

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL054-159</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>06/24/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>MAPLEWOOD FACILITY</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>2002-G SHACKLEFORD ROAD KINSTON, NC 28502</b>
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V 000	<p><b>INITIAL COMMENTS</b></p> <p>A complaint survey was completed on June 24, 2021. One complaint was substantiated (intake #NC00178408) and one complaint was unsubstantiated (intake #NC00178249). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .1900 Psychiatric Residential Treatment for Children and Adolescents.</p>	V 000		
V 110	<p><b>27G .0204 Training/Supervision Paraprofessionals</b></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"> <li>(1) technical knowledge;</li> <li>(2) cultural awareness;</li> <li>(3) analytical skills;</li> <li>(4) decision-making;</li> <li>(5) interpersonal skills;</li> <li>(6) communication skills; and</li> <li>(7) clinical skills.</li> </ol> <p>(f) The governing body for each facility shall</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>develop and implement policies and procedures for the initiation of the individualized supervision plan upon hiring each paraprofessional.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, one of one audited former paraprofessional staff (Former Staff (FS) #1) failed to demonstrate knowledge skills and abilities required by the population served. The findings are:</p> <p>Review on 06/22/21 of Former Client (FC) #2's record revealed:</p> <ul style="list-style-type: none"> <li>- 11 year old male.</li> <li>- Admission date of 12/16/20.</li> <li>- Diagnoses of Post Traumatic Stress Disorder, Adjustment Disorder with Disturbance of Emotions and Conduct, Attention Deficit Hyperactivity Disorder and Learning Disorder.</li> <li>- Date of discharge 06/17/21.</li> </ul> <p>Review on 06/22/21 of FS #1's personnel record revealed:</p> <ul style="list-style-type: none"> <li>- Date of hire: 04/27/20.</li> <li>- Position Description: Paraprofessional.</li> <li>- Job Description signed 05/04/20.</li> <li>- "Duties: 1. Complies with all NOVA Behavioral Healthcare Corporation Policies and procedures..."</li> </ul> <p>Interview on 06/24/21 FC #2's Guardian stated:</p> <ul style="list-style-type: none"> <li>- He had recently taken FC #2 home with community services.</li> <li>- FC #2 had told him a staff member had given</li> </ul>	V 110		

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V 110	<p>Continued From page 2</p> <p>food to his peers and excluded him. - He had addressed concerns and issues at the monthly meetings with staff.</p> <p>Interview on 06/22/21 and 06/24/21 FS #1 stated: - She no longer worked at the facility. - She had shared her food with clients at the facility. - The Director of Residential Services had spoken to her about not sharing food with clients.</p> <p>Interview on 06/24/21 the Qualified Professional stated: - FS #1 had given food to all clients in the past. - FC #2 had told his Guardian he was excluded from receiving food. - FC #2 changed his story about events. - Staff should not provide personal food to clients.</p> <p>Interview on 06/24/21 the Residential Services Director stated: - Staff should not share food with the clients. - She had addressed the sharing of food with FS #1. - FS #1 quit before written documentation was completed about food sharing.</p>	V 110		
V 315	<p>27G .1902 Psych. Res. Tx. Facility - Staff</p> <p>10A NCAC 27G .1902 STAFF (a) Each facility shall be under the direction a physician board-eligible or certified in child psychiatry or a general psychiatrist with experience in the treatment of children and adolescents with mental illness. (b) At all times, at least two direct care staff members shall be present with every six children or adolescents in each residential unit. (c) If the PRTF is hospital based, staff shall be</p>	V 315		

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V 315	<p>Continued From page 3</p> <p>specifically assigned to this facility, with responsibilities separate from those performed on an acute medical unit or other residential units.</p> <p>(d) A psychiatrist shall provide weekly consultation to review medications with each child or adolescent admitted to the facility.</p> <p>(e) The PRTF shall provide 24 hour on-site coverage by a registered nurse.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure at least 2 direct care staff were present with every 6 children or adolescents at all times. The findings are:</p> <p>Review on 06/22/21 of client #7's record revealed:</p> <ul style="list-style-type: none"> <li>- 9 year old male.</li> <li>- Admission date of 12/10/20.</li> <li>- Diagnoses of Post Traumatic Stress Disorder (PTSD), Oppositional Defiant Disorder and Unspecified Depressive Disorder.</li> </ul> <p>Review on 06/22/21 of Former Client (FC) #1's record revealed:</p> <ul style="list-style-type: none"> <li>- 14 year old male.</li> <li>- Admission date of 02/05/21.</li> <li>- Diagnoses of PTSD, Disruptive Mood Dysregulation Disorder and Attention Deficit Hyperactivity Disorder.</li> <li>- Discharged to a sister facility on 05/24/21.</li> </ul> <p>Review on 06/22/21 of Former Staff (FS) #1's personnel record revealed:</p> <ul style="list-style-type: none"> <li>- Date of hire: 04/27/20.</li> </ul>	V 315		

