

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL040030	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED R 02/04/2022
NAME OF PROVIDER OR SUPPLIER LUCILLE'S BEHAVIORAL, INC. #2		STREET ADDRESS, CITY, STATE, ZIP CODE 351 HOLLOMAN ROAD WALSTONBURG, NC 27888		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
V 000	INITIAL COMMENTS A follow up survey was completed February 4, 2022. Deficiencies were cited. This facility is licensed for the following service category: 10A NCAC 27G .5600C, Supervised Living for Adults with Developmental Disabilities. A sister facility is identified in this report. The sister facility will be identified as sister facility A and the clients will be identified as client A1, client A2 and client A3. The survey sample consisted of audits of 3 current clients.	V 000		
V 108	27G .0202 (F-I) Personnel Requirements 10A NCAC 27G .0202 PERSONNEL REQUIREMENTS (f) Continuing education shall be documented. (g) Employee training programs shall be provided and, at a minimum, shall consist of the following: (1) general organizational orientation; (2) training on client rights and confidentiality as delineated in 10A NCAC 27C, 27D, 27E, 27F and 10A NCAC 26B; (3) training to meet the mh/dd/sa needs of the client as specified in the treatment/habilitation plan; and (4) training in infectious diseases and bloodborne pathogens. (h) Except as permitted under 10a NCAC 27G .5602(b) of this Subchapter, at least one staff member shall be available in the facility at all times when a client is present. That staff member shall be trained in basic first aid including seizure management, currently trained to provide cardiopulmonary resuscitation and	V 108		

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

Patricia Phillips CEO

(X5) DATE 3/2/2022

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V 108	Continued From page 1 trained in the Heimlich maneuver or other first aid techniques such as those provided by Red Cross, the American Heart Association or their equivalence for relieving airway obstruction. (i) The governing body shall develop and implement policies and procedures for identifying, reporting, investigating and controlling infectious and communicable diseases of personnel and clients. This Rule is not met as evidenced by: Based on record review and interview, the facility failed to ensure staff were trained in Cardiopulmonary Resuscitation (CPR) and First Aid (FA) affecting 1 of 3 staff audited (#1). Review on 2/3/22 of staff #1's personnel record revealed: -A hire date of 9/14/20. -National CPR Foundation training certificate dated 9/11/20 for CPR and First Aid. -There was no evidence of a current CPR or First Aid Certification that had been conducted with an in-person instructor. Interview on 2/3/22 the Licensee stated: -Staff #1 was hired in 2020 and completed the CPR/FA certification online because of the pandemic.	V 108	V108- Based on the record review, the facility failed to ensure staff were trained in Cardiopulmonary Resuscitation (CPR) and First Aid (FA) affecting 1 of 3 staff audited (#1). Findings: 1) Staff Billy Johnson was previously a Habtech for Caswell Developmental Center, a state facility, where he received CPR/First Aid training ongoing. 2) Mr. Billy took a class on-line for recertification when he was employed in September of 2020. 3) Because the Corporate Office was closed due to COVID 19 during two weeks of January 2022, the First Aid/CPR training was postponed to a later date than originally scheduled. We advised Officer Grant from DHSR that we had the training scheduled for 2/4/2022 or 2/5/2022. Staff received CPR and First Aid training by Amy Smith who is a Certified CPR/First Aid Trainer with the American Health and Safety Institute on 2/4/2022.	3/8/2022
V 542	27F .0105(a-c) Client Rights - Client's Personal Funds 10A NCAC 27F .0105 CLIENT'S PERSONAL	V 542		

