

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL084-064</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>04/27/2022</b>
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NAME OF PROVIDER OR SUPPLIER  <b>STARR APARTMENTS A B C D</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>501 HEATHWOOD DRIVE #2 ALBEMARLE, NC 28001</b>
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V 000	<p><b>INITIAL COMMENTS</b></p> <p>An annual survey was completed on April 27, 2022. Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5600C Supervised Living for Adults with Developmental Disability.</p> <p>This facility is licensed for 4 and currently has a census of 4. The survey sample consisted of audits of 3 current clients.</p>	V 000		
V 289	<p>27G .5601 Supervised Living - Scope</p> <p>10A NCAC 27G .5601 SCOPE</p> <p>(a) Supervised living is a 24-hour facility which provides residential services to individuals in a home environment where the primary purpose of these services is the care, habilitation or rehabilitation of individuals who have a mental illness, a developmental disability or disabilities, or a substance abuse disorder, and who require supervision when in the residence.</p> <p>(b) A supervised living facility shall be licensed if the facility serves either:</p> <p>(1) one or more minor clients; or</p> <p>(2) two or more adult clients.</p> <p>Minor and adult clients shall not reside in the same facility.</p> <p>(c) Each supervised living facility shall be licensed to serve a specific population as designated below:</p> <p>(1) "A" designation means a facility which serves adults whose primary diagnosis is mental illness but may also have other diagnoses;</p> <p>(2) "B" designation means a facility which serves minors whose primary diagnosis is a developmental disability but may also have other diagnoses;</p> <p>(3) "C" designation means a facility which</p>	V 289	<p>A waiver has been submitted as of 4/29/2022 for Partners to review/approve the 3<sup>rd</sup> shift plan at Starr Apartments. All four individuals living at STARR Apartments, their Manage Care Organization is Partners. Partners will provide feedback on the waiver request and then it will go to DHSR for review. Currently pending the outcome of the submitted waiver, staffing has been present as of 4/27/2022 in the home on 3<sup>rd</sup> shift. The Residential Manager and/or Human Resources will ensure there is staff at STARR Apartments on 3<sup>rd</sup> shift until further notice. The Chief Regulatory Officer will monitor STARR's staff schedule to ensure compliance with staff working 3<sup>rd</sup> shift. This will be ongoing until outcome from the submitted waiver.</p> <p style="text-align: right;"><i>6-26-22</i></p>	

Division of Health Service Regulation  
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

*[Signature]* TITLE

REGULATORY OFFICER (X6) DATE

5/4/2022

STATE FORM 6899 7IAF11 If continuation sheet 1 of 5

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V 289	<p>Continued From page 1</p> <p>serves adults whose primary diagnosis is a developmental disability but may also have other diagnoses;</p> <p>(4) "D" designation means a facility which serves minors whose primary diagnosis is substance abuse dependency but may also have other diagnoses;</p> <p>(5) "E" designation means a facility which serves adults whose primary diagnosis is substance abuse dependency but may also have other diagnoses; or</p> <p>(6) "F" designation means a facility in a private residence, which serves no more than three adult clients whose primary diagnoses is mental illness but may also have other disabilities, or three adult clients or three minor clients whose primary diagnoses is developmental disabilities but may also have other disabilities who live with a family and the family provides the service. This facility shall be exempt from the following rules: 10A NCAC 27G .0201 (a)(1),(2),(3),(4),(5)(A)&amp;(B); (6); (7) (A),(B),(E),(F),(G),(H); (8); (11); (13); (15); (16); (18) and (b); 10A NCAC 27G .0202(a),(d),(g)(1) (i); 10A NCAC 27G .0203; 10A NCAC 27G .0205 (a),(b); 10A NCAC 27G .0207 (b),(c); 10A NCAC 27G .0208 (b),(e); 10A NCAC 27G .0209[(c)(1) - non-prescription medications only] (d)(2),(4); (e) (1)(A),(D),(E),(f);(g); and 10A NCAC 27G .0304 (b)(2),(d)(4). This facility shall also be known as alternative family living or assisted family living (AFL).</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews the facility failed to operate within the scope of the</p>	V 289		
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V 289	<p>Continued From page 2</p> <p>program affecting three of three audited clients (#1, #2 and #3). The findings are:</p> <p>Review on 4/26/22 of the facility license revealed the facility is licensed as a 5600C Supervised Living Facility. Review of the Rules for Mental Health Developmental Disabilities and Substance Abuse Facilities and Services revealed Supervised living is a 24-hour facility which provides residential services to individuals in a home environment where the primary purpose of these services is the care, habilitation or rehabilitation of individuals who have a mental illness, a developmental disability or disabilities, or a substance abuse disorder, and who require supervision when in the residence.</p> <p>a. Review on 4/26/22 of client #1's record revealed: -Admission date of 6/24/93. -Diagnoses of Autistic Disorder, Borderline Intellectual Functioning, Hyperlipidemia, Myopia and Urinary Incontinence.</p> <p>b. Review on 4/26/22 of client #2's record revealed: -Admission date of 12/26/95. -Diagnoses of Autistic Disorder, Schizoaffective Disorder, Generalized Anxiety Disorder, Intellectual Disabilities-Unspecified, Thyroid Disorder and Allergic Rhinitis.</p> <p>c. Review on 4/26/22 of client #3's record revealed: -Admission date of 3/15/97. -Diagnoses of Autistic Disorder, Anxiety Disorder, Mild Intermittent Asthma, Menstrual Migraines and Gastroesophageal Reflux Disease.</p> <p>Interview on 4/26/22 with client #1 revealed:</p>	V 289		

