

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL049-157</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>11/22/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>BLUE HORIZONS</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>130 SAINT JILL CIRCLE STATESVILLE, NC 28625</b>
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on 11-22-21. The complaint was substantiated (Intake ID #NC00183213). A deficiency was 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>	V 000		
V 110	<p>27G .0204 Training/Supervision Paraprofessionals</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 develop and implement policies and procedures</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>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, 1 of 1 former staff (FS #2) failed to demonstrate the knowledge, skills and abilities required by the population served. The findings are:</p> <p>Review on 11-16-21 of Former Client (FC) #2's record revealed:</p> <ul style="list-style-type: none"> <li>- Admission date: 9-7-21</li> <li>- Diagnoses: Oppositional Defiant Disorder (ODD); Cannabis Use Disorder; Mild Tobacco related Disorder; History of physical and sexual abuse</li> <li>- Discharge date: 11-10-21</li> <li>- FC #2 is 17 years of age</li> <li>- Treatment Plan dated 9-3-21:</li> </ul> <p>Goal: demonstrate improvement in her symptoms of ODD, as evidenced by zero incidents of physical aggression or threats of physical aggression per review period including but not limited to hitting, kicking, punching, spitting and threatening</p> <p>Goal: no more than one incident of verbal aggression per review period including but not limited to cursing, yelling and name calling</p> <p>Goal: will demonstrate compliance to staff directives without requiring more than 2 verbal prompts from staff members</p> <p>Review on 11-16-21 of FS #2's record revealed:</p> <ul style="list-style-type: none"> <li>- Date of Hire: 10-16-21</li> </ul>	V 110		

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V 110	<p>Continued From page 2</p> <ul style="list-style-type: none"> <li>- Job Description: Direct Care Staff</li> <li>- Date of Release from Employment: 11-10-21</li> <li>- Training: Confidentiality, Client Rights, HIPPA (Health Insurance and Accountability Act), Cultural Diversity, Professional Ethics, Meeting the needs of Special Population, Incident Reporting and Crisis Response</li> </ul> <p>Review on 11-17-21 of the facility's report to the Health Care Personal Registry (HCPR) dated 11-10-21 revealed: Incident dated 11-9-21: FC#2 " ... [FS #2] reported to a staff (unknown staff) that she (FS #2) had been having an inappropriate relationship with [FC #2]. [FS #2] had posted a video of [FC #2] and [FS #2] with a blunt, on social media, texting [FC #2's] cell phone." - Report to HCPR 11-10-21 - Type of Allegation Being Made: Resident Abuse - Child Protective Services notified</p> <p>Interview on 11-17-21 with the Director revealed:</p> <ul style="list-style-type: none"> <li>- The Owner conducted an internal investigation 11-10-21</li> <li>- FC #2 had already absconded from the facility</li> <li>- Owner interviewed staff making the report and interviewed FS #2</li> <li>- Owner informed Director to start the reporting process of this incident</li> <li>- The Director released FS #2 from employment on 11-10-21</li> <li>- The Director obtained video of FC #2 and FS #2 posted on social media video and text messages with pictures between FC #2 and FS #2 revealing an inappropriate relationship</li> <li>- Facility's internal investigation was a "Substantiated Claim"</li> </ul> <p>Interview on 11-15-21 with Client #1 revealed:</p> <ul style="list-style-type: none"> <li>- "[FC #2] and [FS #2] I'd see on the back porch</li> </ul>	V 110		

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V 110	<p>Continued From page 3</p> <p>(porch off kitchen exit) smoking blackies (small cigarettes). Then they would come inside smelling of smoke."</p> <p>Interview on 11-23-21 with FC #2's Department Social Services (DSS) Social Worker revealed:</p> <ul style="list-style-type: none"> <li>- DSS Social Worker contacted FC #2 with the request for an interview by DHSR (Division of Health Service Regulation Surveyor)</li> <li>- DSS Social Worker on 11-23-21 reported that FC #2 stated: "I don't want to talk about this anymore."</li> </ul> <p>Interview on 11-15-21 with FS #2 revealed:</p> <ul style="list-style-type: none"> <li>- Her role is to educate, teach and supervise. To be firm with them. "I'm not there to be their (group home residents) friend. [FC #2] always screamed for some reason.</li> <li>- I don't know why [Client #1] would make an allegation about me smoking. I told them (Blue Horizons Administration) I would take a test (drug test). But they never called me back.</li> <li>- I have a child and a degree. I would never jeopardize either of them.</li> <li>- [Executive Director] released me from work (11-10-21)."</li> </ul> <p>Interview on 11-15-21 with the House Manager/Direct Care Staff revealed:</p> <ul style="list-style-type: none"> <li>- There were concerns about FS #2 smoking weed</li> </ul> <p>Interview on 11-15-21 with the Qualified Professional (QP) revealed:</p> <ul style="list-style-type: none"> <li>- "No idea if [FS #2] is fired or suspended. I don't know what happened. I just know she isn't here."</li> </ul> <p>Interview on 11-16-21 with the Program Manager/QP Supervisor revealed:</p> <ul style="list-style-type: none"> <li>- "I'm here on a daily basis, everyday pretty much.</li> </ul>	V 110		

