

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL055-120	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 06/27/2022
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NAME OF PROVIDER OR SUPPLIER SUPPORT DAY TREATMENT	STREET ADDRESS, CITY, STATE, ZIP CODE 126 PERFORMANCE DRIVE LINCOLNTON, NC 28092
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on June 27, 2022. The complaints were substantiated (intake #NC00189676 and #NC00189679). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G.1400 Day Treatment for Children and Adolescents with Emotional or Behavioral Disturbances.</p> <p>This facility has a current census of 28. The survey sample consisted of audits of 1 current client.</p>	V 000		
V 107	<p>27G .0202 (A-E) Personnel Requirements</p> <p>10A NCAC 27G .0202 PERSONNEL REQUIREMENTS</p> <p>(a) All facilities shall have a written job description for the director and each staff position which:</p> <ul style="list-style-type: none"> (1) specifies the minimum level of education, competency, work experience and other qualifications for the position; (2) specifies the duties and responsibilities of the position; (3) is signed by the staff member and the supervisor; and (4) is retained in the staff member's file. <p>(b) All facilities shall ensure that the director, each staff member or any other person who provides care or services to clients on behalf of the facility:</p> <ul style="list-style-type: none"> (1) is at least 18 years of age; (2) is able to read, write, understand and follow directions; (3) meets the minimum level of education, competency, work experience, skills and other qualifications for the position; and 	V 107		

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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE _____ TITLE _____ (X6) DATE _____

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V 107	<p>Continued From page 1</p> <p>(4) has no substantiated findings of abuse or neglect listed on the North Carolina Health Care Personnel Registry.</p> <p>(c) All facilities or services shall require that all applicants for employment disclose any criminal conviction. The impact of this information on a decision regarding employment shall be based upon the offense in relationship to the job for which the applicant is applying.</p> <p>(d) Staff of a facility or a service shall be currently licensed, registered or certified in accordance with applicable state laws for the services provided.</p> <p>(e) A file shall be maintained for each individual employed indicating the training, experience and other qualifications for the position, including verification of licensure, registration or certification.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure staff met the minimum level of education and other qualifications for the position affecting 3 of 3 audited paraprofessionals (Staff #1, Staff #2 and Staff #3). The findings are:</p> <p>Review on 6/10/22 of Staff #1's record revealed: -Date of Hire: 5/10/21. -Position: Day Treatment Transportation Specialist. -A job offer letter dated 5/10/21 required a copy of a valid driver's licence and a copy of the highest</p>	V 107		

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V 107	<p>Continued From page 2</p> <p>educational diploma and transcripts. -A copy of the front portion of the driver's showed there were restrictions. -There was no copy of the back portion of the license to indicate the specific details of the restriction. -No education credentials were on file.</p> <p>Review on 6/10/22 of Staff #2's record revealed: -Date of Hire: 3/19/21. -Position: Day Treatment Transportation Specialist. -A job offer letter dated 3/19/21 required a copy of the highest educational diploma and transcripts. -No education credentials were on file.</p> <p>Review on 6/10/22 of Staff #3's record revealed: -Date of Hire: 3/19/21. -Position: Day Treatment Transportation Specialist. -A job offer letter dated 3/19/21 required a copy of the highest educational diploma and transcripts. -No education credentials were on file.</p> <p>Interview on 6/14/22 with the Day Treatment Supervisor revealed: -The Human Resource (HR)/Finance Director was responsible for employee records.</p> <p>Interview on 6/15/22 with the HR/Finance Director revealed: -She was responsible for ensuring that credentials were turned in. -Staff #1, #2 and #3 had been out of high school for 50 years. -She would get a copy of the front and back of each driver's license from now on.</p>	V 107		

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V 108 V 108	Continued From page 3 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 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:	V 108 V 108		

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V 108	<p>Continued From page 4</p> <p>Based on record review and interviews, the facility failed to ensure training in Cardiopulmonary Resuscitation (CPR) and First Aid for 1 of 3 audited staff (Staff #1). The findings are:</p> <p>Review on 6/10/22 of Staff #1's record revealed: -Date of Hire: 5/10/21. -Position: Day Treatment Transportation Specialist. -No documentation of current certification in CPR/First Aid.</p> <p>Interview on 6/10/22 with Staff #1 revealed: -He did not receive CPR/First Aid training since being hired at the facility.</p> <p>Interview on 6/14/22 with the Day Treatment Supervisor revealed: -The Quality Management (QM) and Training Director was responsible for ensuring training was completed for staff.</p> <p>Interview on 6/15/22 with the QM and Training Director revealed: -She was responsible for training staff. -A CPR class was held in May 2021. -Staff #1 did not make it to the class. -It was an oversight on her part that he did not complete the training.</p>	V 108		
V 110	<p>27G .0204 Training/Supervision Paraprofessionals</p> <p>10A NCAC 27G .0204 COMPETENCIES AND SUPERVISION OF PARAPROFESSIONALS (a) There shall be no privileging requirements for paraprofessionals. (b) Paraprofessionals shall be supervised by an</p>	V 110		

