Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED
	MHL049-116		12/17/2021

NAME OF PROVIDER OR SUPPLIER
CHESTNUT GROVE

STREET ADDRESS, CITY, STATE, ZIP CODE
303 SAINT ANDREWS ROAD
STATESVILLE, NC 28625

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V 000	INITIAL COMMENTS An annual survey was completed on 12/17/2021 Deficiencies were cited. This facility is licensed for the following service category: 10A NCAC 27G .5100 Community Respite Services for Individuals of All Disability Groups. The survey sample consisted of audits of 2 current clients.	V 000		
V 536	27E .0107 Client Rights - Training on Alt to Rest. Int. 10A NCAC 27E .0107 TRAINING ON ALTERNATIVES TO RESTRICTIVE INTERVENTIONS (a) Facilities shall implement policies and practices that emphasize the use of alternatives to restrictive interventions. (b) Prior to providing services to people with disabilities, staff including service providers, employees, students or volunteers, shall demonstrate competence by successfully completing training in communication skills and other strategies for creating an environment in which the likelihood of imminent danger of abuse or injury to a person with disabilities or others or property damage is prevented. (c) Provider agencies shall establish training based on state competencies, monitor for internal compliance and demonstrate they acted on data gathered. (d) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course.	V 536	V 536 / V 537 RCD completed Alternatives to Restrictive Intervention training on 12/28/21 and 12/29/21. Meaures put in place: -Future employees will not be permitted to work at the Resource Center until Alternative to Restrictive Intervention training is completed. Who will monitor: -Lead Counselor, RCD, Assistant Director, and HRM will montior monthly to ensure compliance. V 536 / V 537 Staff #1 completed their annual recertification Training in physical restraint on Tuesday, July 13, 2021. Measures put in place: -Future employees will not be permitted to work at the Resource Center until annual recertification Training is completed. Who will monitor: -Lead Counselor, RCD, Assistant Director, and HRM will monitor monthly to ensure compliance.	

Division of Health Service Regulation
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE

Michelle Kluttz, RHA State START Director | 12/20/21

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V 536	Continued From page 1 (e) Formal refresher training must be completed by each service provider periodically (minimum annually). (f) Content of the training that the service provider wishes to employ must be approved by the Division of MH/DD/SAS pursuant to Paragraph (g) of this Rule. (g) Staff shall demonstrate competence in the following core areas: (1) knowledge and understanding of the people being served; (2) recognizing and interpreting human behavior; (3) recognizing the effect of internal and external stressors that may affect people with disabilities; (4) strategies for building positive relationships with persons with disabilities; (5) recognizing cultural, environmental and organizational factors that may affect people with disabilities; (6) recognizing the importance of and assisting in the person's involvement in making decisions about their life; (7) skills in assessing individual risk for escalating behavior; (8) communication strategies for defusing and de-escalating potentially dangerous behavior; and (9) positive behavioral supports (providing means for people with disabilities to choose activities which directly oppose or replace behaviors which are unsafe). (h) Service providers shall maintain documentation of initial and refresher training for at least three years. (1) Documentation shall include: (A) who participated in the training and the outcomes (pass/fail);	V 536		

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V 536	Continued From page 2 (B) when and where they attended; and (C) instructor's name; (2) The Division of MH/DD/SAS may review/request this documentation at any time. (i) Instructor Qualifications and Training Requirements: (1) Trainers shall demonstrate competence by scoring 100% on testing in a training program aimed at preventing, reducing and eliminating the need for restrictive interventions. (2) Trainers shall demonstrate competence by scoring a passing grade on testing in an instructor training program. (3) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course. (4) The content of the instructor training the service provider plans to employ shall be approved by the Division of MH/DD/SAS pursuant to Subparagraph (i)(5) of this Rule. (5) Acceptable instructor training programs shall include but are not limited to presentation of: (A) understanding the adult learner; (B) methods for teaching content of the course; (C) methods for evaluating trainee performance; and (D) documentation procedures. (6) Trainers shall have coached experience teaching a training program aimed at preventing, reducing and eliminating the need for restrictive interventions at least one time, with positive review by the coach. (7) Trainers shall teach a training program aimed at preventing, reducing and eliminating the need for restrictive interventions at least once	V 536		