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V 110	<p>Continued From page 4</p> <p>- I have not witnessed it (FS#2 and FC#2 smoking marijuana and drinking alcohol). I'm here during the day and usually gone when the kids are here. "</p> <p>Review on 11-23-21 of an investigative interview dated 11-10-21 by the DSS child protection social worker (SW) with FC#2 revealed:</p> <p>- "[FC #2] states she is the only one using it (weed and alcohol). None of the other girls were. They (FC #2 and FS #2) would go outside and smoke. She (FS #2) started offering it (weed and alcohol) to her the first day she started (FS #2 hire date of 10-16-21). She (FS #2) was trying to get away with stuff.</p> <p>- [FS #2] thought she could make friends with everyone. She (FC #2) was friends with her on social media and she would post on snapchat pictures of them."</p> <p>- According to the interview, SW requested to see the social media posts and text messages. FC #2 reported "she dropped it (her cell phone) yesterday and is unable to see the screen. [FC #2] provided her phone and it is broken. "</p> <p>Review on 11-16-21 of undated text messages between FS #2 and FC #2 revealed: FS #2: "They (Horizons Kids, LLC) got access. You didn't believe me. Your mom and them. SMH (shaking my head). D**n, lost a good job. WTF man (what the F**k). Get off here (texting on personal cell phones). Write me on snap. Why didn't you delete your messages man?" FC #2: "Ok" FS #2: "Where in the messages we smoking and drinking?" FC #2: "When I had asked you to and someone told them ig (I guess). Did they put to in together?" FS #2: "I NEVER smoked or drunk with you."</p>	V 110		

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V 110	<p>Continued From page 5</p> <p>Saturday (no date) time 6:11 PM texted between FS #2 and FC #2:  FC #2: "We smoking tn (tonight)?"  FS #2: " send video the whole thing"  FC #2: "There's too. It was on snap."  FS #2: "Save it on snap then send it to me on text I need that whole video you showed me."  FC #2: "It's the first one."  FS #2: "O d**n didn't see that. My bad"  Text message 10-29-21 at 12:45 PM:  FC #2: "Hey you no you picking me up before you go to Statesville."  FS #2: "Yupp"  FC #2: "Aiii bring me a blunt. (Laughing emojis and 100% sign)"  -Review of a picture (appears to be a selfie) no date just Saturday 6:11 PM of FS #2 and FC #2 in which FC #2 has her middle finger raised for the camera. Both FC #2 and FS #2 are sitting on the grass.  -Review of a picture dated 10-23-21 at 10:57 PM (appears to be a selfie) of FS #2 (wearing a dark baseball cap) and FC #2 appears to be a nightclub/party atmosphere (bright neon lights, dark background).  -Review of a picture (appears to be a selfie) of FC #2 and the top portion of FS #2's dark baseball cap and un-identifiable individuals in the background. Appears to be the same nightclub party atmosphere.  -Review of a twenty-two (22) second video of FS #2 and FC #2 revealed FC #2 is sitting next to FS #2 and singing to unidentified rapper with words of b***h, cocaine, sex and gangster. FC #2 has her middle finger up (F**k you). FS #2 sings along with FC #2.</p> <p>Attempted interview on 11-17-21 with FS #2 to discuss the video and text messages revealed, FS #2 did not return the telephone call as of the</p>	V 110		

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V 110	<p>Continued From page 6</p> <p>exit date of the survey.</p> <p>Review on 11-22-21 of the Plan of Protection dated 11-22-21 (per email) and written by the Quality Assurance Consultant and Owner revealed: What immediate action will the facility take to ensure the safety of the consumers in your care? "Horizons Kids will continue to: - administer Competency Based training during orientation (see competency test and attachments) Responsible Party/How Often: Trainer/ ongoing - ensure Paraprofessionals understand and sign supervision plan during orientation - report the unethical behavior to immediate supervisor and/or HR Administrator (Human Resources) Responsible Party/How Often: All Staff/ongoing - provide supportive coaching and redirection when unethical behavior arises Responsible Party/How Often: QP Supervisor/Ongoing Describe your plans to make sure the above happens: - The Competency Based Test will be administered during orientation. The Trainer will facilitate a refresher courses on the "Standard of Conduct" and "Social and Therapeutic Relationship" to comply with our risk management program. Responsible Party/How Often: Trainer/11-23-21 These trainings are part of our Employee Based Competency. Responsible Party/How Often: Trainer/ongoing Time Line: These actions were implemented as part of our training regimen. Training will continuously occur to ensure staff has support needed to care for our consumers Responsible Party/How Often: ONGOING"</p>	V 110		

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V 110	Continued From page 7  FC #2 was 17 years old and had diagnoses of Oppositional Defiant Disorder; Cannabis Use Disorder; Mild Tobacco related Disorder; History of physical and sexual abuse. FS #2 was in a professional role as a Direct Care Paraprofessional to provide safety, supervision, guidance and education to FC #2. FS #2's decision to befriend FC #2 and step outside her professional role, placed FC #2 in a situation that further jeopardized her Cannabis Use Disorder as FS #2 offered and then smoked marijuana with FC #2. FC #2's confidentiality was compromised when FS #2 posted pictures and a video on social media pages. FS #2 showed a lack of professional decision making by partaking in a friendship role verses a professional role which placed FC #2 in a position to fail at her treatment goals. This constitutes a Type A1 rule violation for serious neglect and must be corrected within 23 days. An administrative penalty of \$1,000.00 is imposed. If the violation is not corrected within 23 days, an additional administrative penalty of \$500.00 per day will be imposed.	V 110		