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V 542	<p>Continued From page 2</p> <p>FUNDS</p> <p>(a) This Rule applies to any 24-hour facility which typically provides residential services to individual clients for more than 30 days.</p> <p>(b) Each competent adult client and each minor above the age of 16 shall be assisted and encouraged to maintain or invest his money in a personal fund account other than at the facility. This shall include, but need not be limited to, investment of funds in interest-bearing accounts.</p> <p>(c) If funds are managed for a client by a facility employee, management of the funds shall occur in accordance with policy and procedures that:</p> <ol style="list-style-type: none"> (1) assure to the client the right to deposit and withdraw money; (2) regulate the receipt and distribution of funds in a personal fund account; (3) provide for the receipt of deposits made by friends, relatives or others; (4) provide for the keeping of adequate financial records on all transactions affecting funds on deposit in personal fund account; (5) assure that a client's personal funds will be kept separate from any operating funds of the facility; (6) provide for the deduction from a personal fund account payment for treatment or habilitation services when authorized by the client or legally responsible person upon or subsequent to admission of the client; (7) provide for the issuance of receipts to persons depositing or withdrawing funds; and (8) provide the client with a quarterly accounting of his personal fund account. <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the</p>	V 542	<p>Annual trainings are scheduled and the time, date, location and content are distributed to employees through email and at staff meetings throughout the year.</p> <p>We will continue to utilize our annual personnel training calendar to ensure that trainings are conducted on time.</p> <p>V542-Personal funds</p> <p>The facility has adopted the attached Financial Management Policy and Procedure to comply with 10A NCAC 27D.0304 and with 10A NCAC 27F .0105 for the management of, accounting for, and protection of the personal funds of the clients.</p> <p>The facility will conduct training on the policy with the management, ownership, board, and all persons assisting clients in the management of their personal funds. The facility will abide by the Financial Management Policy and Procedure in all instances in which the facility assists a client with the management of client personal funds.</p> <p>The facility has conducted a review and determined an accurate accounting of the amount of each client's funds in the pooled account.</p>	3/8/2022

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V 542	<p>Continued From page 3</p> <p>facility failed to (1) manage and maintain records of client personal funds as required; (2) keep clients' personal funds separate from any operating funds (3) provide quarterly accounting of clients' personal fund accounts, (4) provide for the issuance of receipts to persons depositing or withdrawing funds affecting 3 of 3 clients (#1, #2 and #3). The findings are:</p> <p>Finding #1 Review on 2/2/22 of client# 2's record revealed: -43 year old female admitted 11/21/17. -Diagnoses of Schizophrenia, Obsessive Compulsive Disorder, Diabetes-Type A, Intellectual Developmental Disability-Mild, Hypertension, Gastroesophageal Reflux Disease -A consumer monthly funds report dated 11/2020 - 1/2022 with client #2's signature denoting \$76.00 given to her monthly. -No evidence of quarterly accounting of client #2's personal funds being provided to her guardian. -No evidence of receipts for withdrawals from client #2's personal funds.</p> <p>Review on 2/2/22 - 2/3/22 of facility bank statements for 1/1/21 - 11/30/21 of a joint residential fund account where personal monies for client #2, client #1, client #3 and 2 clients from sister facility A were deposited monthly revealed: -Client #2 received deposits of personal stimulus funds in January 2021 for \$600.00 and April 2021 for \$1400.00. -Client #2 received social security deposits of \$696.93 in February 2021, \$768.19 in March 2021, \$768. 50 and \$785.72 in April and \$722.27 in June 2021. Client #2 received \$756.72 monthly between July 2021 and November 2021. -Client #2 received electronic benefits transfer (EBT) funds monthly 1/1/21 - 10/30/21 in the amount of \$442.00 and \$411.00 for November</p>	V 542	<p>The representative payee for each client has opened separate bank accounts for each client.</p> <p>The facility has deposited into each separate bank account all money of each client, that was in the pooled account, into that client's separate bank account.</p> <p>The facility has adopted the attached Financial Management Policy and Procedure to comply with 10A NCAC 27D.0304 and with 10A NCAC 27F .0105 for the management of, accounting for, and protection of the personal funds of the clients.</p> <p>The facility will conduct training on the policy with the Financial Management Policy, ownership, board, and all persons assisting clients in the management of their personal funds. The facility will abide by the Financial Management Policy and Procedure in all instances in which the facility assists a client with the management of client personal funds.</p>	3/8/2022