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V 110	<p>Continued From page 5</p> <p>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"> (1) technical knowledge; (2) cultural awareness; (3) analytical skills; (4) decision-making; (5) interpersonal skills; (6) communication skills; and (7) clinical skills. <p>(f) The governing body for each facility shall develop and implement policies and procedures for the initiation of the individualized supervision plan upon hiring each paraprofessional.</p> <p> </p> <p>This Rule is not met as evidenced by: Based on record reviews, observation, and interviews the facility failed to ensure 1 of 3 audited paraprofessionals (Staff #1) demonstrated knowledge, skills and abilities required by the population served. The findings are:</p> <p> </p> <p>Review on 6/10/22 of Staff #1's record revealed: -Date of Hire: 5/10/21.</p>	V 110		

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V 110	<p>Continued From page 6</p> <p>-Position: Day Treatment Transportation Specialist.</p> <p>-A restricted driver's license issued 12/8/20 required the use of corrective lenses.</p> <p>Review on 6/9/22 of Client #29's record revealed:</p> <p>-Date of Admission: 5/11/22.</p> <p>-Age: 9.</p> <p>-Diagnoses: Intermittent Explosive Disorder; Oppositional Defiant Disorder; Other Specified Problems Related to Upbringing.</p> <p>Review on 6/7/22 of a North Carolina Incident Response Improvement System (IRIS) report dated 5/31/22 revealed:</p> <p>-Client #29 was hospitalized after being hit by the facility van being driven by Staff #1.</p> <p>Review on 6/7/22 of a Department of Motor Vehicles (DMV) Crash Report form dated 5/31/22 revealed:</p> <p>-There were 4 children in the van at the time of the accident.</p> <p>-"Driver (Staff #1) ...dropped off pedestrian (Client #29) ...leading into an apartment complex. Pedestrian (Client #29) ...got out of the vehicle and crossed over in front of the van attempting to go home. Some witnesses that were in the van stated that pedestrian (Client #29) ...crossed over in front of the van to cross the street. It is unclear if pedestrian (Client #29) was ran over twice. Statements collected from witnesses remember feeling a 'speed bump' and screaming ..."</p> <p>Review on 6/15/22 of an Accident Report Driver Statement dated 5/31/22 revealed:</p> <p>-Staff #1 "jumped out to find [Client #29] on the ground bleeding, called EMS (Emergency Medical Services) and police."</p> <p>-It was signed by Staff #1 and an Investigating</p>	V 110		

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V 110	<p>Continued From page 7</p> <p>Officer.</p> <p>Review on 6/24/22 of an email to Division of Health Service Regulation (DHSR) Surveyor from the local county EMS dated 6/24/22 revealed: -There was only one 911 call received about the van incident on 5/31/22.</p> <p>Review on 6/24/22 of a 911 Audio Recording revealed: -A caller reporting that her son got hit by a van. -The caller identified herself as Client #29's Mother.</p> <p>Review on 6/24/22 of the local 911 Computer Aided Dispatch (CAD) report dated 5/31/22 revealed: -A call was received at 3:53 pm. -The 911 caller was Client #29's Mother. -At 3:56 pm there was confirmation that a vehicle had rolled over a child.</p> <p>Review on 6/17/22 of the EMS report for Client #29 dated 5/31/22 revealed: -"Description: emergent to a traumatic injury call ...arrived on scene to find the patient ...on a backboard with a c-collar (cervical collar/neck brace) on his neck ..." -"Chief Complaint ...'neck hurts' 'cant breath' ..." -" ...while enroute to the call ...helicopter was put on auto launch to our scene ...it is noted that the chest/abdomen knees have multiple abrasions/scrapes with controlled bleeding ...it is noted that there is a bloody spot on the back of his head ...matted in his hair ...and his back has scrapes and abrasions ...bleeding also minor and inactive ...breath sounds showed ...very short bursts of air ...pain noted around the upper chest ...O2 (oxygen) is attached by NC (nasal cannula) due to initial low SpO2 (peripheral capillary</p>	V 110		

