

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL032-611	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 03/30/2022
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NAME OF PROVIDER OR SUPPLIER ABSOLUTE HOME-ROXBORO STREET	STREET ADDRESS, CITY, STATE, ZIP CODE 2826 SOUTH ROXBORO STREET DURHAM, NC 27707
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V 000	<p>INITIAL COMMENTS</p> <p>An annual and follow-up survey was completed on March 30, 2022. Deficiencies cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G. 5600A Supervised Living for Adults with Mental Illness</p> <p>The survey sample consisted of audits of 3 current clients.</p>	V 000		
V 114	<p>27G .0207 Emergency Plans and Supplies</p> <p>10A NCAC 27G .0207 EMERGENCY PLANS AND SUPPLIES</p> <p>(a) A written fire plan for each facility and area-wide disaster plan shall be developed and shall be approved by the appropriate local authority.</p> <p>(b) The plan shall be made available to all staff and evacuation procedures and routes shall be posted in the facility.</p> <p>(c) Fire and disaster drills in a 24-hour facility shall be held at least quarterly and shall be repeated for each shift. Drills shall be conducted under conditions that simulate fire emergencies.</p> <p>(d) Each facility shall have basic first aid supplies accessible for use.</p> <p>This Rule is not met as evidenced by: Based on record review and interviews the facility failed to conduct fire and disaster drills on each shift at least quarterly. The findings are:</p> <p>Review on 3/29/22 of the facility's fire and disaster drills record revealed: -There were no fire drills conducted on 3rd shift</p>	V 114		

Division of Health Service Regulation LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
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V 114	<p>Continued From page 1</p> <p>from September 2021 - March 2022.</p> <p>-There were no disaster drills conducted on 3rd shift from September 2021 - March 2022.</p> <p>Interview on 3/29/22 with Staff #1 revealed:</p> <p>-She was the live-in staff.</p> <p>-She only conducted fire and disaster drills on 1st and 2nd shift.</p> <p>-Confirmed she did not conduct fire and disaster drills on 3rd shift.</p> <p>Interview on 3/30/22 with the Qualified Professional revealed:</p> <p>-Confirmed staff #1 did not conduct fire and disaster drills on 3rd shift since September 2021.</p> <p>-Confirmed staff #1 was aware that fire and disaster drills had to be conducted on each shift at least quarterly.</p>	V 114		
V 118	<p>27G .0209 (C) Medication Requirements</p> <p>10A NCAC 27G .0209 MEDICATION REQUIREMENTS</p> <p>(c) Medication administration:</p> <p>(1) Prescription or non-prescription drugs shall only be administered to a client on the written order of a person authorized by law to prescribe drugs.</p> <p>(2) Medications shall be self-administered by clients only when authorized in writing by the client's physician.</p> <p>(3) Medications, including injections, shall be administered only by licensed persons, or by unlicensed persons trained by a registered nurse, pharmacist or other legally qualified person and privileged to prepare and administer medications.</p> <p>(4) A Medication Administration Record (MAR) of all drugs administered to each client must be kept current. Medications administered shall be</p>	V 118		

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V 118	<p>Continued From page 2</p> <p>recorded immediately after administration. The MAR is to include the following:</p> <p>(A) client's name;</p> <p>(B) name, strength, and quantity of the drug;</p> <p>(C) instructions for administering the drug;</p> <p>(D) date and time the drug is administered; and</p> <p>(E) name or initials of person administering the drug.</p> <p>(5) Client requests for medication changes or checks shall be recorded and kept with the MAR file followed up by appointment or consultation with a physician.</p> <p>This Rule is not met as evidenced by: Based on record review and interviews the facility failed to have physician orders to administer medications affecting one of three audited clients (#3). The findings are:</p> <p>Review on 3/29/22 of Client #3 record revealed:</p> <ul style="list-style-type: none"> - Admission date of 5/13/21. - Diagnosis of Schizoaffective Disorder, Bipolar Type, Major Depressive Disorder, Single Episode and Diabetic. - Physician order dated 6/9/21 revealed: <ul style="list-style-type: none"> -True Metrix Test Strips - Test 3 times per week on Monday, Wednesday and Friday. <p>Review on 3/29/22 of Client #3's Medication Administration Record from January-March 2022 revealed:</p> <ul style="list-style-type: none"> -Staff initialed blood sugar checks 3x/week on Monday, Wednesday and Friday. 	V 118		

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V 118	<p>Continued From page 3</p> <p>Observation on 3/29/22 at 9:30 a.m. of Client #3's medication revealed the following available: -True Metrix Test Strips. -Glucose Monitoring Kit.</p> <p>Interview on 3/29/22 with Staff #1 revealed: -Client #3 administered his own blood sugar checks three times a week. -Client #3 administered blood sugar checks and she recorded numbers on document.</p> <p>Interview on 3/30/22 with the Qualified Professional revealed: -She reported client #3 self-administered blood sugar checks. -She thought client #3 had a self-administered order. -Confirmed the self-administered order was not in client #3's record. -Client #3 had a doctor's appointment next week and would request a self-administered order.</p>	V 118		
V 131	<p>G.S. 131E-256 (D2) HCPR - Prior Employment Verification</p> <p>G.S. §131E-256 HEALTH CARE PERSONNEL REGISTRY (d2) Before hiring health care personnel into a health care facility or service, every employer at a health care facility shall access the Health Care Personnel Registry and shall note each incident of access in the appropriate business files.</p>	V 131		