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V 542	<p>Continued From page 4 2021.</p> <p>Interview on 2/3/22 client #2 stated: -She had lived at the facility 5-6 years. -She received \$76.00 monthly as personal money. -She had never received a quarterly accounting statement. -She kept and spent her money but did not retain all receipts.</p> <p>Finding #2 Review on 2/2/22 of client #1's record revealed: -52 year old male admitted 3/31/09. -Diagnoses of Intellectual Developmental Disability-Profound, High Cholesterol and Constipation. -No evidence of quarterly accounting of client #1's personal funds being provided to his guardian. -No evidence of receipts for withdrawals from client #1's personal funds</p> <p>Review on 2/2/22 - 2/3/22 of facility bank statements for 1/1/21 - 11/30/21 of a joint residential fund account where personal monies for client #1, client #2, client #1 and 2 clients from sister facility A were deposited monthly revealed: -Client #1 received deposits of personal stimulus funds in January 2021 for \$600.00 and April 2021 for \$1400.00 -Client #1 received social security deposits of \$794.00 monthly 2/1/21 - 11/30/21. -Client #1 received electronic benefits transfer funds monthly between 1/1/21 - 11/30/21 in the amount of \$454.00.</p> <p>Attempted interview on 2/2/22 with client #1 was unsuccessful as he is non-verbal.</p> <p>Finding #3</p>	V 542	<p>The facility has conducted a review and determined an accurate accounting of the amount of each client's funds in the pooled account.</p> <p>The representative payee for each client has opened separate bank accounts for each client.</p> <p>The facility has deposited into each separate bank account all money of each client, that was in the pooled account, into that client's separate bank account.</p> <p>The Representative Payee will complete the necessary paperwork with the Social Security Administration for the direct deposit for each client to be made directly into each client's separate account. Until the direct deposit has been changed by the SSA, all monies deposited into the pooled account will be deposited in full into each client's account and any disbursement, withdrawals or deductions will be made directly from the client's individual account and managed in accordance with the facility's Financial Management Policy.</p>	3/8/2022

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V 542	<p>Continued From page 5</p> <p>Review on 2/2/22 of client #3's record revealed: -59 year old female admitted 9/3/08. Diagnoses of Schizophrenia-Paranoid Type, Intellectual Developmental Disability-Mild, Nicotine Dependence, Gastroesophageal Reflux Disease, Diabetes Mellitus, Cholesterol Dysfunction, Benign chest Lumps in Lung Area and Anemia. -No evidence of quarterly accounting of client #3's personal funds being provided to her guardian. -No evidence of receipts for withdrawals from client #3's personal funds.</p> <p>Review on 2/2/22 - 2/3/22 of facility bank statements for 1/1/21 - 11/30/21 of a joint residential fund account where personal monies for client #3, client #1, client #2 and 2 clients from sister facility A were deposited monthly revealed: -Client #3 received deposits of personal stimulus funds in January 2021 for \$600.00 and April for \$1400.00. -Client #3 received social security deposits of \$794.00 monthly 2/1/21 - 11/30/21. -Client #3 received electronic benefits transfer funds monthly between 1/1/21 - 11/30/21 in the amount of \$454.00.</p> <p>Interview on 2/2/22 client #3 stated she received monthly spending money, she regularly shopped in the community and she kept her money.</p> <p>Interview on 2/3/22 client #2's guardian stated: -She had never received a quarterly accounting statement from the facility.</p> <p>Interview between 2/2/22 - 2/4/22 the Licensee stated: -Quarterly accounting statements were not provided to clients or guardians. -Clients had been responsible for maintaining</p>	V 542	<p>In order to address on-going financial literacy of members for their personal funds, the facility has developed a form that gives members a choice of authorizing the representative payee to provide financial management assistance of personal funds.</p> <p>Debra Barfield will monitor the situation on a monthly basis to ensure that it does not happen again. The Facility's Board's Financial Committee will provide ongoing oversight, as specified in the attached policy.</p>	3/8/2022