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V 536	Continued From page 3 annually. (8) Trainers shall complete a refresher instructor training at least every two years. (j) Service providers shall maintain documentation of initial and refresher instructor training for at least three years. (1) Documentation shall include: (A) who participated in the training and the outcomes (pass/fail); (B) when and where attended; and (C) instructor's name. (2) The Division of MH/DD/SAS may request and review this documentation any time. (k) Qualifications of Coaches: (1) Coaches shall meet all preparation requirements as a trainer. (2) Coaches shall teach at least three times the course which is being coached. (3) Coaches shall demonstrate competence by completion of coaching or train-the-trainer instruction. (l) Documentation shall be the same preparation as for trainers. This Rule is not met as evidenced by: Based on record review and interviews, the facility failed to ensure staff completed training on alternatives to restrictive interventions prior to providing services affecting 1 of 3 audited staff (the Resource Center Director (RCD)); and failed to ensure formal refresher training was completed at least annually affecting 1 of 3 audited staff (#1). The findings are:	V 536		

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V 536	Continued From page 4 Review on 12/16/2021 of Staff #1's employee record revealed: - Hire date: 2/24/2020. - Documentation that training on alternatives to restrictive interventions had expired on 3/3/2021. - Refresher training was not completed until 7/13/2021. Reviews on 12/16/2021 & 12/17/2021 of the RCD's employee record revealed: - Hire date: 2/22/2021 - Documentation that training on alternatives to restrictive interventions was not begun until 6/9/2021. - No documentation that training on alternatives to restrictive interventions was fully completed. Interview on 12/16/2021 with Staff #1 revealed: - She remembered have attended the training on alternatives to restrictive interventions, but did not know why it had taken so long for her to get the refresher training. Interview on 12/16/2021 with the RCD revealed: - She had attended the first part of the facility's training on alternatives to restrictive interventions curriculum but had not yet attended the final part. - The Human Resources Manager (HRM) had been the person responsible for scheduling her training when she was hired. Interview on 12/17/2021 with the HRM revealed: - Training on alternatives to restrictive interventions was late for both Staff #1 and the RCD due to COVID-19 pandemic restrictions to class size and the lack of available trainers. - 4 of the 5 trainers in the local Licensee office had left, leaving the full load of training all staff on one person.	V 536		

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V 536	Continued From page 5 - The RCD had started taking the first part of the training on alternatives to restrictive interventions course but had not completed the final part.	V 536		
V 537	27E .0108 Client Rights - Training in Sec Rest & ITO 10A NCAC 27E .0108 TRAINING IN SECLUSION, PHYSICAL RESTRAINT AND ISOLATION TIME-OUT (a) Seclusion, physical restraint and isolation time-out may be employed only by staff who have been trained and have demonstrated competence in the proper use of and alternatives to these procedures. Facilities shall ensure that staff authorized to employ and terminate these procedures are retrained and have demonstrated competence at least annually. (b) Prior to providing direct care to people with disabilities whose treatment/habilitation plan includes restrictive interventions, staff including service providers, employees, students or volunteers shall complete training in the use of seclusion, physical restraint and isolation time-out and shall not use these interventions until the training is completed and competence is demonstrated. (c) A pre-requisite for taking this training is demonstrating competence by completion of training in preventing, reducing and eliminating the need for restrictive interventions. (d) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course. (e) Formal refresher training must be completed by each service provider periodically (minimum	V 537		

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V 537	Continued From page 6 annually). (f) Content of the training that the service provider plans to employ must be approved by the Division of MH/DD/SAS pursuant to Paragraph (g) of this Rule. (g) Acceptable training programs shall include, but are not limited to, presentation of: (1) refresher information on alternatives to the use of restrictive interventions; (2) guidelines on when to intervene (understanding imminent danger to self and others); (3) emphasis on safety and respect for the rights and dignity of all persons involved (using concepts of least restrictive interventions and incremental steps in an intervention); (4) strategies for the safe implementation of restrictive interventions; (5) the use of emergency safety interventions which include continuous assessment and monitoring of the physical and psychological well-being of the client and the safe use of restraint throughout the duration of the restrictive intervention; (6) prohibited procedures; (7) debriefing strategies, including their importance and purpose; and (8) documentation methods/procedures. (h) Service providers shall maintain documentation of initial and refresher training for at least three years. (1) Documentation shall include: (A) who participated in the training and the outcomes (pass/fail); (B) when and where they attended; and (C) instructor's name. (2) The Division of MH/DD/SAS may review/request this documentation at any time. (i) Instructor Qualification and Training	V 537		

