

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL092-878</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>05/12/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>ABSOLUTE HOME #5</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>201 RAND MILL ROAD GARNER, NC 27529</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	<p><b>INITIAL COMMENTS</b></p> <p>A complaint survey was completed on 5/12/21. Complaint Intake # 00175426 was unsubstantiated. Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5600A Supervised Living for Adults with Mental Illness.</p>	V 000		
V 113	<p><b>27G .0206 Client Records</b></p> <p><b>10A NCAC 27G .0206 CLIENT RECORDS</b></p> <p>(a) A client record shall be maintained for each individual admitted to the facility, which shall contain, but need not be limited to:</p> <p>(1) an identification face sheet which includes:</p> <ul style="list-style-type: none"> <li>(A) name (last, first, middle, maiden);</li> <li>(B) client record number;</li> <li>(C) date of birth;</li> <li>(D) race, gender and marital status;</li> <li>(E) admission date;</li> <li>(F) discharge date;</li> </ul> <p>(2) documentation of mental illness, developmental disabilities or substance abuse diagnosis coded according to DSM IV;</p> <p>(3) documentation of the screening and assessment;</p> <p>(4) treatment/habilitation or service plan;</p> <p>(5) emergency information for each client which shall include the name, address and telephone number of the person to be contacted in case of sudden illness or accident and the name, address and telephone number of the client's preferred physician;</p> <p>(6) a signed statement from the client or legally responsible person granting permission to seek emergency care from a hospital or physician;</p> <p>(7) documentation of services provided;</p> <p>(8) documentation of progress toward outcomes;</p> <p>(9) if applicable:</p>	V 113		

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

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V 113	<p>Continued From page 1</p> <p>(A) documentation of physical disorders diagnosis according to International Classification of Diseases (ICD-9-CM); (B) medication orders; (C) orders and copies of lab tests; and (D) documentation of medication and administration errors and adverse drug reactions. (b) Each facility shall ensure that information relative to AIDS or related conditions is disclosed only in accordance with the communicable disease laws as specified in G.S. 130A-143.</p> <p>This Rule is not met as evidenced by: Based on interviews the facility failed to complete discharge summaries for five of six former clients (#1, #2, #3, #4 &amp; #5). The findings are:</p> <ul style="list-style-type: none"> <li>-During interview on 4/15/21 the Qualified Professional (QP) stated:</li> <li>-Staff #1 passed away 3/28/21 at the group home.</li> <li>-They moved the clients that day because there was no staff to send over to the home.</li> <li>-All clients were moved to sister facilities.</li> <li>-They moved the clients to two different homes until they can get a staff hired.</li> <li>-This move is just temporarily, hopefully will have them back in the home next week.</li> <li>-Did not complete discharge summaries as they were just moved and "not officially discharged."</li> </ul> <p>Interview on 5/11/21 the QP stated:</p> <ul style="list-style-type: none"> <li>-Clients have not been moved back to the home.</li> <li>-They have not hired a new staff yet.</li> </ul>	V 113		

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V 113	Continued From page 2  -Hopefully will be moving them back in the next week.	V 113		
V 512	<p>27D .0304 Client Rights - Harm, Abuse, Neglect</p> <p>10A NCAC 27D .0304 PROTECTION FROM HARM, ABUSE, NEGLECT OR EXPLOITATION</p> <p>(a) Employees shall protect clients from harm, abuse, neglect and exploitation in accordance with G.S. 122C-66.</p> <p>(b) Employees shall not subject a client to any sort of abuse or neglect, as defined in 10A NCAC 27C .0102 of this Chapter.</p> <p>(c) Goods or services shall not be sold to or purchased from a client except through established governing body policy.</p> <p>(d) Employees shall use only that degree of force necessary to repel or secure a violent and aggressive client and which is permitted by governing body policy. The degree of force that is necessary depends upon the individual characteristics of the client (such as age, size and physical and mental health) and the degree of aggressiveness displayed by the client. Use of intervention procedures shall be compliance with Subchapter 10A NCAC 27E of this Chapter.</p> <p>(e) Any violation by an employee of Paragraphs (a) through (d) of this Rule shall be grounds for dismissal of the employee.</p> <p>This Rule is not met as evidenced by: Based on record review, observation and interviews one of one Licensee subjected one of one former client (FC #7) to exploitation. The findings are:</p> <p>Review on 4/15/21 of FC #7's record revealed:</p>	V 512		