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V 131	<p>Continued From page 4</p> <p>This Rule is not met as evidenced by: Based on record review and interview the facility failed to access the Health Care Personnel Registry (HCPR) prior to employment for one of two audited staff (#1). The findings are:</p> <p>Review on 3/30/22 of Staff #1's personnel record revealed: -Hired date: 9/15/21. -Live-In Paraprofessional. -HCPR check was accessed 9/27/21. -There was no evidence the HCPR check was accessed prior to employment.</p> <p>Interview on 3/30/22 with the Qualified Professional revealed: -The administrator was responsible for accessing HCPR for staff #1 prior to employment. -Confirmed staff #1's HCPR was not accessed prior to employment.</p>	V 131		
V 133	<p>G.S. 122C-80 Criminal History Record Check</p> <p>G.S. §122C-80 CRIMINAL HISTORY RECORD CHECK REQUIRED FOR CERTAIN APPLICANTS FOR EMPLOYMENT.</p> <p>(a) Definition. - As used in this section, the term "provider" applies to an area authority/county program and any provider of mental health, developmental disability, and substance abuse services that is licensable under Article 2 of this Chapter.</p> <p>(b) Requirement. - An offer of employment by a provider licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a State and national criminal history record check of the applicant. If the applicant has been a resident of this State for</p>	V 133		

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V 133	Continued From page 5 less than five years, then the offer of employment is conditioned on consent to a State and national criminal history record check of the applicant. The national criminal history record check shall include a check of the applicant's fingerprints. If the applicant has been a resident of this State for five years or more, then the offer is conditioned on consent to a State criminal history record check of the applicant. A provider shall not employ an applicant who refuses to consent to a criminal history record check required by this section. Except as otherwise provided in this subsection, within five business days of making the conditional offer of employment, a provider shall submit a request to the Department of Justice under G.S. 114-19.10 to conduct a criminal history record check required by this section or shall submit a request to a private entity to conduct a State criminal history record check required by this section. Notwithstanding G.S. 114-19.10, the Department of Justice shall return the results of national criminal history record checks for employment positions not covered by Public Law 105-277 to the Department of Health and Human Services, Criminal Records Check Unit. Within five business days of receipt of the national criminal history of the person, the Department of Health and Human Services, Criminal Records Check Unit, shall notify the provider as to whether the information received may affect the employability of the applicant. In no case shall the results of the national criminal history record check be shared with the provider. Providers shall make available upon request verification that a criminal history check has been completed on any staff covered by this section. A county that has adopted an appropriate local ordinance and has access to the Division of Criminal Information data bank	V 133		

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V 133	<p>Continued From page 6</p> <p>may conduct on behalf of a provider a State criminal history record check required by this section without the provider having to submit a request to the Department of Justice. In such a case, the county shall commence with the State criminal history record check required by this section within five business days of the conditional offer of employment by the provider. All criminal history information received by the provider is confidential and may not be disclosed, except to the applicant as provided in subsection (c) of this section. For purposes of this subsection, the term "private entity" means a business regularly engaged in conducting criminal history record checks utilizing public records obtained from a State agency.</p> <p>(c) Action. - If an applicant's criminal history record check reveals one or more convictions of a relevant offense, the provider shall consider all of the following factors in determining whether to hire the applicant:</p> <ol style="list-style-type: none"> (1) The level and seriousness of the crime. (2) The date of the crime. (3) The age of the person at the time of the conviction. (4) The circumstances surrounding the commission of the crime, if known. (5) The nexus between the criminal conduct of the person and the job duties of the position to be filled. (6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed. (7) The subsequent commission by the person of a relevant offense. <p>The fact of conviction of a relevant offense alone shall not be a bar to employment; however, the listed factors shall be considered by the provider. If the provider disqualifies an applicant after</p>	V 133		

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V 133	<p>Continued From page 7</p> <p>consideration of the relevant factors, then the provider may disclose information contained in the criminal history record check that is relevant to the disqualification, but may not provide a copy of the criminal history record check to the applicant.</p> <p>(d) Limited Immunity. - A provider and an officer or employee of a provider that, in good faith, complies with this section shall be immune from civil liability for:</p> <p>(1) The failure of the provider to employ an individual on the basis of information provided in the criminal history record check of the individual.</p> <p>(2) Failure to check an employee's history of criminal offenses if the employee's criminal history record check is requested and received in compliance with this section.</p> <p>(e) Relevant Offense. - As used in this section, "relevant offense" means a county, state, or federal criminal history of conviction or pending indictment of a crime, whether a misdemeanor or felony, that bears upon an individual's fitness to have responsibility for the safety and well-being of persons needing mental health, developmental disabilities, or substance abuse services. These crimes include the criminal offenses set forth in any of the following Articles of Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing Monetary Substitutes; Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7A, Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretenses and Cheats; Article 19A,</p>	V 133		