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V 110	<p>Continued From page 8</p> <p>oxygen saturation) reading ...he is taken to [a local hospital] where we are to meet the helicopter ...he is taken to ...the ED (emergency department) for continued care until helicopter arrival ..."</p> <p>"Impression: Traumatic Injury - Significant ..."</p> <p>Review on 6/21/22 of the local hospital ED report for Client #29 dated 5/31/22 revealed: -"Patient transfer to another acute care facility ...Reason for Transfer ...Medically Indicated ...Service Not Available ...Pediatric - Trauma Service ...Risks: ...anxiety, worsening condition, death ...Mode of Transportation ...Helicopter ...Support/Treatment during transfer ...Oxygen at 4 liters/minute with pulse oximetry ..."</p> <p>" ...Patient will disposition by air to [hospital name] Children's Emergency Department for critical emergency care and evaluation by Trauma surgery. This is emergently medically indicated transport by air for his condition and injury pattern ..."</p> <p>Review on 6/22/22 of the Children's Hospital records for Client #29 dated 5/31/22 - 6/6/22 revealed: -" ...concern for pneumothorax (collapsed lung) given subcutaneous air on chest x-ray. Patient was placed on nonrebreather (oxygen mask) prior to arrival ...patient went for CT (computed tomography scan) ...given significant mechanism and diffuse external signs of trauma ...CT with significant injuries of thoracic and lumbar spine fractures. Patient kept with strict spinal precautions ...CT chest with bilateral pneumothoraxes, pulmonary contusions, likely lung laceration ...closed fracture of two ribs on right side ...admitted to trauma surgery service ...multiple thoracic (middle back) and lumbar (lower back) fractures ...sternal</p>	V 110		

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V 110	<p>Continued From page 9</p> <p>(sternum/breastbone) fracture ...right patella (knee) fracture ..."</p> <p>-He was initially admitted to trauma, but on day 2 of hospitalization he developed acute respiratory distress requiring "escalation of respiratory therapy ...prompting PICU (pediatric intensive care unit) admission ...CXR (chest x-ray) ...showed low lung volumes ...slightly worse than prior, raising concern ...active problems Acute Hypoxemic Respiratory Failure (severely low oxygen level in the blood) ..."</p> <p>-" ...new onset bradycardia (slow heart rate (HR)) ...HR ...dropped to low 48 prompting (cardiologist/heart doctor) consult ..."</p> <p>-" ...patient remains at high risk of decompensation ...ongoing high acuity needs and ongoing organ dysfunction ...This patient suffers from a condition which does or has a high probability to acutely impair one or more vital organ systems, resulting in a sudden, clinically significant or life threatening deterioration ..."</p> <p>-" ...persistent debilitating pain ...remain inpatient for physical therapy (PT) and pain control ..."</p> <p>-"Physical Therapy treatment ...patient to wear TLSO (Thoracic Lumbar Sacral Orthosis/back brace) ...KI (knee immobilizer) ...Rehab (rehabilitation) Potential: Fair ...Impairments: Mobility deficits, Coordination ...deficits, Decreased activity tolerance, Gross motor deficits, Strength deficits, ROM (range of motion) deficits ...patient will likely require a RW (rolling walker) for discharge ...warrants further skilled PT intervention in order to optimize ...mobility, reduce ...burden of care and safely increase ...level of indep (independence) ...Family Education ...on mobility safety for car transfers, bathing, bed/room navigation ...Education for proper use of assistive device/adaptive equipment, Monitoring safe progression of exercise/activity, Monitoring exercise/activity tolerance, Tactile</p>	V 110		

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V 110	<p>Continued From page 10</p> <p>cues for correction of ...postures/movements, Verbal cues for safe execution of functional tasks.."</p> <p>" ...there is a reasonable chance pt (patient) will require surgical fixation ..."</p> <p>-On 6/6/22 "At about 0200 (2:00 am), this RN (Registered Nurse) heard screaming from patient room ...HR in 160's. Upon entering the room ...Patient was shaking, kicking his legs, chattering his teeth and screaming with his eyes wide open ...This episode lasted for about 6-7 minutes ...Throughout the rest of the night, patient would intermittently whimper and grab bed sheets, HR in the 130's then fall back asleep quickly ..."</p> <p>-Psychiatric consultation due to 2-3 days of night terrors ..."patient has no memory of these events ...Family's major concern is what to do about the nighttime events and how to handle them ...patient is likely struggling with adjustment disorder after a traumatic event ..."</p> <p>Review on 6/17/22 of the undated facility Van Roster revealed:</p> <ul style="list-style-type: none"> -A list of each client who rode in the van. -The name and contact phone number for each client's parent/guardian. -The full address where each client resided. <p>Review and observation on 6/10/22 at 11:20 am of Staff #1's Driver's License revealed:</p> <ul style="list-style-type: none"> -Date of birth indicated Staff #1 was 74 years old. -A restriction which required staff #1 to wear corrective lenses. -License was issued on 12/8/2020. <p>Observation and interview on 6/10/22 at 11:20 am with Staff #1 revealed:</p> <ul style="list-style-type: none"> -Staff #1 walked with a cane. -During the interview, Staff #1 stated he was hard of hearing and repeatedly placed his left hand 	V 110		