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V 315	<p>Continued From page 4</p> <ul style="list-style-type: none"> <li>- Position Description: Paraprofessional.</li> <li>- Job Description signed 05/04/20.</li> </ul> <p>Review on 06/22/21 of a facility internal investigation dated 06/07/21 revealed "Actions Taken:...Facility will make effort to increase staffing during awake hours..."</p> <p>Interview on 06/22/21 client #7 stated:</p> <ul style="list-style-type: none"> <li>- He was 9 years old and had lived at the facility for approximately 6 months.</li> <li>- He recalled an allegation he made against FC #1.</li> <li>- There was one staff, FS #1, for 2 pods or 6 clients.</li> </ul> <p>Interview on 06/22/21 client #14 stated:</p> <ul style="list-style-type: none"> <li>- He recalled the allegation client #7 made against FC #1.</li> <li>- One staff usually worked in each pod or 3 clients.</li> <li>- On the date of the allegation there was one staff for 2 pods.</li> </ul> <p>Interview on 06/22/21 FS #1 stated:</p> <ul style="list-style-type: none"> <li>- She no longer worked at the facility.</li> <li>- She remembered the allegation client #7 made against FC #1.</li> <li>- She had 6 clients the entire weekend.</li> <li>- There were usually at least 2 staff working with 6 clients.</li> <li>- She never saw any inappropriate behavior between client #7 and FC #1.</li> </ul> <p>Interview on 06/22/21 the Program Director stated:</p> <ul style="list-style-type: none"> <li>- Client #7 made an allegation against FC #1.</li> <li>- The incident date was identified as 05/15/21.</li> <li>- The facility had one staff for 6 clients on that date.</li> </ul>	V 315		

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V 315	Continued From page 5  - She was aware the rule required 2 staff for 6 clients. - There had been difficulty hiring staff.	V 315		
V 364	G.S. 122C- 62 Additional Rights in 24 Hour Facilities  § 122C-62. Additional Rights in 24-Hour Facilities. (a) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-61, each adult client who is receiving treatment or habilitation in a 24-hour facility keeps the right to: (1) Send and receive sealed mail and have access to writing material, postage, and staff assistance when necessary; (2) Contact and consult with, at his own expense and at no cost to the facility, legal counsel, private physicians, and private mental health, developmental disabilities, or substance abuse professionals of his choice; and (3) Contact and consult with a client advocate if there is a client advocate. The rights specified in this subsection may not be restricted by the facility and each adult client may exercise these rights at all reasonable times. (b) Except as provided in subsections (e) and (h) of this section, each adult client who is receiving treatment or habilitation in a 24-hour facility at all times keeps the right to: (1) Make and receive confidential telephone calls. All long distance calls shall be paid for by the client at the time of making the call or made collect to the receiving party; (2) Receive visitors between the hours of 8:00 a.m. and 9:00 p.m. for a period of at least six hours daily, two hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over therapies;	V 364		

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V 364	<p>Continued From page 6</p> <p>(3) Communicate and meet under appropriate supervision with individuals of his own choice upon the consent of the individuals;</p> <p>(4) Make visits outside the custody of the facility unless:</p> <p>a. Commitment proceedings were initiated as the result of the client's being charged with a violent crime, including a crime involving an assault with a deadly weapon, and the respondent was found not guilty by reason of insanity or incapable of proceeding;</p> <p>b. The client was voluntarily admitted or committed to the facility while under order of commitment to a correctional facility of the Division of Adult Correction of the Department of Public Safety; or</p> <p>c. The client is being held to determine capacity to proceed pursuant to G.S. 15A-1002; A court order may expressly authorize visits otherwise prohibited by the existence of the conditions prescribed by this subdivision;</p> <p>(5) Be out of doors daily and have access to facilities and equipment for physical exercise several times a week;</p> <p>(6) Except as prohibited by law, keep and use personal clothing and possessions, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>(7) Participate in religious worship;</p> <p>(8) Keep and spend a reasonable sum of his own money;</p> <p>(9) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes; and</p> <p>(10) Have access to individual storage space for his private use.</p> <p>(c) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-57 and G.S. 122C-59 through G.S. 122C-61, each minor client</p>	V 364		

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V 364	<p>Continued From page 7</p> <p>who is receiving treatment or habilitation in a 24-hour facility has the right to have access to proper adult supervision and guidance. In recognition of the minor's status as a developing individual, the minor shall be provided opportunities to enable him to mature physically, emotionally, intellectually, socially, and vocationally. In view of the physical, emotional, and intellectual immaturity of the minor, the 24-hour facility shall provide appropriate structure, supervision and control consistent with the rights given to the minor pursuant to this Part. The facility shall also, where practical, make reasonable efforts to ensure that each minor client receives treatment apart and separate from adult clients unless the treatment needs of the minor client dictate otherwise.</p> <p>Each minor client who is receiving treatment or habilitation from a 24-hour facility has the right to:</p> <p>(1) Communicate and consult with his parents or guardian or the agency or individual having legal custody of him;</p> <p>(2) Contact and consult with, at his own expense or that of his legally responsible person and at no cost to the facility, legal counsel, private physicians, private mental health, developmental disabilities, or substance abuse professionals, of his or his legally responsible person's choice; and</p> <p>(3) Contact and consult with a client advocate, if there is a client advocate.</p> <p>The rights specified in this subsection may not be restricted by the facility and each minor client may exercise these rights at all reasonable times.</p> <p>(d) Except as provided in subsections (e) and (h) of this section, each minor client who is receiving treatment or habilitation in a 24-hour facility has the right to:</p> <p>(1) Make and receive telephone calls. All long distance calls shall be paid for by the client at the</p>	V 364		



