further risk or additional harm?</p> <p>"Facility Name: Stephen Greaves MHL Number: 060-1444"</p> <p>"Citation: 10A NCAC 27G .0204 Competencies and Supervision of Paraprofessionals</p> <p>Citation 10A NCAC 27G .0205 Assessment and Treatment/Habilitation or Service Plan</p> <p>Rae's Playze Adult Day Center (Licensee)</p>	V 110		

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V 110	<p>Continued From page 2</p> <p>recognizes the Division requirements per NCAC standards that there shall be no privileging requirements for paraprofessionals. Rae's Playze Adult Day Center met with [AFL provider] on 9-6-20 upon transition of AFL member to ensure paraprofessional competency and plans for supervision. Per the attached Client Specific Competency Agreement, and Supervision Plan Agreement, Rae's Playze Adult Day Center discussed and acknowledged that paraprofessional had the training, skills, and abilities required to serve the member.</p> <p>Supervision was provided specifically related to the member via on-site observation, internal meetings and in group settings. member supervision was provided through the methods of face-to-face contact and via MS (Microsoft) Teams on a weekly basis. Content of supervision included review of documentation, member specific issues, member rights, ethical and financial issues. The information discussed and the outcome of each supervision was documented in the members record.</p> <p>As a result of this citation;</p> <p>(1) paraprofessional will be provided Trauma informed training through NC (North Carolina) Starts next Thursday at 11am, Rae's Playze QP (Qualified Professional) will attest to attendance.</p> <p>(2) paraprofessional will be required to be retrained on the following;</p> <ul style="list-style-type: none"> -Evidence Based Protective Intervention training w/training coordinator on 2-11-21 -Crisis Intervention for Individuals with Developmental Disabilities -Principles and Practices of Effective Direct Supports -Ethical Decision Making: The Basics -Client/Patient Rights 	V 110		

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V 110	<p>Continued From page 3</p> <ul style="list-style-type: none"> -Incident Reporting -Writing Effective Incident Reports <p>(3) upon placement of a new AFL, QP will continue to monitor paraprofessional for member supervision through the methods of face-to-face contact and via MS Teams on a weekly basis for the first 90 days of the transition.</p> <p>(4) during the transition/Treatment team meetings, QP will insure a BIP (Behavior Intervention Plan) will be created by a licensed Behavioral professional and AFL provider will be trained on this BIP before transition.</p> <p>(5) paraprofessional will be required to acknowledge understanding and receipt of Functional and Preference Assessments, BIP, and Treatment plans by signature.</p> <p>(6) Rae's Playze will document and provide corrective action plan to AFL provider."</p> <p>Review on 1-29-21 of Plan Of Protection sent via email 1-29-21 from the Executive Director revealed:</p> <p>"Facility Name: Stephen Greaves MHL Number: 060-1444"</p> <p>"Citation: 10A NCAC 27G .0204 Competencies and Supervision of Paraprofessionals</p> <p>Citation 10A NCAC 27G .0205 Assessment and Treatment/Habilitation or Service Plan</p> <p>Rae's Playze Adult Day Center recognizes the Division requirements per NCAC standards that there shall be no privileging requirements for paraprofessionals. Rae's Playze Adult Day Center met with [AFL Provider] on 9-6-20 upon transition of AFL member to ensure paraprofessional competency and plans for supervision. Per the attached Client Specific Competency Agreement,</p>	V 110		

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V 110	<p>Continued From page 4</p> <p>and Supervision Plan Agreement, Rae's Playze Adult Day Center discussed and acknowledged that paraprofessional had the training, skills, and abilities required to serve the member. At this time the client is no longer at this facility and the AFL has no current clients</p> <p>Supervision was provided specifically related to the member via on-site observation, internal meetings and in group settings. member supervision was provided through the methods of face-to-face contact and via MS (Microsoft) Teams on a weekly basis. Content of supervision included review of documentation, member specific issues, member rights, ethical and financial issues. The information discussed and the outcome of each supervision was documented in the members record.</p> <p>As a result of this citation;</p> <p>(1) paraprofessional will be provided Trauma informed training through NC (North Carolina) Starts next Thursday at 11am, Rae's Playze QP (Qualified Professional) will attest to attendance.</p> <p>(2) paraprofessional will be required to be retrained on the following;</p> <ul style="list-style-type: none"> -Evidence Based Protective Intervention training w/training coordinator on 2-11-21 -Crisis Intervention for Individuals with Developmental Disabilities -Principles and Practices of Effective Direct Supports -Ethical Decision Making: The Basics -Client/Patient Rights -Incident Reporting -Writing Effective Incident Reports <p>(3) upon placement of a new AFL, QP will continue to monitor paraprofessional for member supervision through the methods of face-to-face contact and via MS Teams on a weekly basis for</p>	V 110		

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V 110	<p>Continued From page 5</p> <p>the first 90 days of the transition. (4) during the transition/Treatment team meetings, QP will insure a BIP (Behavior Intervention Plan) will be created by a licensed Behavioral professional and AFL provider will be trained on this BIP before transition. (5) paraprofessional will be required to acknowledge understanding and receipt of Functional and Preference Assessments, BIP, and Treatment plans by signature. (6) Rae's Playze will document and provide corrective action plan to AFL provider."</p> <p>Client #1 had diagnoses including; Oppositional Defiant Disorder, Attention Deficit/Hyperactivity Disorder, unspecified, Post Traumatic Stress Disorder, chronic, Disruptive Mood Dysregulation Disorder, Mild Intellectual Disability, Generalized Anxiety Disorder, Bipolar Disorder, unspecified, Major Depressive Disorder. He has destroyed property, engaged in self-injurious behaviors and aggression. His crisis plan revealed that noise is trigger and he responds best to a calm voice. His plan details that his mother/guardian should be called when he is in a crisis, but if she is not available, it lists other family members and the Qualified Professional. On 12-13-20 Client #1 was denied use of the phone. Client #1 became upset, and the AFL Provider did not call the individuals listed in Client #1's crisis plan, instead called the police. On 12-14-20 Client #1 again became upset, and the AFL provider did call the mother/guardian but had to leave a message. He called the QP but did not relay that Client #1 was currently in crisis. Client #1 spent at least an hour being agitated during which time the AFL Provider did not call anyone else, or try to call the mother/guardian again. The police were called when Client #1 became violent and Client #1 was</p>	V 110		