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V 512	<p>Continued From page 3</p> <ul style="list-style-type: none"> <li>-Admission date of 10/20/20.</li> <li>-Diagnosis of Schizophrenia.</li> <li>-Discharge date of 2/23/21.</li> </ul> <p>During interview on 4/21/21 FC #7's grandmother stated:</p> <ul style="list-style-type: none"> <li>-FC #7 went to jail a few months ago while living in the facility.</li> <li>-The licensee who owned the home would not bail him out.</li> <li>-The Licensee had his stimulus money and would not use it to bail him out.</li> <li>-FC #7 had a payee through a private agency who was over his money.</li> <li>-FC #7 was released from jail and went to the group home to retrieve his items.</li> <li>-FC #7 told her he went to the group home and asked for his clothes and money, but they just gave him his clothes and no money.</li> <li>-Not sure where FC #7 is living.</li> <li>-FC #7 called her a few weeks ago and said he was at a homeless shelter and sleeping on the floor at another location.</li> <li>-FC #7 will not stay in a place that makes him follow rules.</li> </ul> <p>During interview on 5/3/21 a representative from FC #7's payee agency stated:</p> <ul style="list-style-type: none"> <li>-Their agency became payee of FC #7 in December 2020.</li> <li>-FC #7 was already living in the facility when they were named payee.</li> <li>-Was told by the Licensee there was a balance on his account and needed more money.</li> <li>-Paid the \$1298.00 on 12/15/2020 for "cost of care" and then \$66.00 was also made out to them on a separate check for his spending money.</li> <li>-Paid January 15, 2021 \$570.50 for "cost of care."</li> <li>-Paid February 3, 2021 \$570.50 for "cost of care."</li> </ul>	V 512		

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V 512	<p>Continued From page 4</p> <ul style="list-style-type: none"> <li>-Paid March 3, 2021 \$570.50 for "cost of care."</li> <li>-Currently, he only gets \$382.00 because he was in jail.</li> <li>-Social Security was suspended because he was incarcerated for more than 30 days.</li> <li>-They received \$1400 stimulus money on 4/7/21 and they still have it in his account.</li> <li>-The \$600.00 stimulus money distributed in January 2021, was not received by them.</li> <li>-That money may have been sent to his previous payee and they may have forwarded it to the Licensee.</li> <li>-Not aware of where FC #7 is currently living.</li> <li>-He will call in the middle of the night from random numbers requesting money.</li> <li>-They will call the numbers back and are told, FC #7 was just using their phone.</li> <li>-He has money in his account and would send it to him if they had a location for him.</li> <li>-They only manage and maintain his money.</li> <li>-Had nothing to do with facility's process of applying for or receiving Special Assistance (SA) funding.</li> <li>- SA applications are completed by the facility through the county Department of Social Services (DSS) of the county they reside in.</li> <li>-Not received any information from the facility or county DSS regarding FC #7's SA funding.</li> <li>-Eligibility for the amount of money received by clients is determined by Social Security, not the payee.</li> <li>-This is not something that the payee could change.</li> <li>-Was not aware the facility was not receiving SA for FC #7.</li> <li>-SA funding is between the facility and the county Department of Social Services (DSS).</li> <li>-They have nothing to do with SA, because it goes to the facility for their care.</li> <li>-Since finding out FC #7 was discharged in</li> </ul>	V 512		