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V 110	<p>Continued From page 11</p> <p>beside his left ear as a gesture that he could not hear the questions being asked.</p> <p>-He was one of several drivers who transported children to and from the day treatment facility.</p> <p>-Each driver had a specific route with a specific group of kids.</p> <p>-He had cataract surgery and only needed to wear glasses for reading.</p> <p>-He could not remember when he had cataract surgery, but believed it was in the year 2000.</p> <p>- "I can't use my glasses driving, it makes stuff blurry."</p> <p>-He had not transported Client #29 home prior to the incident on 5/31/22.</p> <p>- "I had to call the other driver to find out where he (Client #29) lived ...I took for granted that the house was on the same side of the road where I stopped the van and I dropped him off ... Normally there's not an adult to take the kids ...some parents are not available to take the kids ...It is very seldom that I see a parent ..."</p> <p>-On the day of the incident, he "made the other kids stay on the van."</p> <p>-He has not returned to work since the day of the incident.</p> <p>Interview on 6/7/22 with Staff #1 revealed:</p> <p>-He had a cell phone but did not call 911 because he was watching the students who were on the van.</p> <p>- "I had some person at the scene call 911, but I don't know who it was. I didn't get names or anything ...I was sort of in shock ..."</p> <p>Interview on 6/14/22 with Staff #2 revealed:</p> <p>-He was one of the van driver's for the day treatment facility.</p> <p>- " ...Normal protocol well quite frankly it's what I've always done. I pull up to the home. They (clients) exit the van and I watch them go to the</p>	V 110		

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V 110	<p>Continued From page 12</p> <p>door and go inside and then I leave to go to the next one. Only the right side of the van opens for the passenger section. I always pull into a driveway. There is nowhere on my route that I am not in a driveway. If I ever had to cover for another driver, I would find out where the kids live and if there was no driveway I would circle around the block to make sure that the right side of the van is on the same side of the road that the house is on. The kids should never have to cross the road when I let them out of the van ..."</p> <p>-He always made sure that clients were received by their parent or guardian.</p> <p>Interview on 6/10/22 with Staff #3 revealed: -He was a van driver for the day treatment facility. -" ...Usually [Client #29] is dropped off and his Mother is standing at the steps out back and she gets him. [Staff #1] got mixed up with what side of the street [Client #29] lived on and I guess he didn't see him ..."</p> <p>-Normal protocol is to never let clients out where they would have to cross the street. -Passengers are only able to exit from the right side of the van. -He would either pull into a driveway or turn the van around so that the door clients use to exit the van is on the same side of the street as the residence. -" ...I always made sure that somebody was home and the child was entering the house with someone before I would leave. I never leave until I know where they (clients) are at and that they aren't being left by themselves ..."</p> <p>Observation on 6/15/22 from 1:45 to 1:55 pm of the van driven by Staff #1 revealed: -Grey/silver colored Ford Econoline 350 Extra Luxurious Truck (XLT) Super Duty -All passenger doors exit on the right side of the</p>	V 110		

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V 110	<p>Continued From page 13</p> <p>van. The only door that opens on the left side of the van is the door at the driver's seat.</p> <p>Interview on 6/15/22 with Client #22 revealed: -Staff #1 thought Client #29 was behind the van. -Client #29 was "very small" and Staff #1 could not see him cross the street. -"The van door is on the right side of the vans. The right side of the van is always parked on the same side of the house so nobody ever has to cross the street. [Client #29] was dropped off and [Staff #1] didn't know what side of the street the house was on. [Client #29] did not say anything about where his house was. [Staff #1] wasn't aware of the house and thought [Client #29] lived in the house on the right. As soon as [Client #29] got hit, he (Staff #1) stopped as soon as he heard screaming. He got out of the van before anyone else could. Everyone else got out of the van when it happened. I saw that [Client #29] had blood around his ear and was lying on his back. We all went over to him. We went to the back of the van. I heard a bump and saw him at the back of the van lying down and the van driver stopped and we could hear him screaming ...[Staff #1] looked at [Client #29] and called to report the accident and then he went back over to see if he could do anything to help ...It's the first time I ever witnessed anything like that, or seeing a person that way ...I am doing okay but I worry about him (Client #29) because he was only 8 years old. I heard [Staff #1] was suspended ...Nobody could see [Client #29] cross the road. The front of the vehicle is so high and he was so little. The van always would wait for the younger kids to wait for a parent to come and if they didn't come out, they would take the kid back into the van ..."</p> <p>Interview on 6/14/22 with Client #24 revealed: -"I guess that day the van driver (Staff #1)</p>	V 110		

