

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL022-017</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>R</b> <b>02/24/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>MEDMARK TREATMENT CENTERS MURPHY</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>7540 US HIGHWAY 64</b> <b>BRASSTOWN, NC 28902</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 000	INITIAL COMMENTS  A follow up survey was completed on 2/24/21. Deficiencies were cited. The current census was 83.  This facility is licensed for the following service category: 10A NCAC 27G .3600 Outpatient Opioid Treatment.	V 000		
V 118	27G .0209 (C) Medication Requirements  10A NCAC 27G .0209 MEDICATION REQUIREMENTS (c) Medication administration: (1) Prescription or non-prescription drugs shall only be administered to a client on the written order of a person authorized by law to prescribe drugs. (2) Medications shall be self-administered by clients only when authorized in writing by the client's physician. (3) Medications, including injections, shall be administered only by licensed persons, or by unlicensed persons trained by a registered nurse, pharmacist or other legally qualified person and privileged to prepare and administer medications. (4) A Medication Administration Record (MAR) of all drugs administered to each client must be kept current. Medications administered shall be recorded immediately after administration. The MAR is to include the following: (A) client's name; (B) name, strength, and quantity of the drug; (C) instructions for administering the drug; (D) date and time the drug is administered; and (E) name or initials of person administering the drug. (5) Client requests for medication changes or checks shall be recorded and kept with the MAR file followed up by appointment or consultation	V 118	<b>CORRECTIVE MEASURE:</b> Retrained doctor on entering cascading orders (orders that change over a period of days).  <b>PREVENTATIVE MEASURE:</b> The nurses are printing an RX Order Changed report at the end of each day and distributing copies to all staff.  <b>WHO WILL MONITOR/HOW OFTEN?</b> Treatment Center Director and LPN will make sure the report is being printed and distributed daily by checking the Changed Order binder in pharmacy and verifying with staff to make sure they have received a copy of the Order Changed report.	02/30/2021  02/24/2021

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

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V 118	<p>Continued From page 1 with a physician.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to administer medications on the written order of authorized person affecting 1 of 8 audited clients (Client #8). The findings are:</p> <p>Record review on 2/23/21 for Client #8 revealed: -Date of admission was 2/9/21 transferring from a sister facility. -Diagnosis - opioid use disorder. -doctor's order dated 2/16/21-"dose at 66 mg (milligrams) to help reach goal faster for lessening illicit use, 66mg tomorrow [2/17/21] also and 70mg Thursday [2/18/21]" -doctor's order dated 2/22/21-"per MD patient to start 70mg Thursday but patient's attendance sporadic. Patient to start 70mg on Tuesday the 23rd. -review of MAR revealed: -2/16/21- 66mg window -2/16/21- 66mg Take Home (for 2/17/21) -2/18/21- missed dose -2/19/21- 66mg window -2/20/21- 66mg window -2/20/21- 66mg Take home (for 2/21/21) -2/22/21- 66mg window</p> <p>Interview on 2/24/21 with Client #8 revealed: -had been at clinic a couple weeks-transferred from sister clinic. -currently at 70mg (milligrams) and doesn't want to go any higher.</p>	V 118		

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V 118	<p>Continued From page 2</p> <p>-had no issues with dosing.</p> <p>Interview on 2/24/21 with Nurse #2 revealed:</p> <p>-found the change order Monday (2/22/21) after she had dosed Client #8 and notified the doctor.</p> <p>-she was still training Nurse #1.</p> <p>-she had taken 2/19/21 off for medical leave so this was the first day Nurse #1 had dosed independently.</p> <p>-Nurse #1 was not entering orders yet and the change was not caught.</p> <p>-the Doctor had not written the order as he usually did-the scheduled change was written in the note section rather than as a specific dose change in the order.</p> <p>-didn't know why Nurse #3 didn't catch the order change on Saturday (2/20/21)</p> <p>-Now she would be running change orders daily-will have a separate list to review to make sure changes to orders are made timely.</p> <p>This deficiency constitutes a re-cited deficiency and must be corrected within 30 days.</p>	V 118		
V 131	<p>G.S. 131E-256 (D2) HCPR - Prior Employment Verification</p> <p>G.S. §131E-256 HEALTH CARE PERSONNEL REGISTRY</p> <p>(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.</p>	V 131	<p><b>CORRECTIVE MEASURE:</b></p> <p>The North Carolina Health Care Personnel Registry (HCPR) was completed for Staff # 1 (confirmation # 591477048W) and placed in her personnel file.</p> <p><b>PREVENTATIVE MEASURE:</b></p> <p>This task has been added to the onboarding process required for any new hire in North Carolina. This will also be confirmed by the Treatment Center Director and kept in the employee's personnel file. No employee will be allowed to start work without having results providing no past conduct that would bring the employee's ability to make ethical</p>	<p>03/15/2021</p> <p>02/29/2021</p>