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V 110	Continued From page 6 taken to behavioral health and did not return to the facility. The AFL Provider did not follow the crisis plan, and Client #1 was hospitalized. This deficiency constitutes a Type B rule violation as it was detrimental to the health, safety, and welfare of the client. If the violation is not corrected within 45 days an administrative penalty of 200.00 per day will be imposed for each day the facility is out of compliance beyond the 45th day.	V 110		
V 112	27G .0205 (C-D) Assessment/Treatment/Habilitation Plan 10A NCAC 27G .0205 ASSESSMENT AND TREATMENT/HABILITATION OR SERVICE PLAN (c) The plan shall be developed based on the assessment, and in partnership with the client or legally responsible person or both, within 30 days of admission for clients who are expected to receive services beyond 30 days. (d) The plan shall include: (1) client outcome(s) that are anticipated to be achieved by provision of the service and a projected date of achievement; (2) strategies; (3) staff responsible; (4) a schedule for review of the plan at least annually in consultation with the client or legally responsible person or both; (5) basis for evaluation or assessment of outcome achievement; and (6) written consent or agreement by the client or responsible party, or a written statement by the provider stating why such consent could not be obtained.	V 112		

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V 112	<p>Continued From page 7</p> <p>This Rule is not met as evidenced by: Based on record review, observation and interview the facility failed to implement strategies, effecting one of one client (Client #1). The findings are:</p> <p>Review on 1-6-21 and 1-25-21 of Client #1's record revealed: -Admitted 9-8-20 -Diagnoses include: Oppositional Defiant Disorder, Attention Deficit/Hyperactivity Disorder, unspecified, Post Traumatic Stress Disorder, chronic, Disruptive Mood Dysregulation Disorder, Mild Intellectual Disability, Generalized Anxiety Disorder, Bipolar Disorder, unspecified, Major Depressive Disorder, severe without psychotic Disorder, Localization-related (focal) (partial) symptomatic epilepsy and epileptic syndromes with complex partial seizures, intractable, without status epilepticus, Hyperfunction of Pituitary Gland, unspecified, and Acne Vulgaris. -Risk/Needs Assessment dated 3-23-20 revealed: "Positive Behavior Support: Requires support to prevent, manage or provide therapy for behaviors or conditions that can potentially cause physical harm to self or others or that may be a misdemeanor ...Requires a highly structured environment specially trained staff to prevent or manage behaviors that are expected to cause serious harm to self or others if not addressed...Will exhibit behaviors when he is seeking attention, instant gratification, is told 'No',</p>	V 112		

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V 112	<p>Continued From page 8</p> <p>if he feels rejected, or if he feels others are speaking negatively about him...has exhibited self-injurious behaviors as head banging, kicking and punching the walls..."</p> <p>-Person Centered Plan dated 8-1-20 and updated 8-27-20 revealed: "At times in the past, my behavior has become erratic and aggressive...on 4-4-19 [Client #1] was admitted into [Local Hospital] due to taking and intentional OD (Overdose) that required intubation...admitted lying about overdosing to receive attention...as of June 2020 [Client #1] had been hospitalized twice within the past few weeks...been struggling with his anxiety and emotional well-being...4-28-20 admitted to [local hospital] for self-injurious behaviors and statements as well as depression...stabbed himself with a pencil...hospitalized again on 5-23-20 due to an attempted overdose...history of physical aggression in the home...has assaulted staff and peers...known to destroy property...has thrown a brick through his mother's car window, punched holes in walls, flipped furniture and destroyed smaller items...has been hospitalized for suicide ideations. It was noted that he could not get his way and was looking for attention...history of elopement...and agree that they may help..."</p> <p>-Person Centered Plan goals include: Complete personal care tasks, follow a visual daily schedule, communicate feelings and exercise coping mechanisms when needed, will accept "No" and redirect to an alternative activity offered, will accept rules and boundaries in the home and community.</p> <p>-When I may need extra help: "Things that may create stress. Situations where I'll need extra help?...2. If I am not getting the attention or response I want 3. Transition between activities 3. Noise is a trigger for me (overwhelming background noise) 5. A consequence could</p>	V 112		

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V 112	<p>Continued From page 9</p> <p>cause a crisis....What can you do to help me prepare ahead? ...2. Allow me more opportunities to make a choice...5. Offer me lots of positive encouragement when I complete items requested. Redirect me to a different activity if I start to participate in aggressive behaviors...What can you do to help me out of difficult situations? I respond best to a calm voice and gentle but firm redirection. If I am aggressive, remove me from the environment. Refrain from talking a lot. If I become aggressive toward staff, staff should move to another room but keep me within eyesight. This will allow me to calm myself down.. Crisis Planning: What a crisis looks like for me? I will exhibit self-injurious behavior such as head banging, kicking and punching walls, ultimately causing injury. I will raise my voice and get louder. I may pace back and forth or display a 'cynical' grin. I will stare you down. I may tense my body or ball up my fists....I have been known to destroy property when I become agitated...Who to call? Call AFL Provider...and or my mother [Mother's name and phone number] to assist in calming techniques. Sometimes my other family members may assist in calming me down if my mother is not available. Call my grandmother at...or my aunt [aunt's name] at... How to support me best? Speak to me about what is making me upset. Speak in a very calm manner, but firm tone. ..."</p> <p>Review on 1-6-21 of AFL Providers personnel record revealed: -Hire date of 12-10-19 -EBPI (Evidence Based Protective Interventions) last completed 9-3-20, Core recertification last completed 9-3-20. -9-6-20- Person Centered Training for Client #1 including diagnoses and needs, goals and outcomes, routines, and behavior concerns.</p>	V 112		