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V 512	<p>Continued From page 5</p> <p>February 2021 and they had sent her \$570.50 for "cost of care" in March 2021, this money needed to be refunded to his account.</p> <ul style="list-style-type: none"> <li>-Called the Licensee on March 18, 2021 to request March 2021 refund.</li> <li>-The Licensee stated she would check her records and get back with them.</li> <li>-Called her again on April 6 2021, and no answer.</li> <li>-Called the Licensee on April 21, 2021 she answered and as soon as she found out what they were asking for she said, "I'm not discussing this with you" and hung up on her.</li> <li>-Immediately tried to call back, the call went to voicemail, the voicemail was full so she could not leave a message.</li> <li>-No further contact from the Licensee at this point.</li> </ul> <p>During interview on 4/28/21 the Licensee stated:</p> <ul style="list-style-type: none"> <li>-FC #7 received one stimulus payment \$1207.00 or \$1107.00, "he got that himself."</li> <li>-FC #7 gave the money to her, so they could keep record of the money for FC #7 to use.</li> <li>-The balance of his money was still there, he was supposed to call her back.</li> <li>-FC #7 called and wanted \$200.00 to use for a deposit, but told him she was not sure if he had enough money in his account</li> <li>-FC #7 was admitted in October 2020.</li> <li>-FC #7 had a private payee, but told him to let her be his payee.</li> <li>-FC #7 did not want her to be his payee because he did not want them over his money.</li> <li>-Never received SA for FC #7.</li> <li>-Had applied for SA, but was never approved.</li> <li>-FC #7 was not receiving SA prior to his admission.</li> <li>-SA representative told her FC #7 did not qualify because they needed him to increase to full benefit a month before DSS would approve the</li> </ul>	V 512		

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V 512	<p>Continued From page 6</p> <p>SA benefit.</p> <ul style="list-style-type: none"> <li>-Called the payee multiple times and no one ever returned her call.</li> <li>-They were supposed to be the ones to send information to SA to make sure he was eligible</li> <li>-The payee paid her a one time payment "of about \$1200.00," then after that \$570.00 for two months.</li> <li>-They gave her \$1364.00 in December 2020, then for the next three months \$570.00, \$570.00 and \$636.00</li> <li>-FC #7 received his stimulus money which was \$1207.00.</li> <li>- "He owed us when he left, he never paid us the full amount when he stayed."</li> <li>-He still owed them money.</li> <li>-The payee has called one time to see what money she had received and she told them she needed to check to see what he owed them and what he had left.</li> <li>-Since she was not his payee, she could not receive SA therefore he owed her back pay.</li> <li>-If for any reason a client did not help her get SA then she would discharge them.</li> <li>-Made many attempts with FC #7 to get him to designate them as payee so the process to apply for SA would go easier.</li> <li>-FC #7 went to jail in February 2021, and his grandmother wanted them to bail him out.</li> <li>-"I don't bail anyone out of jail."</li> <li>-FC #7 did not have the money in his account to use for bail.</li> <li>-Has other clients that she is payee for and they have not had these issues.</li> <li>-He was not receiving full benefits a month, so that was the problem with SA.</li> <li>-Made multiple calls to SA to see what else could be done.</li> <li>-Did admit him knowing he did not receive SA.</li> <li>-Admit people all the time not receiving SA, but</li> </ul>	V 512		

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V 512	<p>Continued From page 7</p> <p>apply for it and get it set up. -FC #7 did give them a thirty day notice prior to going to jail. -His official last day was the end of February 2021. -Did receive March 2021 money from payee and cashed because he owed them money since they did not receive SA during his stay. -Did not have any money left to return to payee because it was all used as back pay. -Holding him accountable to the SA funds she did not receive during his stay. -FC #7 has not contacted her back to see what he owes her.</p> <p>On 4/28/2021 a text was sent to the Licensee requesting for FC #7's admission forms. The Licensee responded, "Hi, I just remember, [FC #7] never signed his paperwork when he was admitted. I approached him couple of times about signing and he said he doesn't plan to be there long and doesn't want anything to hold him when he is ready to leave. Even though I explained that it will not hold him but he still refused to sign them."</p> <p>During interview on 5/4/21 the County Adult Medicaid Supervisor stated: -An application was completed for FC #7 in the system on 11/25/20. -The application was denied due to an open application in Cumberland County dated July, 2020. -January 2021, intake staff spoke to the facility regarding his Social Security Income (SSI), after that conversation intake staff realized FC #7 had a pending application in another county, therefore it was denied -It doesn't matter who the payee was for the client, that would not have affected the denial.</p>	V 512		