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V 131	<p>Continued From page 3</p> <p>This Rule is not met as evidenced by: Based on record review and interviews, the facility failed to ensure each staff member had no substantiated findings of abuse or neglect listed on the North Carolina Health Care Personnel Registry (HCPR) prior to hire for 1 of 3 sampled staff (Staff #1). The findings are:</p> <p>Record review on 2/23/21 for Staff #1 revealed: - Date of hire was 1/26/21 as front desk staff -no HCPR was completed -Certified Clinical Medical Assistant #47d8e5k7 with National Healthcare Association effective 2/9/21</p> <p>Interview on 2/24/21 with the Treatment Center Director revealed: -Staff #1 was a certified clinical medical assistant so she assumed that board had conducted the HCPR. -She was not aware that Staff #1's certification had expired at time of hire but Staff #1 had since renewed that license.</p>	V 131	<p>decisions in the normal course of the duties they are being hired to perform.</p> <p><b>WHO WILL MONITOR/HOW OFTEN?</b> Treatment Center Director will review staff charts on a quarterly basis to ensure that all trainings are up to date and in their personal files. Treatment Center Director will run a report in Relias on a weekly basis to ensure that all employee trainings are complete on time.</p> <p>Treatment Center Director will review all new employee training records within the first week of hire to ensure completion.</p>	
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 responsible for the catchment area where</p>	V 367	<p><b>CORRECTIVE MEASURE:</b> MedMark Treatment Center – Murphy staff have been retrained on the Incident Reporting Policy and Procedures. Incident report was entered for this incident February 24, 2021.</p> <p><b>PREVENTATIVE MEASURE:</b> Training on Incident reports will happen 2x per year for all staff, once in February and once in August. Treatment Center Director will complete Incident report training with all new staff within 1 week of date of hire.</p>	02/25/2021

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V 367	<p>Continued From page 4</p> <p>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 becoming aware of the incident. Category A</p>	V 367	<p>This will be documented on a training log and placed in the employee file.</p> <p><b>WHO WILL MONITOR/HOW OFTEN?</b> Treatment Center Director will monitor incident report training for all new hires within 1 week of hire. Treatment Center Director will work with staff to complete a training on incident reports 2x per year.</p>	

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V 367	<p>Continued From page 5</p> <p>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"> <li>(1) medication errors that do not meet the definition of a level II or level III incident;</li> <li>(2) restrictive interventions that do not meet the definition of a level II or level III incident;</li> <li>(3) searches of a client or his living area;</li> <li>(4) seizures of client property or property in the possession of a client;</li> <li>(5) the total number of level II and level III incidents that occurred; and</li> <li>(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.</li> </ol> <p>This Rule is not met as evidenced by: Based on interview and record review, the facility failed to report a Level II incident to the Local</p>	V 367		

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V 367	<p>Continued From page 6</p> <p>Management Entity (LME) responsible for the catchment area where services were provided within 72 hours of becoming aware of the medication error. The findings are:</p> <p>Record review on 2/23/21 for Client #8 revealed: -Date of admission was 2/9/21 transferring from a sister facility. -Diagnosis - opioid use disorder. -doctor's order dated 2/16/21-"dose at 66 mg (milligrams) to help reach goal faster for lessening illicit use, 66mg tomorrow also and 70mg Thursday" -Client #8 was dosed 66mg from 2/16/21 through 2/22/21 because no one noticed the order change. -no incident report was completed prior to surveyor request for documentation.</p> <p>Interview on 2/24/21 with Treatment Center Director revealed: -no incident report was completed because she was not aware of the incident prior to the surveyor finding the discrepancy.</p>	V 367		
V 536	<p>27E .0107 Client Rights - Training on Alt to Rest. Int.</p> <p>10A NCAC 27E .0107 TRAINING ON ALTERNATIVES TO RESTRICTIVE INTERVENTIONS</p> <p>(a) Facilities shall implement policies and practices that emphasize the use of alternatives to restrictive interventions.</p> <p>(b) Prior to providing services to people with disabilities, staff including service providers, employees, students or volunteers, shall demonstrate competence by successfully completing training in communication skills and</p>	V 536	<p><b>CORRECTIVE MEASURE:</b></p> <p>Relias Crisis Prevention and Protective Interventions Program was added to the Relias training making it a requirement for all North Carolina employees. The completion of this training will be automatically monitored by the Relias system and a failure to complete trainings will result in the employee not being allowed to work until they have completed the training. Counselor # 1 completed the Relias Crisis Prevention and Protective Interventions Program on 03/01/2021 and a copy of his transcript has been added to his personnel file. MedMark Murphy also now has access to the</p>	03/01/2021