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V 112	<p>Continued From page 10</p> <p>Review on 1-6-21 and 1-28-21 of AFL Provider's wife/back up staff's personnel record revealed: -Hire date of 9-29-20. -9-6-20- Person Centered Training for Client #1 including diagnoses and needs, goals and outcomes, routines, and behavior concerns.</p> <p>Review on 1-20-21 of an email sent to the DHSR (Division of Health Service Regulation) surveyor from the Qualified Professional #1 (QP#1) dated 1-20-21 revealed: -"The crisis plan was hand written and given to [AFL Provider] on Oct 8, 2020. [Mother/Guardian] was there when all this took place." -"On Oct 8, 2020 QP (QP#1) [Mother/Guardian], [AFL Provider], [AFL Provider's wife/back up staff], and [Client #1] meet to discuss LRP's (Legal Representative Person) concerns. LRP explained to [AFL Provider and AFL Provider's wife/backup staff] [Client #1]'s triggers are, not getting what he wants, loud noises, and miscuing information. QP developed a weekly schedule...QP developed a crisis plan with [AFL Provider and AFL Provider's wife/back up staff]. QP explained...in the event of a crisis: 1. Give [Client #1] time to process information. 2. Offer [Client #1] a preferred activity. 3. Ask [Client #1] to call his mother. 4. Contact the QP."</p> <p>Review on 1-22-21 of an email sent to the DHSR surveyor from the QP #1 dated 1-22-21 revealed: -"We found the agenda for 10-22..." -Attached agenda revealed: Both AFL Provider and AFL Provider's wife/back up staff's names were on the list of people that attended. -Topics discussed included; ground rules, needs/priority needs, and review of crisis plan.</p>	V 112		

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V 112	<p>Continued From page 11</p> <p>Review on 1-6-21 of 911 calls to the facility revealed: -12-13-20 police called at 15:53 (3:53 pm) -12-14-20 police called at 12:28 pm -12-14-20 police called a second time at 12:32 pm</p> <p>Review on 1-6-21 of incident reports dated 12-13-20 and 12-14-20 completed by the AFL Provider revealed: -12-13-20: "On Sunday (12-13-20) [Client #1] requested my phone to speak to his aunt. I told him that because I was using my phone at the moment that I would give him the phone later. After I got off the phone I gave him the phone to speak to his aunt. He was going upstairs to speak on the phone and I asked him to come downstairs and talk on the phone in which he then replied he's not going to speak to his aunt but his brother. I responded saying, 'Okay, come downstairs and speak to your brother,' he refused and said 'the things I'm going to say to my brother about you will make you uncomfortable,' I then told him, 'okay, please give me my phone so you don't say any nasty things about me to your brother and I don't want to feel uncomfortable.' He obliged and gave me my phone back to me. I went out of the house to the backyard and he hid my tv remotes along with my car keys. He even changed the channel I was watching. I asked him to give me back the keys and the remotes and he refused saying, 'he doesn't know where it is.' I kept pleading with him along with my wife (AFL Provider's wife/back up staff) after she came downstairs to calm down and cooperate with us. To redirect him and understand the situation I asked him what he wanted and he said 'nothing', and he was walking around the house cursing and shouting. He continued misbehaving and</p>	V 112		

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V 112	<p>Continued From page 12</p> <p>that's when I called the police to help bring down his temper. After the police came that is when he returned the remotes and keys."</p> <p>-12-14-20- "This morning, [Client #1] came downstairs to me saying '[AFL Provider], I want to eat hot dogs for my breakfast', I asked him 'what did you say?' And he replied saying, 'you heard me, b***h.' I asked him, 'did you just call me a b***h?' in which he replied saying, 'yes, you're not my father.' I gave him the hot dog he requested. After he finished eating, he spilled the ketchup and mustard on the rug of the living room. To gauge the situation and calm him down I asked him what did he start misbehaving all of a sudden and he said, 'I don't know'. I offered to take a walk or drive with me and he constantly refused. I called his mother and left a voicemail. I also called the QP (QP#1) and the schedule a 2 pm meeting. While we were waiting for the meeting he began writing all over the wall using a black permanent marker. I told him to stop writing on the wall and he said 'b***h, I will write on the wall if I want to.' Due to his constant misbehavior and failure to oblige my request I told him if he doesn't stop what he's doing I will call the police afterwards he charged at me and punched me in the head. That is how the violence ensued. The police finally arrived and even their presence did not calm him down and still continued to threaten my wife (AFL Provider's wife/back up staff) and I saying he wanted to kill us. In the midst of the violence and his attempt to overpower me, he threw down my kitchen island. He grabbed the forks and spoons in an attempt to stab me. Afterwards the police took him to the mental health care center on [road]...4. Corrective action taken; When I noticed [Client #1]'s sudden behavior change, I offered to take him for a walk or drive or even go to the store for candy and he refused. I also offered him popsicle because I</p>	V 112		

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NAME OF PROVIDER OR SUPPLIER STEPHEN GREAVES	STREET ADDRESS, CITY, STATE, ZIP CODE 4054 MAYBERRY LANE CHARLOTTE, NC 28212
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V 112	<p>Continued From page 13</p> <p>know he likes it a lot and he still didn't oblige. I asked him what he wanted and he only replied saying 'nothing', yet he still continued acting rude and violent....Summary: ...When the second nurse (at the behavioral health hospital) ...this was when [Client #1] expressed that he wanted to get his daddy (AFL Provider) for what happened yesterday. He went on to say he poured tomato paste and mustard on the carpet, he tried to get a knife from the kitchen but got a fork instead and tried to stab [AFL Provider] By this time he and [AFL Provider] started fighting and they both punched each other in the face. ...Finally at the time the police was called he had turned over the island in the kitchen and tried to pull the cord out of the floor."</p> <p>Interview on 1-5-21 with Client #1 revealed:</p> <ul style="list-style-type: none"> -Client #1 refers to the AFL Provider and his wife/back up staff as "dad" and "mom" -He had gotten angry on 12-13-20 because he couldn't have waffles when he wanted them. -He got upset over using the phone and the AFL Provider "kept saying it was a work phone. He couldn't call his mother or his Care Coordinator. They could call me, but my dad would talk and not let me talk, so technically, he lied." -On 12-13-20 AFL Provider and the AFL Provider's wife/back up staff called the police because "they were tired of not finding the remote." -The police left the house after he gave them the remote. -On 12-14-20 he put ketchup and mustard on the carpet, and the AFL Provider became angry. -"They (AFL Provider and AFL Provider's wife/backup staff) got mad, my dad (AFL Provider) was holding me. After he punched me, I punched him back." 	V 112		