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V 133	<p>Continued From page 8</p> <p>Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 19B, Financial Transaction Card Crime Act; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; Article 40, Protection of the Family; Article 59, Public Intoxication; and Article 60, Computer-Related Crime. These crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5.</p> <p>(f) Penalty for Furnishing False Information. - Any applicant for employment who willfully furnishes, supplies, or otherwise gives false information on an employment application that is the basis for a criminal history record check under this section shall be guilty of a Class A1 misdemeanor.</p> <p>(g) Conditional Employment. - A provider may employ an applicant conditionally prior to obtaining the results of a criminal history record check regarding the applicant if both of the following requirements are met:</p> <p>(1) The provider shall not employ an applicant prior to obtaining the applicant's consent for criminal history record check as required in subsection (b) of this section or the completed fingerprint cards as required in G.S. 114-19.10.</p> <p>(2) The provider shall submit the request for a criminal history record check not later than five</p>	V 133		

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V 133	<p>Continued From page 9</p> <p>business days after the individual begins conditional employment. (2000-154, s. 4; 2001-155, s. 1; 2004-124, ss. 10.19D(c), (h); 2005-4, ss. 1, 2, 3, 4, 5(a); 2007-444, s. 3.)</p> <p>This Rule is not met as evidenced by: Based on record review and interview, the facility failed to ensure the state criminal record check was ordered within five business days of making the conditional offer of employment for one of two audited staff (#1). The findings are:</p> <p>Review on 3/30/22 of Staff #1's personnel record revealed: -Hired date: 9/15/21. -Live-In Paraprofessional. -The criminal record check was ordered 11/3/21.</p> <p>Interview on 3/30/22 with the Qualified Professional revealed: -The Administrator was responsible to ensure the State criminal record check was ordered within five business days of making the conditional offer of employment. -Confirmed staff #1's criminal record check was ordered after the conditional offer of employment.</p>	V 133		
V 736	<p>27G .0303(c) Facility and Grounds Maintenance</p> <p>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</p>	V 736		

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V 736	<p>Continued From page 10</p> <p>odor.</p> <p>This Rule is not met as evidenced by: Based on observation and interview, the facility failed to ensure the facility grounds were maintained in a safe, clean and attractive manner. The findings are:</p> <p>Observation on 3/29/22 at 11:30 a.m. revealed: -Client #3's bedroom had a large hole in the wall. -Client #3's bed frame was broken and off track. -Client #3's mattress was leaning on one side and deflated. -Bedroom in the back to the right dresser draw was broken.</p> <p>Interview on 3/30/22 with the Qualified Professional revealed: -She confirmed the identified issues. -She would discuss with the Administrator to get the wall fixed and purchase new furniture.</p> <p>This deficiency constitutes a re-cited deficiency and must be corrected within 30 days.</p>	V 736		
V 752	<p>27G .0304(b)(4) Hot Water Temperatures</p> <p>10A NCAC 27G .0304 FACILITY DESIGN AND EQUIPMENT</p> <p>(b) Safety: Each facility shall be designed, constructed and equipped in a manner that ensures the physical safety of clients, staff and visitors.</p> <p>(4) In areas of the facility where clients are exposed to hot water, the temperature of the</p>	V 752		

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V 752	<p>Continued From page 11</p> <p>water shall be maintained between 100-116 degrees Fahrenheit.</p> <p>This Rule is not met as evidenced by: Based on observation and interviews the facility failed to ensure the water temperatures were maintained between 100-116 degrees Fahrenheit. The findings are:</p> <p>Observation on 3/29/22 between 11:45am and 11:50am revealed: -Kitchen -129 degrees Fahrenheit -Two bathrooms - 125 degrees Fahrenheit -Water tank did not allow ability to adjust water temperature. -Bathroom sink had one faucet handle and the showers had one knob to adjust water temperature left to right.</p> <p>Interview on 3/29/22 with Client #1, #2, #4, #5, #6 revealed: -There had no complaints about the hot water being too hot. -They liked the water hot because it was cold outside. -No client needed assistance adjusting water temperature. -They completed hygiene without staff assistance. -Denied getting burned by the hot water.</p> <p>Client #3 was unavailable during the water temperature check.</p> <p>Interview on 3/29/22 with Staff #1 revealed: -She was the live-in staff. -No client reported problems with the hot water from the bathroom sink or shower. -Client's also used the kitchen water during meal</p>	V 752		

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V 752	<p>Continued From page 12</p> <p>preparation.</p> <p>-She reported clients that prepared meals did not report problems with the hot water.</p> <p>-She had no issue with the hot water in the kitchen or bathrooms.</p> <p>Interview on 3/30/22 with the Qualified Professional revealed:</p> <p>-Staff #1 would regularly check water temperature weekly.</p> <p>-If the water temperature is high the Provider would get a professional to look at the water tank.</p>	V 752		