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V 512	<p>Continued From page 8</p> <p>-Denial for SA was based on an open application in another county.</p> <p>Review on 4/30/21 of the facility's "Client Fees for Services," policy revealed:                      -"Client fees for services, if applicable, will be determined jointly by Absolute Home and Community Services and the contracting Area Authority.                      -In cases involving fees for client services that are to be reimbursed by a third party such as Medicaid and private pay.                      -Other payments can be SSI, SA and SI.                      -Clients shall be charged a minimum fee for room and board..."</p> <p>Review on 4/30/21 of facility's "Adult Homes Rules and Regulations" revealed:                      -"...Residents are responsible for paying for their room and board, which is \$1182.00 and are also responsible for paying for the co-payments of medications..."</p> <p>Review on 5/5/21 of facility's "Payment Record" for FC #7 revealed:                      -"December 2020- \$1364.00                      -January 2021- \$570.00                      -February 2021- \$570.00                      -March 2021- \$636.00                      -Balance from stimulus \$404.00                      -Total received \$3544.00</p> <p>-Amount Owe                      -October 2020- \$457.55                      -November 2020- \$1182.00                      -December 2020- \$1182.00                      -January 2021- \$1182.00                      -February 2021- \$928.71                      -Total owe \$4, 932.26                      -\$4932.26-\$3544.00, still owe balance of</p>	V 512		

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V 512	<p>Continued From page 9</p> <p>\$1382.00"</p> <p>During further interview at exit conference on 5/11/21 the Licensee stated:</p> <ul style="list-style-type: none"> <li>-FC #7 received \$1207.00 in January 2021, not sure where the money came from, could not find a copy of that check.</li> <li>-FC #7 had \$404.00 of that money left that belonged to him, but he is responsible for paying what he owes to them.</li> <li>-"If he were to call for some money, we would give it to him, if he had any left."</li> <li>-Was not aware of the amount of money he received from Social Security when he was admitted.</li> <li>-Knew he did not have SA, which she always applied for it when they did not have it at admission.</li> <li>-If they apply for SA and they do not receive it, it is the clients responsibility to pay that remaining fee.</li> <li>-In the case of FC #7, all he had to do was allow her to be his payee so she could take care of the SA issues, "This is his fault."</li> <li>-The client is responsible for his room and board.</li> <li>-If he had not discharged himself, they would have discharged him.</li> <li>-They are keeping his March 2021 money received from payee because, "he owes us for the back pay."</li> <li>-He was aware that making them payee, the SA would have been approved.</li> <li>-"This is his responsibility to pay" each time she was asked how client was responsible for funds owed when the SA was not approved and she was aware he did not receive it upon admission.</li> <li>-"He stayed at my house and he needs to pay, he stayed seven days a week."</li> <li>-"If I get a Type A, I am not sending this money back."</li> </ul>	V 512		

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V 512	<p>Continued From page 10</p> <p>-The SA representative and Payee representative were both lying about their communication with her and FC #7's reason for not receiving SA. -"These people are lying on me." -Had email correspondence with the Payee and SA representatives to show she had tried everything to get the SA approved. -"I can't help he did not sign his admission paperwork, he stayed so that meant he should be responsible." -"I will send the money back. I am not doing this. This is crazy. I am not taking a Type A for this." -The Licensee continued to say it was FC #7's responsibility for "back pay" of \$1182.00 a month -"What else do you want me to give you?" When asked if there was any additional information the Licensee wanted to provide.</p> <p>-The Licensee was asked to complete a Plan of Protection, she stated she did not do anything wrong.</p> <p>Observation on 5/11/21 at 2:45pm: -The Qualified Professional (QP) asked the Licensee if she wanted to include returning FC #7's money to the Payee as part of the plan, the Licensee stated "no."</p> <p>Review on 5/11/2021 of Plan of Protection completed by the QP on 5/11/2021 revealed the following: -"What immediate action will the facility take to ensure the safety of the consumers in you care. -The admissions team will review the policy on client room and board and other fees. The facility will update the policy to reflect the process that will be followed to determine client's eligibility for continued admissions to the group home. The policy will outline the actual fees, and ensure that a person is designated to be responsible for</p>	V 512		