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V 112	<p>Continued From page 14</p> <p>-"We got into a fight, his son almost killed me, I couldn't breathe." -"[AFL Provider's wife/backup staff] called the cops." -"I was punching him (AFL Provider), the mom (AFL Provider's wife/backup staff) lied and said I was going to kill them to the police." -"Every time my dad (AFL Provider) yelled, I felt like I wanted to kill them." -His aunt had told the AFL Provider that yelling was a trigger for Client #1. -"They (AFL Provider and AFL Provider's wife/backup staff) kept locking the door with the knives. I got a fork, I wasn't able to stab them, but I tried. I was yelling and cussing." -The AFL Provider's son had lived in the facility "all the time." Before this incident, he got along well with the son. -The AFL Provider's daughter was in college so she would be there when she wasn't going to school. -On 12-14-20: "He (AFL provider) punched me first when I wrote on the walls. He lied to the police." -"[AFL Provider's wife/backup staff] was punching me too. That's when she got her hand hurt." -[AFL provider's son] came down, and [AFL Provider] and I were fighting, standing up and down on the ground." -"After that the counter (kitchen island) fell over, it was glued to the ground." - He initially said that the AFL Provider's son struck him, then said he choked him with his elbow around his neck in a choke hold. -"I told him,'Bro, you are about to kill me, you are doing it too tight." -He "got away" from the AFL Provider's son and the the AFL Provider's son "tried to catch me when I was getting the fork."</p>	V 112		

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V 112	<p>Continued From page 15</p> <p>-"That's when [AFL Provider's wife/backup staff] lied and said I was trying to kill them."</p> <p>-When asked by the DHSR surveyor what he does to calm down when upset, he replied that he takes a nap, plays video games or talks to his mother/guardian or his brother.</p> <p>-The day of 12-14-20 the AFL Provider's daughter was also there " she was calling the cops,screaming and crying"</p> <p>-The police were called twice because the AFL Provider and AFL Provider's wife/backup staff didn't think the police were coming fast enough.</p> <p>-The AFL Provider would yell "'This is my F*****g house', one time the [AFL Provider's wife/backup staff] said 'S**t, we treat you right.'"</p> <p>-"They (AFL Provider and AFL Provider's wife/backup staff) just cursed the last two days, but they always yelled."</p> <p>Interview on 1-5-21 and 1-20-21 with Client #1's Mother/ Guardian revealed:</p> <p>-She spoke to her son on 12-16-20 and that was when he told her that the "[AFL Provider] punched him and they were fighting, He said that the son (AFL Provider's son) put a choke hold on him. There wouldn't be marks with a choke hold. He was afraid to tell anyone because he thought he would get in trouble. The QP (QP#1) doesn't seem to realize he is ID (Intellectual Disability)."</p> <p>-The facility had one meeting the first month Client #1 was there.</p> <p>-"I requested additional training, I asked the QP for more training (in Client #1's behaviors)."</p> <p>-"Just from the way they dealt with him (Client #1) it seemed like it (training) came from a leaflet with no training."</p> <p>-"I had spoken with [Care Coordinator] a number of times, I had spoken with [Executive Director] about his (AFL Provider) inflection.</p>	V 112		

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V 112	<p>Continued From page 16</p> <p>When he (Client #1) called me, [AFL Provider] would be yelling."</p> <ul style="list-style-type: none"> - She did not recall talking about Client #1's behaviors when they were all together. -They did talk about room and board and Client #1 often eating out. -The QP (QP#1) developed a schedule for Client #1. "There was no structure before and no schedule for his first month there (the facility). They were just letting him do what he wanted." - "His triggers were discussed initially before placement." - "It (triggers) was discussed with [QP#1] after I witnessed it on the phone, also discussed with [AFL Provider] when I saw him yelling. I told him it was a trigger." - "One time with his (Client #1's) aunt, there was back and forth and yelling. She (Client #1's aunt) told [AFL provider] at the time yelling was a trigger." -She was not sure what information was given to the AFL Provider, but she had provided him with Client #1's crisis plan before Client #1 was placed there. - "But it's not as if [AFL provider] had not been made aware of yelling and loud voices. Also [Care Coordinator] told him. It's not as if it wasn't provided to him." -She was concerned that the AFL Provider might not be understanding the training, that's why she asked for more. - "I expressed to [QP#1] and [Executive Director] with English being a second language I don't think they (AFL Provider and AFL Provider's wife/backup staff) understood." - "The whole darn family jumped him, they are not fit to be AFL Providers." -She did not think the placement for Client #1 was going well and called the Care Coordinator several times to talk to her about it. 	V 112		

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V 112	<p>Continued From page 17</p> <p>Interviews on 12-21-20, 1-11-21, and 1-28-21 with the AFL Provider revealed:</p> <ul style="list-style-type: none"> -Client #1 had been there approximately 3 months and things were going OK. -The his wife was also his back up staff. -When asked about the incident on 12-13-20: "It (behaviors) started the night before (12-12-20) when he was talking to his aunt (on the phone). His aunt might be a trigger." -"He was talking, using abusive language about his mother. I told the aunt to tell him to stop." -"The phone was on speaker, they put it on silent. They were talking." -The next day Client #1 wanted the phone to talk to his brother. -"He (Client #1) said he 'was going to talk to his brother about you.'" -"I told [Client #1] if you want to abuse me, give me my phone." -"After lunch I was watching TV, he took my keys." -The keys were on a cupboard shelf near the TV. -"I asked him (where were the keys), he said he didn't know." -AFL Provider stated that he called Client #1's mother but she didn't answer. -AFL Provider asked Client #1 if he wanted to go out somewhere and was told "no". -"He (Client #1) started yelling, 'I don't have your f*****g keys.'" -"He rushed at me, but didn't touch me." -AFL Provider called the police and Client #1 gave him the keys. -On 12-14-20 Client #1 came downstairs in an angry mood and called his mother/guardian and Care Coordinator. -Client #1 wanted a hot dog for breakfast and 	V 112		