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V 110	<p>Continued From page 14</p> <p>misheard [Client #29] because his house is on the other side of the street. He (Staff #1) let him out and the kid walked in front of the van because his house was on the left. We thought we hit a speed bump and he hit the kid. We heard screaming and he was obviously hurt. We think he ran over him twice because we felt the bump twice. I don't think [Staff #1] had glasses on while he was driving. As soon as we heard screaming, we all hopped out of the van. I saw [Client #29] laying on his stomach and the left side of his face was on the ground and he couldn't move. Multiple people arrived. [Client #29's] Mom came and an older lady walking her dog and they called 911. I'm pretty sure [Staff #1] called too. Nobody did anything except tell [Client #29] not to move until the police and EMS got there ..."</p> <p>Interview on 6/10/22 with Client #27 revealed: -He was in the van the day of the accident. -" ... Basically, the kid (Client #29) said his house was across the street and the van driver (Staff #1) wasn't listening and let him out ... The driver started pulling off and it felt like a speed bump and the kid (Client #29) started screaming, so we told the driver to stop the van ... I got off the van when it happened. The other kids got off the van when it happened. I saw him (Client #29) on his back and he was bleeding from his ear ...The van driver was trying to comfort him. The rest of us stood there to make sure he was alright. His Mom got there and she went with him in the ambulance ..." -He has not seen Staff #1 since the day of the incident.</p> <p>Interview on 6/15/22 with Client #28 revealed: -Staff #1 was his usual van driver. -"I live in an apartment complex, there is no driveway but it has a big parking lot. [Staff #1]</p>	V 110		

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V 110	<p>Continued From page 15</p> <p>usually goes around the roundabout, or else he pulls into a parking space and turns the van around. The right side of the van is where the door is. The exit door of the van is always facing my apartment when [Staff #1] lets me off the van. I never have to cross the road or parking lot. [Staff #1] wears glasses when he's driving because he can't really see. Sometimes he wears them and sometimes he doesn't. I think he was wearing glasses the day [Client #29] got hit. We was dropping off [Client #29]. His house is on the left side of the road but he got dropped off on the right side. [Client #29] is really small and I guess [Staff #1] didn't see him. We heard a bump. I only heard 1 bump and then screaming. No family was outside when [Client #29] got off the van. There were people outside, but I'm pretty sure they were neighbors or something because they all went back inside a different house. When we heard the bump and then screaming, [Staff #1] stopped right away and got out of the van and called 911. Everybody else got out of the van to see what was going on. I saw him (Client #29) laying on the ground at the back of the van screaming. The van went completely over him. He didn't get up off the ground and I could see he already had a bunch of bruises and dark spots on his right side and his head was bleeding ..."</p> <p>Interview on 6/17/22 with Client #29's Mother revealed: -"On the day of incident, I saw a bit of it. I guess to try and explain it between our house and the house over, a little road next to us leads to an apartment complex which is a dead end and our driveway is behind the house. I was standing here and the white van came down the road and there was an older lady walking her dog along with her granddaughter and I assume that is why the van pulled off to that side of the road and let [Client</p>	V 110		

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V 110	Continued From page 16 #29] off on that side. I saw [Client #29's] shoes and his little feet get out of the van and the van immediately started taking off and his feet went up towards the front passenger wheel and then I saw brake lights. I ran outside and ran out the back steps and around. The driver was outside. I called 911 ...the driver pulled out his phone. The driver was fiddling with his phone ...he accidentally called someone else ...There were other students in the van and they had gotten out and they were all talking. There were 3-5 older kids that had been in the van. [Client #29] was on the ground and I got on the ground and sat near him to keep him calm. He was face down and was crying. I wanted to make sure he did not move at all. He was laying on his belly. I think the van driver had misdialed someone and then chatted with someone on the phone. The other kids (high school boys) were freaked out and he was trying to get them calmed ...I was trying to listen to the lady from 911 ...[Client #29] was bleeding but it was lacerations and it was more important to keep him still to avoid a spinal injury. I had to keep telling the other kids to get off from the top off me. They were outside of the van and maybe should have been moved elsewhere ...He (Client #29) has to wear a right knee immobilizer for a right knee patellar fracture, he has a fracture to the right fourth rib and spent most of the day in the PICU (Pediatric Intensive Care Unit) for respiratory issues. He had to be on high flow oxygen for bruising on his lungs. The MRI (Magnetic Resonance Imaging) showed T (thoracic) spine, C (Cervical) spine and lumbar fractures. There are areas of concern in the lumbar area. A good bit of bruising and road rash, a couple of lacerations on the back of his head ...He is wearing a back brace which will be 6-12 weeks of that ... He has to use a walker ...We are diligent with him wearing the back brace 23 hours	V 110		