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V 364	<p>Continued From page 8</p> <p>time of making the call or made collect to the receiving party;</p> <p>(2) Send and receive mail and have access to writing materials, postage, and staff assistance when necessary;</p> <p>(3) Under appropriate supervision, receive visitors between the hours of 8:00 a.m. and 9:00 p.m. for a period of at least six hours daily, two hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over school or therapies;</p> <p>(4) Receive special education and vocational training in accordance with federal and State law;</p> <p>(5) Be out of doors daily and participate in play, recreation, and physical exercise on a regular basis in accordance with his needs;</p> <p>(6) Except as prohibited by law, keep and use personal clothing and possessions under appropriate supervision, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>(7) Participate in religious worship;</p> <p>(8) Have access to individual storage space for the safekeeping of personal belongings;</p> <p>(9) Have access to and spend a reasonable sum of his own money; and</p> <p>(10) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes.</p> <p>(e) No right enumerated in subsections (b) or (d) of this section may be limited or restricted except by the qualified professional responsible for the formulation of the client's treatment or habilitation plan. A written statement shall be placed in the client's record that indicates the detailed reason for the restriction. The restriction shall be reasonable and related to the client's treatment or habilitation needs. A restriction is effective for a period not to exceed 30 days. An evaluation of each restriction shall be conducted by the</p>	V 364		

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V 364	<p>Continued From page 9</p> <p>qualified professional at least every seven days, at which time the restriction may be removed. Each evaluation of a restriction shall be documented in the client's record. Restrictions on rights may be renewed only by a written statement entered by the qualified professional in the client's record that states the reason for the renewal of the restriction. In the case of an adult client who has not been adjudicated incompetent, in each instance of an initial restriction or renewal of a restriction of rights, an individual designated by the client shall, upon the consent of the client, be notified of the restriction and of the reason for it. In the case of a minor client or an incompetent adult client, the legally responsible person shall be notified of each instance of an initial restriction or renewal of a restriction of rights and of the reason for it. Notification of the designated individual or legally responsible person shall be documented in writing in the client's record.</p> <p>This Rule is not met as evidenced by: Based on interview and record review, the facility failed to ensure clients could communicate and consult with parents or guardian or the agency or individual having legal custody affecting one of one former clients (FC #2)). The findings are:</p> <p>Review on 06/22/21 of FC #2's record revealed:</p> <ul style="list-style-type: none"> <li>- 11 year old male.</li> <li>- Admission date of 12/16/20.</li> <li>- Diagnoses of Post Traumatic Stress Disorder, Adjustment Disorder with Disturbance of Emotions and Conduct, Attention Deficit Hyperactivity Disorder and Learning Disorder.</li> </ul>	V 364		

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V 364	<p>Continued From page 10</p> <ul style="list-style-type: none"> <li>- Date of discharge 06/17/21.</li> </ul> <p>Review on 06/22/21 of former staff (FS) #1's personnel record revealed:</p> <ul style="list-style-type: none"> <li>- Date of hire: 04/27/20.</li> <li>- Position Description: Paraprofessional.</li> <li>- Job Description signed 05/04/20.</li> <li>- "Duties: 1. Complies with all NOVA Behavioral Healthcare Corporation Policies and procedures..."</li> </ul> <p>Interview on 06/24/21 FC #2's Guardian stated:</p> <ul style="list-style-type: none"> <li>- He had recently taken FC #1 home with community services.</li> <li>- He had a staff disconnected the phone while he was talking to FC #2.</li> <li>- FC #2 was talking about staff and they discontinued the call.</li> <li>- FC #2 had the right to speak with him regarding staff at the facility.</li> <li>- He had addressed concerns and issues at the monthly meetings with staff.</li> </ul> <p>Interview on 06/22/21 and 06/24/21 FS #1 stated:</p> <ul style="list-style-type: none"> <li>- She no longer worked at the facility.</li> <li>- She was told client phone calls could be ended if they were talking about staff.</li> <li>- She asked again at a later date and she was told to write any comments the client's made down.</li> </ul> <p>Interview on 06/24/21 the Qualified Professional stated:</p> <ul style="list-style-type: none"> <li>- Staff are supposed to redirect clients not to talk about peers while making phone calls.</li> <li>- Staff should not discontinue client phone calls because a staff name is mentioned.</li> </ul>	V 364		