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V 112	<p>Continued From page 18</p> <p>said "'You heard me b***h'. I gave him a hot dog." -Client #1 went upstairs, came back down and sat on the couch. -The AFL Provider went upstairs and Client #1 got the ketchup and mustard and poured it on the carpet. -"I asked him (Client #1) why he did it and he said he didn't know." -"I called his mom to get him to talk to her, but she didn't answer. I called the QP (QP#1) and we said we would have a meeting at 2:00." -"[Client #1] was writing on the walls. I said I would call the police if he didn't stop." -"He rushed me. He wanted to fight me, I backed up and blocked him." -"[Client #1] was pushing me. He was looking for a weapon, he said he wanted to kill us. He was looking for a knife." -The AFL Provider's wife/backup staff was there also. -" He threw me down. I did hold his hands, he started kicking us (AFL Provider and AFL Provider's wife/backup staff), kicking our legs." -AFL Provider said that the only two at the facility had been himself and his wife (AFL Provider's wife/backup staff). -The police came and took Client #1 to behavioral health. -"He told the police he would kill me and was cussing the police. He grabbed my wife too." -AFL Provider's wife/backup staff showed the DHSR surveyor her hand which appeared swollen and said it happened when she tried to get between Client #1 and AFL Provider. -His son came when things were "almost over, when [Client #1] was pushing me, [AFL provider's son] told him to calm down." -"[AFL provider's son] does live here off and on." -The AFL provider's son never restrained</p>	V 112		

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V 112	<p>Continued From page 19</p> <p>Client #1 or touched him.</p> <ul style="list-style-type: none"> -On 12-14-20 the behaviors started at approximately 9:00am and that was when the AFL Provider called Client #1's mother/guardian and QP#1. -The AFL Provider's wife/backup staff actually made the calls. -After Client #1 poured mustard and ketchup on the floor, "he was all over." -He jumped on the sofa, he took the remote control and the keys. -AFL Provider considered this "violent." -Client #1 was upset "for about an hour." -He and AFL Provider's wife/backup staff called the Executive Director, two other QP's that worked for the licensee, and the police. -He did not try to call Client #1' mother/guardian again, or QP#1 who was the QP that worked with Client #1. -He didn't try to call Client #1's aunt, or any other relative. - QP#1 had been the QP for the facility since Client #1 had been there. -He had received training in Incident Reporting, NCI (North Carolina Interventions), and CPR (Cardio-pulmonary Resuscitation). -"I can't recall any training on [Client #1]'s behaviors." -Repeated that he couldn't recall any training on Client #1's behaviors. -To deal with Client #1's behaviors they would try to redirect him, offer choices, "like to take him to the store for a ride. We would ask what we would want, but he wouldn't want that. We tried all the things." -When DHSR surveyor asked about what triggers Client #1 had: "Well sometimes when he asked for something, he wouldn't want to wait." -AFL Provider stated he had never been told that loud noise would trigger behaviors for client 	V 112		

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V 112	<p>Continued From page 20</p> <p>#1.</p> <ul style="list-style-type: none"> -AFL Provider repeated that he had never been told about loud noises. -AFL Provider stated that there was no crisis plan for Client #1. -In the 1-28-21 interview, he stated that his son does not live there, but comes and visits. -Initially denied he had told the DHSR surveyor that the son lived there and then said it was a "misunderstanding." -Both he and his wife (AFL Provider's wife/backup staff) denied hitting or punching Client #1 and denied that their son had choked Client #1. -AFL Provider's wife/backup staff interjected: "The mother refuses to talk to him. She says the son lies a lot." -AFL Provider's wife/backup staff was present during the interviews and agreed with AFL Provider's account of the incidents. <p>Observation on 1-11-21 and 1-28-21. Both AFL Provider and AFL Provider's wife/backup staff became excited and irate when asked questions by the DHSR surveyor. Both were raising their voices and speaking in a loud, excited tone, and became very animated..</p> <p>Interview on 1-5-21 and 1-22-21 with Client #1's Care Coordinator revealed:</p> <ul style="list-style-type: none"> -The placement was "Ok, never great." -There were some issues with the weekly blood draw (Client #1 needed weekly blood draws to keep check on a medication) the AFL provider was having a hard time accurately communicating with the doctor and the guardian. -The Executive Director was the acting QP at the time and she did get it straightened out and things were OK for a few weeks. -Client #1 started day supports and he 	V 112		

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V 112	<p>Continued From page 21</p> <p>doesn't like to stay in one place.</p> <p>- "We were told that yes, this person (AFL Provider) understands behaviors."</p> <p>- "Then find out that they (AFL Provider and AFL Provider's wife/backup staff) were licensed and wanted another person. They had no experience with behaviors."</p> <p>- "They didn't follow the crisis plan. [AFL Provider] would just get upset and be angry and loud and tone of voice."</p> <p>- She heard about the incident on 12-14-20 when it happened but it wasn't until a few days later when she learned about the incident on 12-13-20.</p> <p>- "They (AFL Provider and Client #1) were agitated with each other (on 12-13-20). [Client #1] had taken the keys and remote control."</p> <p>- "Instead of talking through it, they (AFL Provider) called the cops."</p> <p>- "Then the very next day, it escalated into a physical altercation."</p> <p>- "They (AFL Provider) had no training in behaviors that I know of, the QP (QP#1) said she would check into more training. I thought they had experience. I wouldn't have put [Client #1] in the home if I knew he didn't have training."</p> <p>- " It was my understanding it was just [AFL Provider and AFL Provider's wife/backup staff] then all of a sudden these kids pop out of woodwork."</p> <p>- Client #1's mother/guardian is very knowledgeable about Client #1's behaviors.</p> <p>- " I do feel like she tries to get to the answer. She knows he could be lying or embellishing."</p> <p>- "I'm sure she butted heads as did I, she expected a smooth transition."</p> <p>- As far as she knew, the phone conversation Client #1 had with his mother/guardian on 12-16-20 was the only time someone had talked about anyone physically hitting Client #1.</p>	V 112		