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V 542	Continued From page 6 their personal money and any receipts. -All of client #1, client #2, and client #3's personal funds were deposited into a joint residential fund account with 2 other clients from sister facility A.	V 542	V543 27F 0105 (d) Client Rights-Client's Personal Funds Based on record review and interviews, the facility failed to receive authorization by the client or legally responsible person before a deduction was made from client's personal fund account for any amount owed or alleged to be owed for damages done by the client for 1 of 3 clients (#2).	3/8/2022
V 543	27F .0105(d) Client Rights - Client's Personal Funds 10A NCAC 27F .0105 CLIENT'S PERSONAL FUNDS (d) Authorization by the client or legally responsible person is required before a deduction can be made from a personal fund account for any amount owed or alleged to be owed for damages done or alleged to have been done by the client: (1) to the facility; (2) an employee of the facility; (3) to a visitor of the facility; or (4) to another client of the facility. This Rule is not met as evidenced by: Based on record review and interviews, the facility failed to receive authorization by the client or legally responsible person before a deduction was made from client's personal fund account for any amount owed or alleged to be owed for damages done by the client for 1 of 3 clients (#2). The findings are: Finding #1 Review on 2/2/22 of client# 2's record revealed: -43 year old female admitted 11/21/17. -Diagnoses of Schizophrenia, Obsessive Compulsive Disorder, Diabetes-Type A, Intellectual Developmental Disability-Mild, Hypertension, Gastroesophageal Reflux Disease. -Client #2 had a legal guardian through a local	V 543	In order to alleviate or ameliorate this event from happening again. LBI will have current members and/or their guardians to sign a form which acknowledges that they understand and authorize the facility to deduct from member's personal funds any amount owed or alleged to be owed for damages done or alleged to have been done by the client: (1) to the facility. (2) an employee of the facility. (3) to a visitor of the facility. or (4) to another client of the facility. The facility will add this form to the intake packet for new members, as well.	

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V 543	<p>Continued From page 7</p> <p>advocacy agency.</p> <p>Review on 2/2/22 - 2/3/22 of facility bank statements for 1/1/21 - 11/30/21 of a joint residential fund account where personal monies for client #2, client #1, client #3 and 2 clients from sister facility A were deposited monthly revealed: -Client #2 received deposits of personal stimulus funds in January 2021 for \$600.00 and April 2021 for \$1400.00.</p> <p>Review on 2/2/22 - 2/3/22 of an invoice dated 6/10/21 revealed: -The invoice had the facility's address and was from a flooring company in a neighboring city. -"Description- Install roll goods (stock selection) cost \$866.50...Remove and dispose of existing carpet/padding cost \$118.00...prep floor and remove staples cost \$125.00, install thresholds for (2) doors cost \$25.00...Install primed quarter round- quantity 120.00-cost \$2.00, total \$240.00." -The total bill was \$1374.00.</p> <p>Interview on 2/3/22 client #2 stated: -The floors in the facility were cracked up ad the whole house needed floors replaced. -The floors had been replaced throughout the facility so it would "look nice." -Her money did not pay to replace the floors. -She would sometimes relieve herself in a trash can in her bedroom if someone else was in the bathroom, but she never relieved herself on the floor inside her closet.</p> <p>Interview on 2/3/22 client #2's guardian stated: -She had been client #2's guardian for about 2 years inconsistently. -She was aware of client #2's incontinence issue. -She had not been contacted by anyone from the facility to authorize the use of client #2's personal</p>	V 543		3/8/2022

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V 543	<p>Continued From page 8</p> <p>funds to pay for any damages at the facility caused by client #2.</p> <p>-She would have evaluated the situation and and approval for client personal funds to pay for damages caused by clients is considered on a case by case basis.</p> <p>-In some cases client personal funds had been used to pay for damages caused by them.</p> <p>Interview on 2/3/22 the Group Home Manager stated:</p> <p>-The carpet in client #2's closet had to be pulled up because client #2 had soiled it with urine and feces.</p> <p>-The carpet turned brown.</p> <p>-Plyboard had to be installed because the urine and feces caused a lingering smell.</p> <p>Interview on 2/2/22 - 2/3/22 the Licensee stated:</p> <p>-Client #2 had a legal guardian with a local advocacy agency.</p> <p>-Client #2 had received personal stimulus funds for \$1400.00 that was deposited into the joint residential fund account where all of client #2, client #1, client #3 and 2 clients from sister facility A personal funds are deposited.</p> <p>-Client #2 ruined her bedroom closet floor by continuously urinating on it resulting in the closet floor having to be replaced.</p> <p>-Client #2's \$1400.00 personal stimulus money was used to pay for the replacement of client #2's closet floor since client #2 caused the damage.</p> <p>-Client #2's inappropriate toileting behaviors had been discussed with client #2's care coordinator with the local managed care organization.</p> <p>-She had not discussed using client #2's personal funds to pay for damages that client #2 caused in her bedroom closet with client #2's guardian.</p> <p>-She had not received authorization from client #2's guardian to use client #2's personal funds to</p>	V 543		

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V 543	Continued From page 9 pay for the replacement of of the closet floor in client #2's bedroom.	V 543		



FINANCIAL MANAGEMENT POLICY AND PROCEDURE

POLICY

Each competent adult client and each minor above the age of 16 shall be assisted and encouraged to maintain or invest his money in a personal fund account other than at the facility. If the facility assists a client with financial management the service will be provided accurately and according to these procedures to ensure the proper use of the client's funds.

