

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL092-908	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 08/09/2021
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NAME OF PROVIDER OR SUPPLIER DESTINY FAMILY CARE HOME 3	STREET ADDRESS, CITY, STATE, ZIP CODE 1108 SEABROOK ROAD RALEIGH, NC 27610
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V 000	<p>INITIAL COMMENTS</p> <p>An annual and follow up survey was completed on 8/09/21. Deficiencies were cited.</p> <p>This facility is licensed for the following service 10A NCAC 27G .5600C Supervised Living for Adults with Mental Illness.</p>	V 000		
V 118	<p>27G .0209 (C) Medication Requirements</p> <p>10A NCAC 27G .0209 MEDICATION REQUIREMENTS</p> <p>(c) Medication administration:</p> <p>(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.</p> <p>(2) Medications shall be self-administered by clients only when authorized in writing by the client's physician.</p> <p>(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.</p> <p>(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:</p> <p>(A) client's name;</p> <p>(B) name, strength, and quantity of the drug;</p> <p>(C) instructions for administering the drug;</p> <p>(D) date and time the drug is administered; and</p> <p>(E) name or initials of person administering the drug.</p> <p>(5) Client requests for medication changes or checks shall be recorded and kept with the MAR file followed up by appointment or consultation with a physician.</p>	V 118		

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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</p> <p>This Rule is not met as evidenced by: Based on observation, record review and interview, the facility failed to assure the MAR was current affecting 2 of 3 audited clients (#1 and #6). The findings are:</p> <p>A. Review on 8/5/21 of Client #1's record revealed:</p> <ul style="list-style-type: none"> - Admitted: 7/15/20 - Diagnoses: Anxiety, Bipolar Disorder and Schizophrenia - Physician's orders dated 2/10/21 for the following medications: Abilify 30 mg (milligram) one tablet (tab) daily (Schizophrenia) Trileptal 600 mg one tab at night (anticonvulsant) Lithium Carbonate ER 450 mg one daily (Bipolar) <p>Review on 8/5/21 of Client #1's June and July 2021 MARs revealed:</p> <ul style="list-style-type: none"> - June 2021 MAR noted the following: No initials for Trileptal as administered on 30th. Initials medications were administered 21st-24th - July 2021 MAR noted no initials the above medications were administered on 30th <p>Review on 8/9/21 of Staff #1's personnel record revealed:</p> <ul style="list-style-type: none"> - Hired: 3/5/16 	V 118		

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V 118	<p>Continued From page 2</p> <ul style="list-style-type: none"> - Medication Administration Training Certificate dated 2/1/16 <p>Interview on 8/6/21 Staff #1 reported:</p> <ul style="list-style-type: none"> - Client #1 was on a home visit June 21st-24th, 2021. - When clients went for a home visit, he would initial the MAR opposed to using the code on the reverse of the MAR for out of facility. - Prior to this interview, he was not aware of the codes on the reverse of the MAR <p>B. Review on 8/5/21 of Client #6's record revealed:</p> <ul style="list-style-type: none"> - Admitted: 7/17/15 - Diagnoses: "Generalized Weakness" - Physician's orders dated 11/9/20 for the following medications: Magnesium 400 mg one tab daily (supplement for blood flow and bone health) Vitamin D3 2000 one tab daily (vitamin D deficiency) Depakote SOD ER 500 mg one tab daily (anticonvulsant) Zyprexa 10 mg one tab at night (Schizophrenia and Bipolar) Zyprexa 20 mg one tab at night Prilosec 20 mg one tab daily (reflux) - Physician's order dated 2/12/21 for Proamatine HCL 2.5 mg one tab three times a day (Hypotension) - July 2021 MAR listed no initials the above medications were administered on 30th & 31st <p>Interview on 8/6/21 Staff #1 reported:</p> <ul style="list-style-type: none"> - He primarily worked at the group home except for a few days a month - MAR was initialed after medication was administered to clients - He had not missed giving any clients 	V 118		

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V 118	Continued From page 3 medications - Prior to interview, he was not aware of the blanks on the MAR - The blanks on the MAR was an error Interview on 8/9/21 the Qualified Professional reported: - She did not oversee the medications - Agency utilized consultant Registered Nurse for trainings - Blanks on the MAR normally meant staff forgot to initial. - She would make the Licensee aware of concerns regarding medications	V 118		
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	V 133		

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V 133	Continued From page 4 five years or more, then the offer is conditioned on consent to a State criminal history record 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	V 133		

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V 133	<p>Continued From page 5</p> <p>section within five business days of the conditional offer of employment by the provider. 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>	V 133		
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V 133	<p>Continued From page 6</p> <p>(d) Limited Immunity. - A provider and an officer or employee of a provider that, in good faith, 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;</p>	V 133		

