

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL0411171	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED R-C 08/25/2022
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NAME OF PROVIDER OR SUPPLIER TRISTON DRIVE AFL	STREET ADDRESS, CITY, STATE, ZIP CODE 4201 TRISTON DRIVE GREENSBORO, NC 27407
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V 512	<p>Continued From page 1</p> <p>dismissal of the employee.</p> <p>- This Rule is not met as evidenced by: Based on record review and interview, 1 of 1 paraprofessional (the Alternative Family Living (AFL) provider) and 2 of 2 qualified professionals (the Qualified Professional #1 (QP #1) and the Qualified Professional #2 (QP #2)) neglected 1 of 2 current clients (client #1) and 1 of 1 former client (Former Client #2 (FC #2)). The findings are:</p> <p>Review on 8/10/22 of client #1's record revealed:</p> <ul style="list-style-type: none"> - An admission date of 10/2020 - Diagnoses of Mild Intellectual Disabilities; Cerebral Palsy; Mild Intermittent Asthma with Acute Exacerbation; Gastroesophageal Reflux Disease; Cellulitis; Hypertension; Hyperlipidemia; Esophageal Stricture; Sleep Apnea; Onychomycosis; DM (Diabetes Mellitus), Type 2 with Diabetic Dyslipidemia and Hiatal Hernia - 48 years old - An Individual Support Plan (ISP) dated 5/1/22 which was completed by client #1's care coordinator with a LME/MCO (Local Managed Entity/Managed Care Organization) and signed off on by the Qualified Professional #1 reflected the following: "...While at home, [client #1] requires physical assistance with most tasks involving a lot of physical movement. He uses a wheelchair to get around in the home and in the community and therefore relies upon others to complete most daily tasks, including using the toilet, taking care of his clothes, housekeeping and cleaning, bathing and taking care of personal hygiene and grooming, avoiding health and safety hazards ..." - "... [Client #1] can participate in these tasks in 	V 512	<p>On 7/25/2022, the Director updated its COVID policies and procedures for situations of COVID occurring in AFL settings. When AFL staff + consumers test positive for COVID, the provider will notify his assigned QPs as well as submit proof of test results to the QPs. All consumers and staff will be tested. If AFL provider tests positive + needs to utilize back-up staff, the QP will assist with accessing back-up staff already designated by provider. Should these staff decline to work, the QP will request coverage of other employees of the agency. These efforts will be complete should the AFL provider need to seek medical attention or take Respite. Should other staff of the organization decline to assist in this circumstance, the assigned QP and other Qualified Professionals of the organization will provide brief relief in order that the AFL provider can seek medical treatment when requested. Due to varying personal conditions + the highly infectious nature of the Coronavirus, Qualified Professionals and other staff of the organization are under no obligation to provide extended or overnight coverage. The assigned QP will seek place-</p>	

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DHSR-MH Licensure Sect

Crystal E. Nickerson,

QP/Director
9/16/2022

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V 512	<p>Continued From page 2</p> <p>many ways; he still needs the support of others to ensure that they are complete. [Client #1] also requires total assistance with getting dressed and taking medications, as he is unable to complete these tasks on his own</p> <ul style="list-style-type: none"> - In addition to these factors, [client #1] cannot reposition himself independently and requires assistance from staff to protect his skin's integrity. [Client #1] cannot independently get out the bed and into his wheelchair in the event of an emergency. This causes a tremendous amount of anxiety for [client #1] - Medical support needs: [Client #1] has some medical needs that he requires support in order to maintain. [Client #1] is legally blind and would not benefit from wearing corrective lenses. He also requires support due to choking during meals and has severe acid reflux - [Client #1] must be lifted and transferred in all settings and is unable to complete this task on his own. He must be transferred to his wheelchair, to the bed, into his vehicle, into the tub or onto the toilet - [Client #1] can spend some time without support staff each day, either in the home or in the community. He is capable of using the phone and asking or calling for help. He is also capable of using his urinal without help as long as it has been stored in an accessible place when he is at home. He requires assistance when the urinal is not accessible..." - It was important he have access to his lumbar pack at all times as it held his wallet and cell phone - With proper planning, [client #1] can spend up to 2 hours alone safely in the home..." <p>Interview on 8/10/22 with client #1 revealed:</p> <ul style="list-style-type: none"> - On 7/11/22, the AFL provider left the facility to seek medical treatment 	V 512	<p>ment with other AFL providers who are licensed and have an available bed or emergency Respite through the MCO in the event the consumer needs to be Moved due to the caregiver's inability to provide care. The AFL provider will quarantine each consumer who tests positive for COVID, following the guidelines provided by the attending physician. The organization follows the CDC guidelines when physicians are not accessible.</p> <p>Consumers who receive day services will need to quarantine for the extent of time recommended by the attending physician before returning to services. The AFL provider will need to be cleared by his physician as a precautionary measure. Because the AFL provider delivers care in his home and is an independent contractor, he cannot be asked to leave his home, nor should he abandon his work during incidence of coronavirus and other infectious diseases. AFL providers who wish to become licensed and care for multiple individuals should strongly consider the responsibility related to providing residential services</p>	
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to multiple consumers and the
Crystal E. Nickerson, DP/ Director
9/16/2022