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V 536	<p>Continued From page 7</p> <p>other strategies for creating an environment in which the likelihood of imminent danger of abuse or injury to a person with disabilities or others or property damage is prevented.</p> <p>(c) Provider agencies shall establish training based on state competencies, monitor for internal compliance and demonstrate they acted on data gathered.</p> <p>(d) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course.</p> <p>(e) Formal refresher training must be completed by each service provider periodically (minimum annually).</p> <p>(f) Content of the training that the service provider wishes to employ must be approved by the Division of MH/DD/SAS pursuant to Paragraph (g) of this Rule.</p> <p>(g) Staff shall demonstrate competence in the following core areas:</p> <ol style="list-style-type: none"> <li>(1) knowledge and understanding of the people being served;</li> <li>(2) recognizing and interpreting human behavior;</li> <li>(3) recognizing the effect of internal and external stressors that may affect people with disabilities;</li> <li>(4) strategies for building positive relationships with persons with disabilities;</li> <li>(5) recognizing cultural, environmental and organizational factors that may affect people with disabilities;</li> <li>(6) recognizing the importance of and assisting in the person's involvement in making decisions about their life;</li> <li>(7) skills in assessing individual risk for</li> </ol>	V 536	<p>Waiver Request Approval for Licensed Professionals.</p> <p><b>PREVENTATIVE MEASURE:</b> Relias Crisis Prevention and Protective Interventions Program was added to the Relias training making it a requirement for all North Carolina employees. The completion of this training will be automatically monitored by the Relias system and a failure to complete trainings will result in the employee not being allowed to work until they have completed the training. MedMark Murphy also now has access to the attestation information.</p> <p><b>WHO WILL MONITOR/HOW OFTEN?</b> Treatment Center Director will review staff charts on a quarterly basis to ensure that all trainings are up to date and in their personal files. Treatment Center Director will run a report in Relias on a weekly basis to ensure that all employee trainings are complete on time.</p> <p>Treatment Center Director will review all new employee training records within the first week of hire to ensure completion.</p>	

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V 536	<p>Continued From page 8</p> <p>escalating behavior;</p> <p>(8) communication strategies for defusing and de-escalating potentially dangerous behavior; and</p> <p>(9) positive behavioral supports (providing means for people with disabilities to choose activities which directly oppose or replace behaviors which are unsafe).</p> <p>(h) Service providers shall maintain documentation of initial and refresher training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcomes (pass/fail);</p> <p>(B) when and where they attended; and</p> <p>(C) instructor's name;</p> <p>(2) The Division of MH/DD/SAS may review/request this documentation at any time.</p> <p>(i) Instructor Qualifications and Training Requirements:</p> <p>(1) Trainers shall demonstrate competence by scoring 100% on testing in a training program aimed at preventing, reducing and eliminating the need for restrictive interventions.</p> <p>(2) Trainers shall demonstrate competence by scoring a passing grade on testing in an instructor training program.</p> <p>(3) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course.</p> <p>(4) The content of the instructor training the service provider plans to employ shall be approved by the Division of MH/DD/SAS pursuant to Subparagraph (i)(5) of this Rule.</p> <p>(5) Acceptable instructor training programs shall include but are not limited to presentation of:</p>	V 536		

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V 536	<p>Continued From page 9</p> <p>(A) understanding the adult learner;</p> <p>(B) methods for teaching content of the course;</p> <p>(C) methods for evaluating trainee performance; and</p> <p>(D) documentation procedures.</p> <p>(6) Trainers shall have coached experience teaching a training program aimed at preventing, reducing and eliminating the need for restrictive interventions at least one time, with positive review by the coach.</p> <p>(7) Trainers shall teach a training program aimed at preventing, reducing and eliminating the need for restrictive interventions at least once annually.</p> <p>(8) Trainers shall complete a refresher instructor training at least every two years.</p> <p>(j) Service providers shall maintain documentation of initial and refresher instructor training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcomes (pass/fail);</p> <p>(B) when and where attended; and</p> <p>(C) instructor's name.</p> <p>(2) The Division of MH/DD/SAS may request and review this documentation any time.</p> <p>(k) Qualifications of Coaches:</p> <p>(1) Coaches shall meet all preparation requirements as a trainer.</p> <p>(2) Coaches shall teach at least three times the course which is being coached.</p> <p>(3) Coaches shall demonstrate competence by completion of coaching or train-the-trainer instruction.</p> <p>(l) Documentation shall be the same preparation as for trainers.</p>	V 536		

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V 536	<p>Continued From page 10</p> <p>This Rule is not met as evidenced by: Based on personnel record review and staff interviews, the facility failed to ensure that all staff completed training in alternatives to restrictive intervention prior to providing services for 1 of 3 sampled staff (Counselor #1). The findings are:</p> <p>Record review on 2/24/21 for Counselor #1 revealed: -he was hired 1/19/21 as Clinical Supervisor at this facility. -no training was completed for alternatives to restrictive intervention. -no waiver was presented to verify</p> <p>Interview on 1/6/21 with Staff #1 revealed: -he worked at the facility 2 days a week. - he was not aware he needed the alternative to restrictive interventions training nor attestation.</p> <p>Interview on with the Treatment Center Director revealed: -Counselor #1 completed his trainings at the sister facility in GA but those trainings are not available for her viewing on line. -She was not aware of the attestation option for clinicians.</p>	V 536		