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V 112	<p>Continued From page 22</p> <ul style="list-style-type: none"> -In Client #1's crisis plan one of the things to do is to call mom/guardian or relatives, to help calm Client #1 down. -If you are restricting access, you are ignoring all the steps you are supposed to take." -The crisis plan states to call the QP, to call the mother/guardian and to watch the tone of voice. -She was unaware that this was the first client that the AFL Provider had when she placed Client #1 in the facility. <p>Interview on 1-13-21 with the Adult Protective Services investigator revealed:</p> <ul style="list-style-type: none"> -She interviewed Client #1 12-17-20 virtually. -She couldn't see any marks on him, indicating a fight, even though "I had him bring his face right up to the screen." -Client #1 gave her conflicting stories about what happened the day of 12-14-20. -"I know his IQ is around 28." -"My biggest issues, I have serious concerns. My major concern is this: why with [Client #1]'s history would they place him with someone brand spanking new." -"When they (AFL Provider and AFL Provider's wife/backup staff) get excited, they talk in a very loud voice and they are very animated." -"I don't think that is a good place." -She asked both the licensee and the AFL Provider for a crisis plan and was told that they didn't have a formal plan. -"I saw the incident report, they (AFL Provider) don't have the skills to help him (Client #1). They are way out of their league." - "When he would get upset they would do things like offer a popsicle or a drive to the store for candy, but by then he couldn't be redirected." -She talked to the Social Worker at the hospital and he had not seen any bruising or 	V 112		

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V 112	<p>Continued From page 23</p> <p>injuries and there was no documentation from the admitting doctor about any bruises or injuries.</p> <p>-The mother/guardian told her that she had talked to the AFL Provider that talking loudly to Client #1 was a trigger but they "didn't seem to understand."</p> <p>-"[AFL provider] just kept saying '[Client #1] is a rude boy.' Clearly, they had no idea."</p> <p>-On 12-14-20 the AFL provider called Client #1's mother/guardian, and the QP#1. She asked why they set a meeting for 2:00 if Client #1 was out of control at 11:00.</p> <p>-" I don't feel like it was their fault they did some things wrong but they didn't know. They did what they thought was right."</p> <p>Interview on 1-5-21 with the Behavioral Health Social Worker revealed:</p> <p>-He was not the Social Worker on duty when Client #1 came in so he didn't do his assessment.</p> <p>-Social Worker looked through the notes and said that Client #1 reported that he was arguing with his foster father (AFL Provider) and his Aunt. He said his foster dad yells at him. He said he asked for food and that led to an altercation. The son of the AFL Provider intervened and they all got physical with each other.</p> <p>-The notes did not say anything about being choked by the AFL Provider's son or the AFL Provider punching him.</p> <p>Interview on 1-12-21 with the AFL Provider's son revealed:</p> <p>-He does not live at the facility,"it is the opposite" of what his father said.</p> <p>-He had a good relationship with Client #1, "he called me big bro, stuff like that."</p> <p>-When he got to the facility on 12-14-20 he thought the incident was already over.</p> <p>-Client #1 was screaming and he asked him</p>	V 112		

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NAME OF PROVIDER OR SUPPLIER STEPHEN GREAVES	STREET ADDRESS, CITY, STATE, ZIP CODE 4054 MAYBERRY LANE CHARLOTTE, NC 28212
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V 112	<p>Continued From page 24</p> <p>what happened.</p> <ul style="list-style-type: none"> -Client #1 told him that "daddy (AFL Provider) made me mad." -"I said, 'come on bro, these are your parents, they take you where you want to go.'" -He was there approximately 1-2 minutes before the police arrived. -He didn't see Client #1 hit anyone. -The kitchen island was already turned over when he got to the facility. -He had "never seen [Client #1] upset before, I heard about it, but I'm usually not home." -"Sometimes I'm usually there in the afternoon, check on my peoples." -That day he just happened to be going by the facility so he stopped in. -"Mom (AFL Provider's wife/backup staff) told me the day before the incident he had got mad at them for something." -He does live close by. "I don't know why [Client #1] would say I lived there." <p>Interview on 1-27-21 with the QP#1 revealed:</p> <ul style="list-style-type: none"> -She talked to the AFL Provider approximately 9:15 am on 12-14-20. -The next she heard was from QP #3 who worked at the licensee who reported that the AFL Provider's wife/backup staff was screaming that Client #1 was trying to kill her husband, at approximately 11:45 am. -When she talked to the AFL Provider it was about the incident the day before. She did not know Client #1 was in crisis at the time, that is why she set the meeting for 2:00 instead of taking action immediately. -She got another call at 1:00 pm that the police were at the facility. - QP #2 arrived at the facility just as the police arrived. -"Based on what he told me (during the 	V 112		

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V 112	<p>Continued From page 25</p> <p>phone call), he was OK." -I had no indication it was a crisis situation." -She learned of the allegations that Client #1 had been hit and did question everyone and contacted Adult Protective Services.</p> <p>Interview on 1-6-21 with QP#2 revealed: -She went to the facility when she was called and learned the client was in crisis. -She went to the hospital and Client #1 was calm, "It was like nothing happened." -During the triage, Client #1 told the nurse that he planned to retaliate against the AFL Provider for the incident on 12-13-20. -He (Client #1) said he was going to get him (AFL Provider) today, he tried to find a knife."</p> <p>Interview on 1-25-21 with the Executive Director revealed: -She had been the acting QP when Client #1 was admitted. -They had a virtual meeting and Client #1 agreed he would like to live there. -Client #1 had a crisis plan as part of his Individual Support Plan. -They had a meeting on 9-6-20, QP#1 was working at that time. -They had given the AFL Provider and his wife (AFL Provider's wife/backup staff) training in Clients #1's needs and behaviors. -There were also meetings on 10-20-20 and 10-12-20. -The mother/guardian had talked to them about loud tone of voice. The team also talked about no telling Client #1 "no", "we talked about that in depth." -She was not sure why the AFL Provider had told the DHSR surveyor he had not had training. The AFL provider also denied he had told the DHSR surveyor he had received no training for</p>	V 112		

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V 112	Continued From page 26 Client #1. -She had gone over the crisis plan with the AFL Provider but "somehow, in the heat of the moment" the crisis plan wasn't followed. This deficiency is crossed referenced into 10A NCAC 27G Competencies and Supervision of Paraprofessionals (V110) for a Type B rule violation and must be corrected within 45 days	V 112		
V 131	G.S. 131E-256 (D2) HCPR - Prior Employment Verification G.S. §131E-256 HEALTH CARE PERSONNEL REGISTRY (d2) Before hiring health care personnel into a health care facility or service, every employer at a health care facility shall access the Health Care Personnel Registry and shall note each incident of access in the appropriate business files. This Rule is not met as evidenced by: Based on interviews, the facility failed to access the HCPR (Health Care Personnel Registry). The findings are: Interview on 12-22-20 and 1-28-21 with the AFL (Alternative Family Living) provider revealed: -His adult son does live at the facility "off and on." -In the 1-28-21 interview stated that his son did not live there and he never told the surveyor that he did.	V 131		