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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL092-878</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>05/12/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>ABSOLUTE HOME #5</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>201 RAND MILL ROAD GARNER, NC 27529</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 512	<p>Continued From page 11</p> <p>paying that fee. This may be the payee, family member or the client. Should it be determined that a person has not met the financial eligibility requirements within 60 days, then a 30 day notice (60 for IDD home) will be issued.</p> <p>-Describe your plans to make sure the above happens.</p> <p>-The administrator will assemble the meeting to review the policy within the next 24 hours."</p> <p>The Licensee called on 5/11/2021 after the exit conference and stated:</p> <p>-They mailed a check on 5/10/2021 of FC #7's money to his Payee.</p> <p>-She would fax over a copy of the check.</p> <p>-Not aware during the exit it had been mailed.</p> <p>A text from the Licensee on 5/11/2021 received at 6:31pm revealed:</p> <p>-"Please confirm you received all 15 pages document I sent. [Payee representative] called me one time on 4/21/21. That was the only time she called. I find out that when state comes everyone tries to lie. I hope they all have their proofs in order for when the time comes that they will be to produce them. They are lying and that's not right. Thanks."</p> <p>Review on 5/12/2021 of faxes received from licensee revealed:</p> <p>-A copy of a check dated 5/10/2021 for the amount of \$974.00 of FC #7's money to the Payee.</p> <p>-A correspondence from the SA worker dated 12/1/20, "...You need to go to Social Security and increase FBR amount for SSI (It shows that his SSI is suspended.)</p> <p>-A correspondence from the SA worker dated 12/15/2020, "You need to go to Social Security and increase FBR amount for SSI."</p>	V 512		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL092-878</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>05/12/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>ABSOLUTE HOME #5</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>201 RAND MILL ROAD GARNER, NC 27529</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 512	<p>Continued From page 12</p> <p>-A correspondence letter dated 12/18/2020 to the payee representative revealed she needed assistance to get FC #7's SA approved and if he does not get approved, "We will not be able to continue to keep [FC #7]..."</p> <p>-A correspondence between the Licensee and the Payee representative dated 2/4/21 regarding paperwork to SSI and possible discharge if not approved for SA.</p> <p>FC #7 with a diagnosis of schizophrenia was admitted from the hospital on 10/20/20 to the facility and was discharged on 2/23/2021 due to him giving notice. No admission paperwork was completed by FC #7 who is his own guardian. FC #7 had a designated payee agency to manage his money who received his monthly SSI benefits. The Licensee admitted FC #7 knowing he was not receiving SA at that time and without knowing his monthly SSI benefit. Throughout FC #7's stay, the Licensee attempted to receive SA, but was denied. The Licensee stated FC #7 was responsible for the room and board of \$ 1182.00 a month regardless if she ever received his SA. The Licensee stated if he would have designated her as his payee, the process of getting SA would have been resolved so therefore it was his fault and now he owed back pay for his room and board. It was unable to be determined what the Licensee received during October and November 2020, although she did receive a total of \$3009.50 from FC #7's payee for December 2020 through March 2021 for his room and board. FC #7 received \$1207.00 in January 2021 which the Licensee initially stated was a stimulus check, but later stated she did not know where the money came from. The Licensee could not provide a copy of this check. FC #7 had \$404.00 remaining from his stimulus check and the Licensee had kept that along with his March 2021 payment of</p>	V 512		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL092-878</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>05/12/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>ABSOLUTE HOME #5</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>201 RAND MILL ROAD</b> <b>GARNER, NC 27529</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 512	Continued From page 13  \$570.00 she received from the payee. The Payee representative was not aware FC #7 had been discharged from the home on 2/23/21. When the payee made attempts to retrieve FC #7's money from March 2021 payment, the Licensee was uncooperative and refused to speak with her. The Licensee's actions of keeping FC #7's stimulus money and March 2021 payment as back pay for his room and board resulted in serious exploitation of the client. This deficiency constitutes a Type A1 rule violation for serious exploitation and must be corrected within 23 days. An administrative penalty of \$2000.00 is imposed. If the violation is not corrected within 23 days, an additional administrative penalty of \$500.00 per day will be imposed for each day the facility is out of compliance beyond the 23rd day.	V 512		