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V 110	<p>Continued From page 17</p> <p>a day and we are log rolling him. The big issue is pain management and forever making sure he doesn't turn wrong. No sports ...he has night terrors. The ... doctors ... told us to give him melatonin and Benadryl to sedate him at night, but he wakes up screaming and lashing out and that has been a big issue. He was already in full day therapy treatment for other issues and this is just a huge scar. The physical knee and scars will heal but it's the stuff you don't see that we worry about. I watched his little feet and I don't even want to be in a car anymore. He was crossing in front of the van like you would getting dropped off from school, like you would on a school bus. Is he going to be able to ride a school bus or even a church van? we don't know. Even walking on the sidewalk could be an issue ..."</p> <p>Interview on 6/14/22 and 6/17/22 with the Day Treatment Supervisor revealed: -5/31/22 was the first time Staff #1 had transported Client #29 home. -She received a call from Staff #1 on 5/31/22 at approximately 4:00 pm. -Staff #1 informed her that he "ran over a child (Client #29) ...that he put the car in gear and when it started moving forward, he felt a bump and when he and the boys got out to see what happened the child was under the van ..." -All van drivers were provided with a roster which included the name and address of each client along with the name and phone number of the parent/guardian. -Van drivers could always call to verify a location if there was any confusion. -Staff #1 was immediately suspended.</p> <p>Interview on 6/10/22 and 6/27/22 with the Day Treatment Director revealed: -A new protocol for van drivers was implemented</p>	V 110		

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V 110	<p>Continued From page 18</p> <p>after the 5/31/22 incident.</p> <ul style="list-style-type: none"> -The protocol was created on 6/7/22. -The van drivers had been told about the new protocol but had not signed it yet. -Staff had always been instructed to call 911 during an emergency. <p>Review on 6/17/22 of a Plan of Protection completed and submitted on 6/17/22 by the Day Treatment Director revealed:</p> <ul style="list-style-type: none"> -"What immediate action will the facility take to ensure the safety of the consumers in your care?" 1. Suspend the driver 2. Create formal written protocols for the van drivers and have them sign their understanding 3. Add protocols to policy 4. Create a training for new drivers hired 5. Create and present to all consumers a van safety training <p>Describe your plans to make sure the above happens.</p> <p>Numbers 1 and 2 have already been completed. Numbers 3, 4, and 5 to be completed and reviewed by the management team by June 30."</p> <p>Review on 6/17/22 of a Plan of Protection Addendum completed and submitted on 6/17/22 by the Day Treatment Director revealed:</p> <ul style="list-style-type: none"> -"What immediate action will the facility take to ensure the safety of the consumers in your care?" <p>When picking students up from home, the driver will watch the student leave his home and walk to the van and get on. The van doesn't roll until everyone is buckled into seatbelts.</p> <p>If at any time a student is out of his seat or seat belt the driver will pull over and wait until the student is in seat and buckled in.</p> <p>No student will be allowed to leave the van at any stop but his own.</p> <p>When dropping a child at his home, the driver will</p>	V 110		

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V 110	<p>Continued From page 19</p> <p>not move the van until he has seen the child received at the door of his home. When unloading the van at the day treatment, students will remain buckled in until the van is at a complete stop and the driver tells them they can unload. The driver will see every student enter the day treatment and check the van to see that all are off before parking the van at day. When leaving day treatment with students the van will not be moved until everyone is on, in their seats, and buckled in. Describe your plans to make sure the above happens. The QI Director will monitor and review along with site supervisors."</p> <p>Review on 6/27/22 of an additional Plan of Protection Addendum completed and submitted on 6/17/22 by the Day Treatment Director revealed: -"What immediate action will the facility take to ensure the safety of the consumers in your care? Staff will be given a review on calling 911 in the event of an incident that would require the police, an ambulance, or the fire department."</p> <p>Support Day Treatment provides services to children and adolescents with emotional or behavioral disturbances. Client #29 was 8 years old when he was admitted to the program on 5/11/22. His diagnoses included Intermittent Explosive Disorder, Oppositional Defiant Disorder and Other Specified Problems Related to Upbringing. On 5/31/22 Staff #1 transported Client #29 home in the company van. Staff #1 was driving with a restricted driver's license which required him to wear corrective lenses. Staff #1 was not wearing corrective lenses and dropped</p>	V 110		