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V 131	<p>Continued From page 27</p> <p>-Then said it was a "misunderstanding", and his son didn't live there.</p> <p>Interview on 1-6-21 with Client #1 revealed: -The AFL provider had an adult son that had lived at the facility the entire time he had been there. -He previously had a good relationship with the son until an incident on 12-14-20.</p> <p>Interview on 1-27-21 with the Qualified Professional #1 revealed: -She had never seen an adult son at the facility. -She had never seen evidence of another person living there.</p> <p>Interview on 1-6-21 with the Qualified Professional #2 revealed: -The licensee had no knowledge of an adult some at the facility.</p> <p>Interview on 1-12-21 with the AFL Provider's son revealed: -He does not live at the facility. -He had "never seen [Client #1] upset before, I heard about it, but I'm usually not home." -"Sometimes I'm usually there in the afternoon, check on my peoples." -That day he just happened to be going by the facility so he stopped in. -"Mom told me the day before the incident he had got mad at them for something." -He does live close by. "I don't know why [Client #1] would say I lived there."</p> <p>Interview on 1-22-21 with the Care Coordinator for Client #1 revealed: -She had been told the AFL Provider had adult children in the home.</p>	V 131		

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V 131	Continued From page 28 -" It was my understanding it was just [AFL provider and AFL Provider's wife/backup staff] then all of a sudden these kids pop out of woodwork." Interview on 2-28-21 with the Executive Director revealed: -They had never seen any evidence of someone else living in the facility. -When they did the walk troughs they checked the bedrooms and didn't see evidence of someone else living there.	V 131		
V 133	G.S. 122C-80 Criminal History Record Check G.S. §122C-80 CRIMINAL HISTORY RECORD CHECK REQUIRED FOR CERTAIN APPLICANTS FOR EMPLOYMENT. (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. (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	V 133		

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V 133	<p>Continued From page 29</p> <p>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 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 .</p>	V 133		

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V 133	<p>Continued From page 30</p> <p>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> <ol style="list-style-type: none"> (1) The level and seriousness of the crime. (2) The date of the crime. (3) The age of the person at the time of the conviction. (4) The circumstances surrounding the commission of the crime, if known. (5) The nexus between the criminal conduct of the person and the job duties of the position to be filled. (6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed. (7) The subsequent commission by the person of a relevant offense. <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,</p>	V 133		

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V 133	<p>Continued From page 31</p> <p>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 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</p>	V 133		

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V 133	<p>Continued From page 32</p> <p>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.</p> <p>(f) Penalty for Furnishing False Information. - Any 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>	V 133		

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V 133	<p>Continued From page 33</p> <p>This Rule is not met as evidenced by: Based on interviews, the facility failed to request the required criminal records check. The findings are:</p> <p>Interview on 12-22-20 and 1-28-21 with the AFL (Alternative Family Living) provider revealed: -His adult son does live at the facility "off and on." -In the 1-28-21 interview stated that his son did not live there and he never told the surveyor that he did. -Then said it was a "misunderstanding", and his son didn't live there.</p> <p>Interview on 1-6-21 with Client #1 revealed: -The AFL provider had an adult son that had lived at the facility the entire time he had been there. -He previously had a good relationship with the son until an incident on 12-14-20.</p> <p>Interview on 1-27-21 with the Qualified Professional #1 revealed: -She had never seen an adult son at the facility. -She had never seen evidence of another person living there.</p> <p>Interview on 1-6-21 with the Qualified Professional #2 revealed: -The licensee had no knowledge of an adult some at the facility.</p> <p>Interview on 1-12-21 with the AFL provider's son revealed: -He does not live at the facility. -He had "never seen [Client #1] upset before,</p>	V 133		

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V 133	<p>Continued From page 34</p> <p>I heard about it, but I'm usually not home." -"Sometimes I'm usually there in the afternoon, check on my peoples." -That day he just happened to be going by the facility so he stopped in. -"Mom told me the day before the incident he had got mad at them for something." -He does live close by. "I don't know why [Client #1] would say I lived there."</p> <p>Interview on 1-22-21 with the Care Coordinator for Client #1 revealed: -She had been told the AFL provider had adult children in the home. -" It was my understanding it was just [AFL Provider and AFL Provider's wife/backup staff] then all of a sudden these kids pop out of woodwork."</p> <p>Interview on 2-28-21 with the Executive Director revealed: -They had never seen any evidence of someone else living in the facility. -When they did the walk troughs they checked the bedrooms and didn't see evidence of someone else living there</p>	V 133		
V 367	<p>27G .0604 Incident Reporting Requirements</p> <p>10A NCAC 27G .0604 INCIDENT REPORTING REQUIREMENTS FOR CATEGORY A AND B PROVIDERS (a) Category A and B providers shall report all level II incidents, except deaths, that occur during the provision of billable services or while the consumer is on the providers premises or level III incidents and level II deaths involving the clients to whom the provider rendered any service within 90 days prior to the incident to the LME</p>	V 367		

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V 367	<p>Continued From page 35</p> <p>responsible for the catchment area where services are provided within 72 hours of becoming aware of the incident. The report shall be submitted on a form provided by the Secretary. The report may be submitted via mail, in person, facsimile or encrypted electronic means. The report shall include the following information:</p> <p>(1) reporting provider contact and identification information;</p> <p>(2) client identification information;</p> <p>(3) type of incident;</p> <p>(4) description of incident;</p> <p>(5) status of the effort to determine the cause of the incident; and</p> <p>(6) other individuals or authorities notified or responding.</p> <p>(b) Category A and B providers shall explain any missing or incomplete information. The provider shall submit an updated report to all required report recipients by the end of the next business day whenever:</p> <p>(1) the provider has reason to believe that information provided in the report may be erroneous, misleading or otherwise unreliable; or</p> <p>(2) the provider obtains information required on the incident form that was previously unavailable.</p> <p>(c) Category A and B providers shall submit, upon request by the LME, other information obtained regarding the incident, including:</p> <p>(1) hospital records including confidential information;</p> <p>(2) reports by other authorities; and</p> <p>(3) the provider's response to the incident.</p> <p>(d) Category A and B providers shall send a copy of all level III incident reports to the Division of Mental Health, Developmental Disabilities and Substance Abuse Services within 72 hours of</p>	V 367		