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V 537	Continued From page 7 Requirements: (1) Trainers shall demonstrate competence by scoring 100% on testing in a training program aimed at preventing, reducing and eliminating the need for restrictive interventions. (2) Trainers shall demonstrate competence by scoring 100% on testing in a training program teaching the use of seclusion, physical restraint and isolation time-out. (3) Trainers shall demonstrate competence by scoring a passing grade on testing in an instructor training program. (4) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course. (5) The content of the instructor training the service provider plans to employ shall be approved by the Division of MH/DD/SAS pursuant to Subparagraph (j)(6) of this Rule. (6) Acceptable instructor training programs shall include, but not be limited to, presentation of: (A) understanding the adult learner; (B) methods for teaching content of the course; (C) evaluation of trainee performance; and (D) documentation procedures. (7) Trainers shall be retrained at least annually and demonstrate competence in the use of seclusion, physical restraint and isolation time-out, as specified in Paragraph (a) of this Rule. (8) Trainers shall be currently trained in CPR. (9) Trainers shall have coached experience in teaching the use of restrictive interventions at	V 537		

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V 537	Continued From page 8 least two times with a positive review by the coach. (10) Trainers shall teach a program on the use of restrictive interventions at least once annually. (11) Trainers shall complete a refresher instructor training at least every two years. (k) Service providers shall maintain documentation of initial and refresher instructor training for at least three years. (1) Documentation shall include: (A) who participated in the training and the outcome (pass/fail); (B) when and where they attended; and (C) instructor's name. (2) The Division of MH/DD/SAS may review/request this documentation at any time. (l) Qualifications of Coaches: (1) Coaches shall meet all preparation requirements as a trainer. (2) Coaches shall teach at least three times, the course which is being coached. (3) Coaches shall demonstrate competence by completion of coaching or train-the-trainer instruction. (m) Documentation shall be the same preparation as for trainers. This Rule is not met as evidenced by: Based on record review and interviews, the facility failed to ensure staff completed training in seclusion, physical restraint and isolation time out prior to providing services affecting 1 of 3 audited staff (the Resource Center Director (RCD)); and failed to ensure formal refresher training was completed at least annually affecting 1 of 3	V 537		

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V 537	Continued From page 9 audited staff (#1). The findings are: Review on 12/16/2021 of Staff #1's employee record revealed: - Hire date: 2/24/2020. - Documentation that training in seclusion, physical restraint and isolation time out had expired on 3/3/2021. - Refresher training was not completed until 7/13/2021. Reviews on 12/16/2021 & 12/17/2021 of the RCD's employee record revealed: - Hire date: 2/22/2021 - Documentation that training in seclusion, physical restraint and isolation time out was not begun until 6/9/2021. - No documentation that training in seclusion, physical restraint and isolation time out was fully completed. Interview on 12/16/2021 with Staff #1 revealed: - She remembered have attended the training in seclusion, physical restraint and isolation time out, but did not know why it had taken so long for her to get the refresher training. Interview on 12/16/2021 with the RCD revealed: - She had attended the first part of the facility's training in seclusion, physical restraint and isolation time out curriculum but had not yet attended the final part. - The Human Resources Manager (HRM) had been the person responsible for scheduling her training when she was hired. Interview on 12/17/2021 with the Human Resources Manager revealed: - Training in seclusion, physical restraint and isolation time out was late for both Staff #1 and	V 537		

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V 537	Continued From page 10 the RCD due to COVID-19 pandemic restrictions to class size and the lack of available trainers. - 4 of the 5 trainers in the local Licensee office had left, leaving the full load of training all staff on one person. - The RCD had started taking the first part of the training in seclusion, physical restraint and isolation time out course but had not completed the final part.	V 537		