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V 110	Continued From page 20 Client #29 off at the incorrect address. Staff #1 began to drive off without confirmation that Client #29 was with an adult caregiver. Furthermore, Staff #1 did not ensure that Client #29 was out of the range of the vehicle and ran over him with the van. Client #29 was hospitalized with life threatening injuries. Staff #1 failed to call 911 after the accident. Additionally, four other clients (Client #22, #24, #27 and #28) aged 13-16 years old were also on the van at the time of the incident. Staff #1 failed to redirect the other four clients and allowed them to exit the van to witness Client #29 laying on the ground with injuries. This deficiency constitutes a Type A1 rule violation for serious harm and neglect and must be corrected within 23 days. An administrative penalty of \$6,000.00 is imposed. If the violation is not corrected within 23 days, an additional administrative penalty of \$500.00 per day will be imposed for each day the facility is out of compliance beyond the 23rd day.	V 110		
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	V 536		

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V 536	<p>Continued From page 21</p> <p>or injury to a person with disabilities or others or property damage is prevented.</p> <p>(c) Provider agencies shall establish training based on state competencies, monitor for internal compliance and demonstrate they acted on data gathered.</p> <p>(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.</p> <p>(e) Formal refresher training must be completed by each service provider periodically (minimum annually).</p> <p>(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.</p> <p>(g) Staff shall demonstrate competence in the following core areas:</p> <ol style="list-style-type: none"> (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 	V 536		

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V 536	<p>Continued From page 22</p> <p>and de-escalating potentially dangerous behavior; and</p> <p>(9) positive behavioral supports (providing means for people with disabilities to choose activities which directly oppose or replace behaviors which are unsafe).</p> <p>(h) Service providers shall maintain documentation of initial and refresher training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcomes (pass/fail);</p> <p>(B) when and where they attended; and</p> <p>(C) instructor's name;</p> <p>(2) The Division of MH/DD/SAS may review/request this documentation at any time.</p> <p>(i) Instructor Qualifications and Training Requirements:</p> <p>(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.</p> <p>(2) Trainers shall demonstrate competence by scoring a passing grade on testing in an instructor training program.</p> <p>(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.</p> <p>(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.</p> <p>(5) Acceptable instructor training programs shall include but are not limited to presentation of:</p> <p>(A) understanding the adult learner;</p> <p>(B) methods for teaching content of the</p>	V 536		

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V 536	<p>Continued From page 23</p> <p>course;</p> <p>(C) methods for evaluating trainee performance; and</p> <p>(D) documentation procedures.</p> <p>(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.</p> <p>(7) Trainers shall teach a training program aimed at preventing, reducing and eliminating the need for restrictive interventions at least once annually.</p> <p>(8) Trainers shall complete a refresher instructor training at least every two years.</p> <p>(j) Service providers shall maintain documentation of initial and refresher instructor training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcomes (pass/fail);</p> <p>(B) when and where attended; and</p> <p>(C) instructor's name.</p> <p>(2) The Division of MH/DD/SAS may request and review this documentation any time.</p> <p>(k) Qualifications of Coaches:</p> <p>(1) Coaches shall meet all preparation requirements as a trainer.</p> <p>(2) Coaches shall teach at least three times the course which is being coached.</p> <p>(3) Coaches shall demonstrate competence by completion of coaching or train-the-trainer instruction.</p> <p>(l) Documentation shall be the same preparation as for trainers.</p>	V 536		

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NAME OF PROVIDER OR SUPPLIER SUPPORT DAY TREATMENT	STREET ADDRESS, CITY, STATE, ZIP CODE 126 PERFORMANCE DRIVE LINCOLNTON, NC 28092
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V 536	<p>Continued From page 24</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure staff completed training in alternatives to restrictive interventions prior to providing services affecting 3 of 3 audited staff (Staff #1, #2 and #3). The findings are:</p> <p>Review on 6/10/22 of Staff #1's record revealed: -Date of Hire: 5/10/21. -Position: Day Treatment Transportation Specialist. -Crisis Prevention Institute (CPI) certification expired on 5/26/22.</p> <p>Review on 6/10/22 of Staff #2's record revealed: -Date of Hire: 3/19/21. -Position: Day Treatment Transportation Specialist. -CPI certification expired on 5/26/22.</p> <p>Review on 6/10/22 of Staff #3's record revealed: -Date of Hire: 3/19/21. -Position: Day Treatment Transportation Specialist. -CPI certification expired on 5/26/22.</p> <p>Interview on 6/14/22 with the Day Treatment Supervisor revealed: -The Quality Management (QM) and Training Director was responsible for ensuring the completion of staff training.</p> <p>Interview on 6/15/22 with the QM and Training Director revealed: -She was responsible for having staff trained in CPI.</p>	V 536		

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V 536	Continued From page 25 -The facility used an online system to send reminders of when a staff member's certification was going to expire. -The Day Treatment Transportation Specialists were not in the online system. -She was going to place the Day Treatment Transportation Specialists in the system.	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	V 537		