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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL0601444	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 01/29/2021
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NAME OF PROVIDER OR SUPPLIER STEPHEN GREAVES	STREET ADDRESS, CITY, STATE, ZIP CODE 4054 MAYBERRY LANE CHARLOTTE, NC 28212
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V 367	<p>Continued From page 36</p> <p>becoming aware of the incident. Category A providers shall send a copy of all level III incidents involving a client death to the Division of Health Service Regulation within 72 hours of becoming aware of the incident. In cases of client death within seven days of use of seclusion or restraint, the provider shall report the death immediately, as required by 10A NCAC 26C .0300 and 10A NCAC 27E .0104(e)(18). (e) Category A and B providers shall send a report quarterly to the LME responsible for the catchment area where services are provided. The report shall be submitted on a form provided by the Secretary via electronic means and shall include summary information as follows:</p> <ol style="list-style-type: none"> (1) medication errors that do not meet the definition of a level II or level III incident; (2) restrictive interventions that do not meet the definition of a level II or level III incident; (3) searches of a client or his living area; (4) seizures of client property or property in the possession of a client; (5) the total number of level II and level III incidents that occurred; and (6) a statement indicating that there have been no reportable incidents whenever no incidents have occurred during the quarter that meet any of the criteria as set forth in Paragraphs (a) and (d) of this Rule and Subparagraphs (1) through (4) of this Paragraph. <p>This Rule is not met as evidenced by: Based on record review and interview, the facility</p>	V 367		

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V 367	<p>Continued From page 37</p> <p>failed to ensure all level II incidents were reported within 72 hours of becoming aware of the incident to the LME (Local Management Entity) responsible for the catchment area where services are being provided.</p> <p>Review on 1-6-21 of incident reports dated 12-13-20 and 12-14-20 completed by the AFL provider revealed: -12-13-20: "On Sunday (12-13-20) [Client #1] requested my phone to speak to his aunt. I told him that because I was using my phone at the moment that I would give him the phone later. After I got off the phone I gave him the phone to speak to his aunt. He was going upstairs to speak on the phone and I asked him to come downstairs and talk on the phone in which he then replied he's not going to speak to his aunt but his brother. I responded saying, 'Okay, come downstairs and speak to your brother,' he refused and said 'the things I'm going to say to my brother about you will make you uncomfortable,' I then told him, 'okay, please give me my phone so you don't say any nasty things about me to your brother and I don't want to feel uncomfortable.' He obliged and gave me my phone back to me. I went out of the house to the backyard and he hid my tv remotes along with my car keys. He even changed the channel I was watching. I asked him to give me back the keys and the remotes and he refused saying, 'he doesn't know where it is.' I kept pleading with him along with my wife after she came downstairs to calm down and cooperate with us. To redirect him and understand the situation I asked him what he wanted and he said 'nothing', and he was walking around the house cursing and shouting. He continued misbehaving and that's when I called the police to help bring down his temper.</p>	V 367		

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V 367	<p>Continued From page 38</p> <p>After the police came that is when he returned the remotes and keys." -12-14-20- "This morning, [Client #1] came downstairs to me saying '[AFL provider], I want to eat hot dogs for my breakfast', I asked him 'what did you say?' And he replied saying, 'you heard me, b***h.' I asked him, 'did you just call me a b***h?' in which he replied saying, 'yes, you're not my father.' I gave him the hot dog he requested. After he finished eating, he spilled the ketchup and mustard on the rug of the living room. To gauge the situation and calm him down I asked him what did he start misbehaving all of a sudden and he said, 'I don't know'. I offered to take a walk or drive with me and he constantly refused. I called his mother and left a voicemail. I also called the QP (QP#1) and the schedule a 2 pm meeting. While we were waiting for the meeting he began writing all over the wall using a black permanent marker. I told him to stop writing on the wall and he said 'b***h, I will write on the wall if I want to.' Due to his constant misbehavior and failure to oblige my request I told him if he doesn't stop what he's doing I will call the police afterwards he charged at me and punched me in the head. That is how the violence ensued. The police finally arrived and even their presence did not calm him down and still continued to threaten my wife and I saying he wanted to kill us. In the midst of the violence and his attempt to overpower me, he threw down my kitchen island. He grabbed the forks and spoons in an attempt to stab me. Afterwards the police took him to the mental health care center on [road]...4. Corrective action taken; When I noticed [Client #1]'s sudden behavior change, I offered to take him for a walk or drive or even go to the store for candy and he refused. I also offered him popsicle because I know he likes it a lot and he still didn't oblige. I asked him what he wanted and he only</p>	V 367		

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V 367	<p>Continued From page 39</p> <p>replied saying 'nothing', yet he still continued acting rude and violent....Summary: ...When the second nurse (at the behavioral health hospital) ...this was when [Client #1] expressed that he wanted to get his daddy for what happened yesterday. He went on to say he poured tomato paste and mustard on the carpet, he tried to get a knife from the kitchen but got a fork instead and tried to stab [AFL provider] By this time he and [AFL provider] started fighting and they both punched each other in the face. ...Finally at the time the police was called he had turned over the island in the kitchen and tried to pull the cord out of the floor."</p> <p>Review on 12-22-20 of IRIS (Incident Response Improvement System) revealed: -No incident submitted for 12-13-20 or 12-14-20.</p> <p>Interview on 12-22-20 with IRIS Administrator revealed: -There was an incident report created for the incident on 12-14-20 but it was never submitted. -There was no record of any incident report for the incident on 12-13-20.</p> <p>Interview on 1-27-21 with the Qualified Professional #1 revealed: -She had gotten a confirmation number and thought it had been submitted. -She did speak with the ISIS Administrator after being told the incident had not been submitted and would follow up with her to find out why. -She got the "thumb's up" sign and thought it went through.</p> <p>Interview on 1-6-21 with Qualified Professional #2</p>	V 367		

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V 367	Continued From page 40 revealed: -QP #1 had submitted and IRIS report for the incident on 12-14-20. -She would check with the IRIS administrator to see what happened.	V 367		