PROCEDURE

(a). Assistance with financial management is offered by this facility. Each client will have the choice to manage his or her own personal finances or to have the facility provide assistance, unless the client has a guardian who chooses to manage the finances, or is cognitively unable to manage his or her own finances. If the facility assists a client with financial management the service will be provided accurately and according to these policies and procedures to ensure the proper use of the client's funds.

(b). Each competent adult client and each minor above the age of 16 shall be assisted and encouraged to maintain or invest his money in a personal fund account other than at the facility. This shall include, but need not be limited to, investment of funds in interest bearing accounts.

(c). If funds are managed for a client by a facility employee, management of the funds shall occur in accordance with these policy and procedures:

(1). The client shall be assured that the client, or representative payee has the right to deposit and withdraw money.

The facility will provide the client with a written notice that the client, or representative payee has the right to deposit and withdraw money.

(2). The facility will regulate the receipt and distribution of funds in a personal fund account.

The facility will deposit personal funds for the sole use of the client, and such funds will not be commingled with the funds of the facility or use for any purpose other than for the benefit of the client.

The facility will obtain a written receipt from the client for cash disbursement at the time of disbursement. The client will be required to initial or sign a completed receipt including the name of the client, the amount of the disbursement and the date of the disbursement.

The facility will keep a record of financial transactions with the client including the dates, amounts of deposits, amounts of withdrawals and the current balance. This includes deposits and withdrawals of any amount and purchases made by the provider on behalf of the client. Receipts will be kept for the purchases.

The facility will give the client and designated person an itemized account of financial transactions made on the client's behalf on a quarterly basis and a copy of which will be kept in the client's record.

The facility will disburse the funds within 24 hours of the client request, during normal business hours.



The facility will provide the client the opportunity to review his or her financial record upon request during normal business hours.

- (3). The facility will provide for the receipt of deposits made by friends, relatives or others.

The facility will receive funds, deposit funds, notify the client of the transaction, and disburse as requested by the client, all deposits made by friends, relatives or others.

- (4). The facility will provide for the keeping of adequate financial records on all transactions affecting funds on deposit in personal fund account.

The facility will keep a record of financial transactions with the client including the dates, amounts of deposits, amounts of withdrawals and the current balance. This includes deposits and withdrawals of any amount and purchases made by the provider on behalf of the client. Receipts must be kept for the purchases. The client will be required to sign a receipt for all cash disbursements to the client.

The facility will insure that at least annually, the personal fund account will be subject to review by the Finance Committee which will meet every 6 months and provide supporting financial documentation to the Quality Improvement Committee. The facilities' board of directors will review financial documentation for accuracy annually.

- (5). The facility will keep a client's personal funds separate from any operating funds of the facility.

The facility will use the client's funds only for the client's benefit.

The facility will keep client funds separate from any operating funds of the facility.

- (6). The facility will provide for the deduction from a personal fund account payment for treatment or habilitation services when authorized by the client or legally responsible person upon or subsequent to admission of the client.

With written authorization, the facility will deduct from a personal fund account payment for treatment or habilitation services when authorized by the client or legally responsible person upon or subsequent to admission of the client.

- (7). The facility will provide for the issuance of receipts to persons depositing or withdrawing funds.

The facility will issue and require issuance of receipts to and from all persons depositing or withdrawing funds.

- (8). The facility will provide the client with a quarterly accounting of his personal fund account.

The facility will give the client and designated person an itemized account of financial transactions made on the client's behalf on a quarterly basis, a copy of which will be kept in the client's record.

- (d). The facility will obtain written authorization from the client or legally responsible person before a deduction will be made from a personal fund account for any amount owed or alleged to be owed for damages done or alleged to have been done by the client: (1) to the facility. (2) an employee of the facility. (3) to a visitor of the facility. or (4) to another client of the facility.