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V 537	<p>Continued From page 26</p> <p>methods to determine passing or failing the course.</p> <p>(e) Formal refresher training must be completed by each service provider periodically (minimum annually).</p> <p>(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.</p> <p>(g) Acceptable training programs shall include, but are not limited to, presentation of:</p> <p>(1) refresher information on alternatives to the use of restrictive interventions;</p> <p>(2) guidelines on when to intervene (understanding imminent danger to self and others);</p> <p>(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);</p> <p>(4) strategies for the safe implementation of restrictive interventions;</p> <p>(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;</p> <p>(6) prohibited procedures;</p> <p>(7) debriefing strategies, including their importance and purpose; and</p> <p>(8) documentation methods/procedures.</p> <p>(h) Service providers shall maintain documentation of initial and refresher training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcomes (pass/fail);</p> <p>(B) when and where they attended; and</p>	V 537		

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V 537	<p>Continued From page 27</p> <p>(C) instructor's name.</p> <p>(2) The Division of MH/DD/SAS may review/request this documentation at any time.</p> <p>(i) Instructor Qualification and Training Requirements:</p> <p>(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.</p> <p>(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.</p> <p>(3) Trainers shall demonstrate competence by scoring a passing grade on testing in an instructor training program.</p> <p>(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.</p> <p>(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.</p> <p>(6) Acceptable instructor training programs shall include, but not be limited to, presentation of:</p> <p>(A) understanding the adult learner;</p> <p>(B) methods for teaching content of the course;</p> <p>(C) evaluation of trainee performance; and</p> <p>(D) documentation procedures.</p> <p>(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.</p>	V 537		

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V 537	<p>Continued From page 28</p> <p>(8) Trainers shall be currently trained in CPR.</p> <p>(9) Trainers shall have coached experience in teaching the use of restrictive interventions at least two times with a positive review by the coach.</p> <p>(10) Trainers shall teach a program on the use of restrictive interventions at least once annually.</p> <p>(11) Trainers shall complete a refresher instructor training at least every two years.</p> <p>(k) Service providers shall maintain documentation of initial and refresher instructor training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcome (pass/fail);</p> <p>(B) when and where they attended; and</p> <p>(C) instructor's name.</p> <p>(2) The Division of MH/DD/SAS may review/request this documentation at any time.</p> <p>(l) Qualifications of Coaches:</p> <p>(1) Coaches shall meet all preparation requirements as a trainer.</p> <p>(2) Coaches shall teach at least three times, the course which is being coached.</p> <p>(3) Coaches shall demonstrate competence by completion of coaching or train-the-trainer instruction.</p> <p>(m) Documentation shall be the same preparation as for trainers.</p> <p> </p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure staff completed training in seclusion, physical restraint and isolation time-out</p>	V 537		

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V 537	<p>Continued From page 29</p> <p>prior to providing services affecting 3 of 3 audited staff (Staff #1, #2 and #3). The findings are:</p> <p>Review on 6/10/22 of Staff #1's record revealed: -Date of Hire: 5/10/21. -Position: Day Treatment Transportation Specialist. -Crisis Prevention Institute (CPI) certification expired on 5/26/22.</p> <p>Review on 6/10/22 of Staff #2's record revealed: -Date of Hire: 3/19/21. -Position: Day Treatment Transportation Specialist. -CPI certification expired on 5/26/22.</p> <p>Review on 6/10/22 of Staff #3's record revealed: -Date of Hire: 3/19/21. -Position: Day Treatment Transportation Specialist. -CPI certification expired on 5/26/22.</p> <p>Interview on 6/14/22 with the Day Treatment Supervisor revealed: -The Quality Management (QM) and Training Director was responsible for ensuring the completion of staff training.</p> <p>Interview on 6/15/22 with the QM and Training Director revealed: -She was responsible for having staff trained in CPI. -The facility used an online system to send reminders of when a staff member's certification was going to expire. -The Day Treatment Transportation Specialists were not in the online system. -She was going to place the Day Treatment Transportation Specialists in the system.</p>	V 537		

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V 752	Continued From page 30	V 752		
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 water shall be maintained between 100-116 degrees Fahrenheit.</p> <p>This Rule is not met as evidenced by: Based on observation and interview, the facility water temperatures were not maintained between 100-116 degrees Fahrenheit in areas where clients were exposed to hot water. The findings are:</p> <p>Observation on 6/7/22 at approximately 11:02 am revealed:</p> <ul style="list-style-type: none"> - The water temperature in two bathroom sinks was 80 degrees Fahrenheit. - The bathroom sinks were used by the clients of the facility. <p>Interview on 6/27/22 with the Day Treatment Director:</p> <ul style="list-style-type: none"> -The water temperature would be corrected. 	V 752		