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NAME OF PROVIDER OR SUPPLIER
TRISTON DRIVE AFL

STREET ADDRESS, CITY, STATE, ZIP CODE
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- While he and Former Client #2 (FC #2) remained at the facility, client #3 went with the AFL provider
- He (client #1) was in bed in his bedroom as he had been recently diagnosed with Covid and was still recovering
- He could not transfer himself from his bed to his wheelchair without assistance; however, he knew how to call the AFL provider if he needed to as well as 911 if there were an emergency
- FC #2 was in his bedroom and most likely watching television although, he could not see him from where he was in his bedroom
- He was not concerned about being alone in the facility because he had his cell phone and urinal next to him
- Was more concerned about FC #2 because "[FC #2] is the type of person who will holler."
- The AFL provider told him QP #1 and QP #2 were coming to the facility; however, he never saw or talked to either of them
- "You know you can't see us through the window, come on."
- When the AFL provider returned to the facility, he made sure he and FC #2 were ok, but he was upset that neither QP #1 nor QP #2 came inside the facility to check on him or FC #2 or to make sure they had something to eat or drink
- "Nothing bad" happened while they were left alone at the facility
- He didn't become hungry or thirsty while alone at the facility and he never heard FC #2 yell out
- "[FC #2] seemed to be ok."
- "[FC #2] was my main concern."
- The AFL provider "had to go to the doctor ..."

Review on 8/10/22 of Former Client #2's (FC #2's) record revealed:

- An admission date of 12/21/18

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possible fallout should COVID + other infectious diseases about in the home setting. At this time the agency has suspended licensing homes of three beds. Further the agency, as of 8/15/2022 has acquired a list of four staff persons who will back-up AFL providers in the incidence of COVID or other infectious diseases in the AFL home. Staff who provide coverage in these settings during COVID outbreaks will be paid at a rate of time and a half. When staff provide overnight coverage, he will receive the full AFL rate. Staff will also receive a free COVID test from the agency at the end of their coverage period.

Back-up staff serving in situations of COVID + other communicable diseases must document their hours in electronic billing through Therap & Complete a paper time sheet. Staff persons who provide coverage during the day or by the hour will document their time and a note of consumers supported in T-Log of Therap. The time sheet must be signed