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V 133	<p>Continued From page 7</p> <p>Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public 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 8</p> <p>This Rule is not met as evidenced by: Based on record review and interview, the governing body failed to request a State and national criminal history record checks within five days of a conditional employment offer for 1 of 2 staff (#2). The findings are:</p> <p>Review on 8/5/21 of Staff #2's personnel records revealed:</p> <ul style="list-style-type: none"> - Hired: 7/27/21 - County Criminal Record check completed 7/29/21 - No evidence of statewide Criminal Record check <p>During interview on 8/6/21, the Qualified Professional reported:</p> <ul style="list-style-type: none"> - She was not aware the Criminal Record check was obtained at the local government office only - Another company completed the Criminal Record check for Staff #2 	V 133		
V 736	<p>27G .0303(c) Facility and Grounds Maintenance</p> <p>10A NCAC 27G .0303 LOCATION AND EXTERIOR REQUIREMENTS (c) Each facility and its grounds shall be maintained in a safe, clean, attractive and orderly manner and shall be kept free from offensive odor.</p>	V 736		

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V 736	<p>Continued From page 9</p> <p>This Rule is not met as evidenced by: Based on interview and observation, the facility failed to ensure the home was maintained in a clean, safe, orderly, attractive manner and shall be kept free from offensive odor. The findings are:</p> <p>Observation and tour of the facility on 8/5/21 between 4:15 PM and 5:15 PM revealed the following:</p> <ul style="list-style-type: none"> - Bedroom occupied by Client #5: Broken ceiling fan, fan blade laying on the floor Ceiling fan blades covered in thick dust Strong smell of urine and body odor No toilet paper in the bathroom located inside his room Hinge on bedroom door was broken - Bedroom occupied by Client #2: Dresser with broken dresser drawer - Bedroom occupied by Client #1: Loose tobacco flakes scattered on the dresser - Hall bathroom #1: Toilet with missing toilet lid Strong smell of urine Bathroom floor stained Shower stall had several areas of black mold spots - Hall bathroom #2 No toilet seat lid Missing light bulb for vanity Broken towel rack holder 	V 736		

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V 736	<p>Continued From page 10</p> <ul style="list-style-type: none"> - Living room: Paint bubbled and peeled on the ceiling Aluminum can used to prop up the couch with missing leg - Kitchen: Paint bubbled and peeled on the ceiling No covering for overhead light fixture - Hallway: Hole (approximate size of a tennis ball) in the wall near the laundry room <p>Interview on 8/6//21, the Qualified Professional reported:</p> <ul style="list-style-type: none"> - She was aware of the hole in the wall in the hallway near the laundry room - She had not observed the bubbled and peeled paint in the ceilings, bubbling of paint in the living room, or the broken dresser or fan 	V 736		
V 774	<p>27G .0304(d)(7) Minimum Furnishings</p> <p>10A NCAC 27G .0304 FACILITY DESIGN AND EQUIPMENT</p> <p>(d) Indoor space requirements: Facilities licensed prior to October 1, 1988 shall satisfy the minimum square footage requirements in effect at that time. Unless otherwise provided in these Rules, residential facilities licensed after October 1, 1988 shall meet the following indoor space requirements:</p> <p>(7) Minimum furnishings for client bedrooms shall include a separate bed, bedding, pillow, bedside table, and storage for personal belongings for each client.</p>	V 774		

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V 774	<p>Continued From page 11</p> <p>This Rule is not met as evidenced by: Based on observation and interview, the facility failed to provide storage for personal belongings affecting 2 of 6 clients (Client #3 and Client #4). The findings are:</p> <p>Observation on 8/5//21 between 4:15 PM and 5:15 PM of Client's #3-#4 bedrooms revealed:</p> <ul style="list-style-type: none"> - Client #3 did not have a dresser - Client #3: some clothes were on hangers in closet, there were no empty hangers in closet and rest of clothes were in trash bags - Client #4 did not have a dresser - Client #4's clothes were hanging on hangers and piled on the floor of closet <p>Interview on 8/5/21 with Client #3 reported:</p> <ul style="list-style-type: none"> - He did not have enough storage for his personal items - He had been at the facility for a month <p>Interview on 8/5/21 with Client #4 reported:</p> <ul style="list-style-type: none"> - He did not have a dresser and hung his clothes in his closet - If he needed additional furniture he would ask his father for the furniture <p>Interview on 8/6/21 between 11:45 AM and 12:30 PM the Qualified Professional reported:</p> <ul style="list-style-type: none"> - She performs "walk-throughs" of the home regularly, to include the client rooms - She was not aware of the missing furniture 	V 774		