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Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL029-006	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 09/29/2021
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NAME OF PROVIDER OR SUPPLIER PATH OF HOPE	STREET ADDRESS, CITY, STATE, ZIP CODE 1675 EAST CENTER STREET EXTENSION LEXINGTON, NC 27292
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V 000	INITIAL COMMENTS An annual survey was completed on 9/29/21. Deficiencies were cited. This facility is licensed for the following service category: 10 A NCAC 27G .3400 Residential Treatment for Substance Abuse Adults; NCAC 27G .3700 Day Treatment for Substance Abuse; NCAC 27G .4400 Substance Abuse Intensive Outpatient Program; NCAC 27G .4500 Substance Abuse Comprehensive Outpatient Treatment	V 000		
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	V 364		

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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

Executive Director

(X6) DATE

10-12-21

STATE FORM

6899

5D5111

If continuation sheet 1 of 9

DHSR - Mental Health

OCT 20 2021

Lic. & Cert. Section

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V 364	<p>Continued From page 1</p> <p>the client at the time of making the call or made collect to the receiving party;</p> <p>(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;</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</p>	V 364		

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V 364	Continued From page 2 prohibited by Chapter 20 of the General Statutes; and (10) Have access to individual storage space for his private use. (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 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. Each minor client who is receiving treatment or habilitation from a 24-hour facility has the right to: (1) Communicate and consult with his parents or guardian or the agency or individual having legal custody of him; (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 (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 minor client	V 364		

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V 364	Continued From page 3 may exercise these rights at all reasonable times. (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: (1) Make and receive 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) Send and receive mail and have access to writing materials, postage, and staff assistance when necessary; (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; (4) Receive special education and vocational training in accordance with federal and State law; (5) Be out of doors daily and participate in play, recreation, and physical exercise on a regular basis in accordance with his needs; (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; (7) Participate in religious worship; (8) Have access to individual storage space for the safekeeping of personal belongings; (9) Have access to and spend a reasonable sum of his own money; and (10) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes. (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	V 364		

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V 364	<p>Continued From page 4</p> <p>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 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 record review and interviews, the facility failed to ensure clients were able to make and receive telephone calls affecting 8 of 8 current clients (#1 - #8). The findings are:</p> <p>Review on 9/29/21 of the "policy statement-client</p>	V 364	<p>This rule does not specify "unlimited" phone calls. Clients can use phone for</p>	

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V 364	<p>Continued From page 5</p> <p>agreement-rules and regulations" revealed: - "Clients will be allowed two ten minute phone calls per week. One on Tuesday and one on Saturday."</p> <p>Interview on 9/29/21 with client #1 revealed: - The clients were only allowed to make telephone calls on Tuesdays for 10 minutes. - He wanted to contact his mother one time and staff would not allow him because it was not Tuesday.</p> <p>Interview on 9/29/21 with client #2 revealed: - The clients were only allowed to make telephone calls on Tuesdays and Saturdays. - The clients' telephone calls could not last more than 10 minutes on each day.</p> <p>Interview on 9/29/21 with client #3 revealed: - The clients were only allowed to make telephone calls on Tuesdays and Saturdays. - The two telephone calls made each week could not be longer than 10 minutes.</p> <p>Interview on 9/29/21 with staff #2 revealed: - The clients were only allowed to make telephone calls on Tuesdays and Saturdays for 10 minutes. - "I feel like they should be able to have access to the phone more often than they do."</p> <p>Interview on 9/29/21 with the Financial Director revealed: - The clients "get two personal telephone calls a week. One on Tuesday and one on Saturday, 10 minutes each."</p> <p>Interview on 9/29/21 with the Executive Director revealed: - "It is written in the rules that their (clients)</p>	V 364	<p><i>calls any time deemed necessary outside of "two" calls. Each client has access to phone 911 if they feel abused, neglected, or exploited. We can show logs of calls outside of "two" calls. All calls are confidential.</i></p>	

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V 364	Continued From page 6 telephone calls will be restricted."	V 364		
V 736	27G .0303(c) Facility and Grounds Maintenance 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. This Rule is not met as evidenced by: Based on observations, and interviews the facility failed to be maintained in a safe, clean, attractive, and orderly manner. The findings are: Observations from approximately 2:58 pm- 3:36 pm on 9/29/21 of the facility revealed: - The downstairs bathroom had caulking that had pulled away from the wall and bathtub. The walls and baseboards were dirty. The downstairs bathroom vinyl flooring had several holes/rips in the flooring around the toilet area. - The upstairs bathroom had gaps between the baseboards and the walls. The baseboard was cracked and coming a part. There was a hole in the lower wall to the right of the shower. The baseboards and walls were dirty. - Bedroom #2: a dresser was missing a drawer. - Bedroom #3: one nightstand was missing a drawer and both dressers were missing a drawer. - Bedroom #4: a dresser was missing a drawer. - The wooden steps leading up to the second floor: the front area to step #7 was cracked and deteriorating.	V 736	Downstairs tub being replaced and then flooring. Repair & clean. Furniture replaced or repaired Step replacement	10-30-21 10-29-21 10-29-21 10-29-21

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V 736	<p>Continued From page 7</p> <ul style="list-style-type: none"> - The outside ramp had multiple sagging boards and the ramp paint was worn off. - The second level to the outside ramp was unlevel and leaning to the left. <p>Interview on 9/29/21 with staff #2 revealed:</p> <ul style="list-style-type: none"> - She had worked in the facility for 15 months. - The dressers and nightstands in the clients' bedrooms had been missing drawers since she started working there. - The Executive Director had talked about replacing the bathtub in the downstairs bathroom. She felt the flooring and the baseboards in the downstairs bathroom needed to be replaced. - The upstairs bathroom walls and baseboards were "gross and terrible." She felt the walls and baseboards in the upstairs bathroom needed to be replaced. - Someone had come to look at the outside ramp to replace it. <p>Interview on 9/29/21 with the Finance Director revealed:</p> <ul style="list-style-type: none"> - She was not aware that the clients' dressers and nightstands were missing drawers. - The downstairs bathroom would soon have a new shower in place of the bathtub. The baseboards and everything in the downstairs bathroom would be replaced. - She had not received a maintenance report regarding the wood deteriorating on the wooden step leading upstairs. - The facility is waiting on engineer drawings to obtain a permit that will allow construction of a new ramp. <p>Interview on 9/29/21 with the Executive Director revealed:</p> <ul style="list-style-type: none"> - The facility is trying to replace the clients' dressers and nightstands. 	V 736	<p>will be replacing with an aluminum ramp. Order and permits have been placed. Will install as soon as GoMobility can get parts.</p>	11-30-21
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V 736	<p>Continued From page 8</p> <ul style="list-style-type: none"> - The downstairs bathroom will be replaced but she does not know when. - She had not noticed the baseboards in the upstairs bathroom. - "We know the ramp is bad. We were cited by construction (June 2021) for two loose boards on the ramp." 	V 736	<p><i>Upstairs bath - base boards being replaced and painted.</i></p>	11-15-21.
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