by the AFL provider or other
Deyptal E. Nickerson, QP/Director
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V 512	<p>Continued From page 4</p> <ul style="list-style-type: none"> - Diagnoses of Psychotic Disorder (D/O), Not Otherwise Specified; Asperger's D/O; Major Depressive D/O, Recurrent and Moderate Intellectual Disability - 76 years old - A discharge date of 8/1/22 - An ISP dated 9/1/21 and completed by his care coordinator with an MCO and signed off on by the AFL provider on 7/27/21 which reflected the following: "... [FC #2] is unable to bare weight to stand or walk and uses a wheel chair. He utilizes a hoier lift for all lifts and transfers at the AFL and at the Day program. The hoier lift is used to transfer in/out of bed, toilet, shower chair, recliner, sofa, Gerry chair and his wheel chair - [FC #2] takes daily medication to help control his symptoms of Major Depressive Disorder. When [FC #2] is frustrated it may turn into a crying spell especially if he really wants something or is not getting the attention he is seeking - [FC #2's] Psychotic d/o (disorder) symptoms are mainly controlled with daily psychotropic medication. When upset, [FC #2] will shake, yell and talk to himself - These symptoms seem to increase when he is tired. Support staff should talk with him, offer reassurance and redirection ..." - A "Risk/Support Needs Assessment" completed on 7/13/21 by FC #2's care coordinator revealed: "... [FC #2] ...relies on others for all lifts, carries and transfers ..." - Required support to promote skin integrity which included being repositioned and turned every two hours or more often at the client's request as he had a history of developing pressure sores - FC #2's vision was impaired, and he relied on staff to describe his surroundings as well as full physical assistance to access help in case of an 	V 512	<p>person providing oversight in the absence of the AFL provider. The signed time sheet serves as an added layer of protection in order to ensure proper payment of hours. The assigned OP will oversee + ensure submission of documentation. All payments will be completed through the agency's payroll process. The Director will oversee + ensure the payment process.</p> <p>The Director has developed protocol for working inside the home during COVID + other communicable disease. The protocol includes the following: Staff will wear PPE (facemask, gloves, head covering, isolation gown) when working in AFL settings during a COVID outbreak and should be applied immediately upon arriving at the setting and prior to entering a consumer's personal space. Staff should practice social distancing except when providing direct-care interventions & administering medications, feeding, dressing, toileting, assisting with ADLs. Staff</p>	
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Crystal E. Nickerson, OP/
Director
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V 512	<p>Continued From page 5</p> <p>emergency</p> <ul style="list-style-type: none"> - Could not be left alone in the home or community as he required 24-hour supervision to ensure his safety <p>No attempt was made to interview FC #2 as he had been discharged from the facility on 8/1/22</p> <p>Interview on 8/12/22 with the AFL provider revealed:</p> <ul style="list-style-type: none"> - Client #1 had been diagnosed with Covid during the weekend (7/9/22-7/10/22) and had been to the hospital twice but returned to the facility the same weekend - On 7/10/22, he notified QP #1 he (AFL provider) was not feeling well and might need other staff to provide coverage of the home should he need to seek medical treatment; however, neither the QP #1 nor the Director of the agency which oversaw his facility "had come up with a plan." - On 7/11/22, he had difficulty taking deep breaths and was experiencing pain in his back - Was concerned that if he were to begin to feel worse, neither he nor his clients would be able to call 911 - Sent the QP #1 and the Director a text message which stated he needed to go to an urgent care center because of the symptoms he was experiencing - The QP #1 and the Director responded to his text messages; however, neither of them were able to offer an immediate solution for staffing coverage - He sent a second email to the QP #1 and the Director and reported he was leaving the facility and going to an urgent care center - When he left the facility at approximately 12 pm, there were no other staff present in the facility 	V 512	<p>may take periodic breaks to go outside for fresh air but may not leave the individuals supported un-supervised. AFL providers will maintain the above PPE supplies as well as Lysol or Microban in a secure location at the home setting. The organization will maintain PPE supplies as well as Lysol or Microban in a secure location at the corporate office. These procedures and protocols were most recently reviewed with staff and AFL providers during the 9/13/2022 supervision session and will undergo continuous review for the next 3 consecutive sessions. All of these corrections have been completed as of 8/25/2022.</p> <p><i>Crystal E. Nickerson, QP</i></p> <p><i>Director</i> 9/16/2022</p>	

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Continued From page 6

- Client #1 and FC #2 were in their bedrooms and in bed when he left the facility
- Client #1 and FC #2 used wheelchairs and FC#2 required the use of a Hoyer Lift for transfers from his bed to his wheelchair
- He had chosen to take client #3 with him because client #3's foods had to be pureed and if he left client #3 alone at the home without staff supervision, he might attempt to eat something he shouldn't and choke
- He later learned via his "Ring" doorbell camera that QP #1 arrived at the facility within approximately 30 minutes of him having left
- QP #1 and QP #2 came to the facility on 7/11/22; however, he never received an alert on his phone via his "Ring" doorbell camera that either of the QPs entered the facility
- After being seen at the urgent care center and diagnosed with Covid and pneumonia, he picked up the medications he had been prescribed from a drugstore and then picked up food from a fast-food restaurant for the clients for dinner
- Returned to the facility between 4 pm and 5 pm and observed QP #2 at the facility sitting in his vehicle; however, QP #2 drove away before he could speak with him
- Felt both QPs (#1 and #2) should have entered the facility to check on the clients, especially because each of the clients were diabetics and their blood sugars could have dropped
- QP #1 "sat outside, you can't monitor them from outside."
- Client #1 reported to him he did not know the QPs (#1 and #2) had been outside of the facility
- He updated the QP #1 and the Director about his medical condition; however, they had still been unable to locate staff willing to relieve him while he recovered, including his back up staff, or

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The assigned QP will monitor for conditions of COVID and other communicable diseases during monthly supervision sessions. The organization's Director will provide oversight of these conditions on a monthly basis.

Crystal E. Nease

QP/Direct
9/16/2022