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V 289	<p>Continued From page 3</p> <ul style="list-style-type: none"> <li>-She thought she had been living at home for about 20 years.</li> <li>-Staff normally leave the facility around 8:00 pm at night. They are in the apartments without staff until the next morning.</li> <li>-She wasn't sure how long staff had been leaving them unsupervised at night.</li> </ul> <p>Interview on 4/26/22 with client #2 revealed:</p> <ul style="list-style-type: none"> <li>-He lived at the home for many years.</li> <li>-Staff normally left the facility around 8:00 pm at night. There is no staff until the next morning after 6:00 am.</li> <li>-He wasn't sure how long staff had been leaving them unsupervised at night.</li> </ul> <p>Interview on 4/26/22 with client #3 revealed:</p> <ul style="list-style-type: none"> <li>-She thought she had been living here for over 20 years.</li> <li>-Staff normally leave the home around 8:15 pm or 8:30 pm at night. When staff leave the facility , they are at the group home alone with no staff supervision. Staff had been doing this for years.</li> </ul> <p>Interviews on 4/26/22 and 4/27/22 with staff #1 revealed:</p> <ul style="list-style-type: none"> <li>-He was employed with agency for 25 years. He had been at that facility for 15 years.</li> <li>-The clients were unsupervised without staff at the apartments from 8 pm to 8:00 am. There is no 3rd shift staff for this home.</li> <li>-The clients had been living at facility together for several years.</li> <li>-The clients had been unsupervised during sleeping hours ever since he had been working at this facility.</li> <li>-He felt like the clients were allowed to be alone during sleeping hours because they were working towards their independence.</li> <li>-Some of the clients had a desire to live in the</li> </ul>	V 289		

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V 289	<p>Continued From page 4</p> <p>community on their own some day without any staff supervision.</p> <p>Interview on 4/26/22 with staff #2 revealed: -She was employed with the agency for about 7 years. She worked 2:00 pm to 8:00 PM -She normally left a few minutes after 8:00 pm because she wants to ensure there are no issues. -There is no 3rd shift staff working in this facility. This facility had operated that way since she had been working.</p> <p>Interview on 4/27/22 with staff #3 revealed: -She was employed with the agency for over 25 years. She had been working at this facility for about 2 years. Since she had been with the agency there were no staff working during 3rd shift at that facility. -She thought the facility had no 3rd shift due to clients working towards their independence.</p> <p>Interviews on 4/26/22 and 4/27/22 with the Chief Regulatory Officer revealed: -All of the clients had unsupervised time at the home during 3rd shift. The unsupervised time was assessed thru a risk assessment in their plans. -When she started with the agency in 2014 the clients had unsupervised during 3rd shift. -She was told the facility was licensed in 1994 with the understanding there would be no third shift staff. -The facility never had 3rd shift staff since it was licensed. -She really couldn't give an answer as to why there was never 3rd shift staff. When she started at the agency it was set up that way.</p>	V 289		