

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL001-149	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 12/10/2021
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NAME OF PROVIDER OR SUPPLIER JUST IN TIME YOUTH SERVICES	STREET ADDRESS, CITY, STATE, ZIP CODE 1710 SYKES STREET BURLINGTON, NC 27215
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on December 10, 2021. The complaint was substantiated (intake #NC00183147). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .1700 Residential Treatment Staff Secure for Children or Adolescents.</p> <p>The survey sample consisted of audits of 2 current clients, 2 former clients.</p>	V 000		
V 364	<p>G.S. 122C- 62 Additional Rights in 24 Hour Facilities</p> <p>§ 122C-62. Additional Rights in 24-Hour Facilities.</p> <p>(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:</p> <p>(1) Send and receive sealed mail and have access to writing material, postage, and staff assistance when necessary;</p> <p>(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</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 adult client may exercise these rights at all reasonable times.</p> <p>(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:</p> <p>(1) Make and receive confidential telephone</p>	V 364		

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

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V 364	<p>Continued From page 1</p> <p>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;</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>	V 364		

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V 364	<p>Continued From page 2</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 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</p>	V 364		

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V 364	<p>Continued From page 3</p> <p>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 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</p>	V 364		

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V 364	<p>Continued From page 4</p> <p>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 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 reviews and interviews, facility staff failed to ensure clients could make and receive confidential telephone calls affecting two of two current clients (#1 and #2) and two of two former clients (FC#3 and FC#4). The findings</p>	V 364		

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V 364	<p>Continued From page 5</p> <p>are:</p> <p>a. Review on 12/8/21 of client #1's record revealed: -Admission date 4/29/21. -Diagnoses of Disruptive Mood Dysregulation Disorder, Mild Intellectual Disability, Autism, Attention Deficit Hyperactivity Disorder and Post Traumatic Stress Disorder. -He was 11 years old. -There was no documentation in his record to indicate staff could monitor his phone calls.</p> <p>b. Review on 12/8/21 of client #2's record revealed: -Admission date 6/17/21. -Diagnoses of Autism Spectrum Disorder, Attention Deficit Hyperactivity Disorder, Schizophrenia and Mild Intellectual Disability. -He was 13 years old. -There was no documentation in his record to indicate staff could monitor his phone calls.</p> <p>c. Review on 12/8/21 of FC #3's record revealed: -Admission date 12/28/20. -Diagnoses of Mild Intellectual Disability, Oppositional Defiant Disorder, Attention Deficit Hyperactivity Disorder, Fetal Alcohol Syndrome and Learning Disorder. -He was 14 years old. -He was discharged on 11/25/21. -There was no documentation in his record to indicate staff could monitor his phone calls.</p> <p>d. Review on 12/8/21 of FC #4's record revealed: -Admission date 10/18/21. -Diagnoses of Attention Deficit Hyperactivity Disorder, Disruptive Mood Dysregulation Disorder and Autism Spectrum Disorder. -He was 17 years old.</p>	V 364		

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V 364	<p>Continued From page 6</p> <ul style="list-style-type: none"> -He was discharged on 11/3/21. -There was no documentation in his record to indicate staff could monitor his phone calls. <p>Interview on 12/8/21 with client #1 revealed:</p> <ul style="list-style-type: none"> -He talked to his mother on the phone. -Staff monitored his phone calls with his mother all of the time. -When he talked to his mother he had to put the phone on speaker. <p>Interview on 12/8/21 with client #2 revealed:</p> <ul style="list-style-type: none"> -He didn't talk on the phone often. When he talked on the phone staff monitored his phone calls with his father. -He had to put the phone on speaker while he talked to his father. -He was not sure why the calls had to be monitored. <p>Interview on 12/8/21 with FC #3 revealed:</p> <ul style="list-style-type: none"> -When he lived at the Level III home staff monitored his phone calls whenever he talked on the phone. -If they make a phone call they must put the call on speaker. -He had an issue with that because he wanted to have a private conversation with his mother sometimes. -He asked why the calls had to be monitored and staff said it was the rules of the group home. <p>Interview on 12/9/21 with FC #4 revealed:</p> <ul style="list-style-type: none"> -He had an issue with staff monitoring their phone calls when he lived at the group home. -Whenever he would call his family, he had to put the phone on speaker. -He could never have a private conversation. -All of the other clients also had to put the phone on speaker when they talked with their family. 	V 364		

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V 364	<p>Continued From page 7</p> <p>Interview with staff #1 on 12/9/21 revealed: -They don't monitor phone calls for all of the clients. -They only monitor phone calls for client #1. They had to put the phone on speaker whenever client #1 talked with his mother. -He confirmed facility staff failed to ensure clients could make and receive confidential telephone calls.</p> <p>Interview with staff #2 on 12/9/21 revealed: -They monitored calls for all of the clients whenever they are on the phone. -Client #1 actually had to put the phone on speaker when he talked with his mother. -He confirmed facility staff failed to ensure clients could make and receive confidential telephone calls.</p> <p>Interviews with the Home Manager on 12/8/21 and 12/9/21 revealed: -The clients in this home had privacy when they talked on the phone. -None of these clients calls had to be monitored other than client #1. -Client #1's grandmother was his guardian. She had requested his telephone calls with his mother be monitored by staff. -She confirmed facility staff failed to ensure clients could make and receive confidential telephone calls.</p> <p>Interview with the Program Director on 12/8/21 revealed: -He knew staff monitored client #1's phone calls with his mother. -He thought the other clients in this home had privacy when they talked on the phone. -None of the other clients calls had to be</p>	V 364		

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V 364	<p>Continued From page 8</p> <p>monitored.</p> <p>-He confirmed facility staff failed to ensure clients could make and receive confidential telephone calls.</p> <p>Interview with the Qualified Professional/Licensee on 12/9/21 revealed:</p> <p>-Staff did monitor clients phone calls.</p> <p>-They had to monitor client #1's phones calls if he was on the phone with his mother.</p> <p>-His grandmother was his guardian and she does not want client #1 talking with his mother on the phone unsupervised.</p> <p>-She knew staff had client #1 put his phone calls with his mother on speaker phone.</p> <p>-She did not know staff had the other clients put the phone on speaker during their calls.</p> <p>-She confirmed facility staff failed to ensure clients could make and receive confidential telephone calls.</p>	V 364		