

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL060-970</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING: _____	(X3) DATE SURVEY COMPLETED  <b>12/08/2022</b>
NAME OF PROVIDER OR SUPPLIER  <b>ALEXANDER YOUTH NETWORK - NISBET UNI'</b>		STREET ADDRESS, CITY, STATE, ZIP CODE <b>6220-C THERMAL ROAD CHARLOTTE, NC 28211</b>		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
V 000	INITIAL COMMENTS  A complaint and follow up survey was completed on 12-8-22. The complaint was unsubstantiated (#NC00195250). Deficiencies were cited.  This facility is licensed for following service category: 10A NCAC 27G 1900 Psychiatric Residential Treatment for Children and Adolescents.  This facility is licensed for six and currently has a census of six. The survey sample consisted of one current client.	V 000		
V 132	G.S. 131E-256(G) HCPR-Notification, Allegations, & Protection  G.S. §131E-256 HEALTH CARE PERSONNEL REGISTRY (g) Health care facilities shall ensure that the Department is notified of all allegations against health care personnel, including injuries of unknown source, which appear to be related to any act listed in subdivision (a)(1) of this section. (which includes: a. Neglect or abuse of a resident in a healthcare facility or a person to whom home care services as defined by G.S. 131E-136 or hospice services as defined by G.S. 131E-201 are being provided. b. Misappropriation of the property of a resident in a health care facility, as defined in subsection (b) of this section including places where home care services as defined by G.S. 131E-136 or hospice services as defined by G.S. 131E-201 are being provided. c. Misappropriation of the property of a healthcare facility. d. Diversion of drugs belonging to a health care facility or to a patient or client. e. Fraud against a health care facility or against	V 132		

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

TITLE

(X6) DATE

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V 132	<p>Continued From page 1</p> <p>a patient or client for whom the employee is providing services).</p> <p>Facilities must have evidence that all alleged acts are investigated and must make every effort to protect residents from harm while the investigation is in progress. The results of all investigations must be reported to the Department within five working days of the initial notification to the Department.</p> <p>This Rule is not met as evidenced by: Based on record review and interviews the facility failed to ensure that HCPR (Health Care Personnel Registry) was notified of all allegations against health care personnel. The findings are:</p> <p>Review on 12-7-22 of facility incident report dated 11-18-22 revealed: -"During a visit with client's (Client #1) mom and social worker, client made statements regarding two staff members hurting him. Client stated that one staff member bent his hand, and the other staff squeezed him so hard he couldn't breathe. Client also stated that he didn't tell anyone, including his therapist, because he was scared that no one would believe him or that nothing would get done if he told anyone. Client</p>	V 132		

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V 132	Continued From page 2  stated he doesn't know when these incident occurred but thinks it happened, 'mostly in the cottage.'  Review on 12-7-22 of IRIS (Incident Response Improvement System) report revealed: - "Client states that one staff bent his hand and other staff squeezed him so hard he couldn't breathe." - Allegations of Abuse, Neglect, or Exploitation section had been completed, with physical abuse by staff checked.  Review on 12-7-22 of IRIS website revealed: - No incident report submitted for the incident on 11-18-22.  Interview on 12-8-22 with the IRIS administrator revealed: - A report of the incident on 11-18-22 was created in the system, but never submitted.  Interview on 12-8-22 with Executive Director of Residential Services revealed: - The IRIS system had been down for a period of time. - The person that enters the IRIS reports says that she was sure she had submitted the report. - He knew this meant that it hadn't been reported to HPCR.  This deficiency has been cited three times since the original cite date of 10-29-21 and must be corrected within 30 days.	V 132		
V 367	27G .0604 Incident Reporting Requirements  10A NCAC 27G .0604 INCIDENT REPORTING REQUIREMENTS FOR	V 367		

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V 367	Continued From page 3  CATEGORY A AND B PROVIDERS (a) Category A and B providers shall report all level II incidents, except deaths, that occur during the provision of billable services or while the consumer is on the providers premises or level III incidents and level II deaths involving the clients to whom the provider rendered any service within 90 days prior to the incident to the LME responsible for the catchment area where services are provided within 72 hours of becoming aware of the incident. The report shall be submitted on a form provided by the Secretary. The report may be submitted via mail, in person, facsimile or encrypted electronic means. The report shall include the following information: (1) reporting provider contact and identification information; (2) client identification information; (3) type of incident; (4) description of incident; (5) status of the effort to determine the cause of the incident; and (6) other individuals or authorities notified or responding. (b) Category A and B providers shall explain any missing or incomplete information. The provider shall submit an updated report to all required report recipients by the end of the next business day whenever: (1) the provider has reason to believe that information provided in the report may be erroneous, misleading or otherwise unreliable; or (2) the provider obtains information required on the incident form that was previously unavailable. (c) Category A and B providers shall submit, upon request by the LME, other information obtained regarding the incident, including:	V 367		

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V 367	Continued From page 4  (1) hospital records including confidential information; (2) reports by other authorities; and (3) the provider's response to the incident. (d) Category A and B providers shall send a copy of all level III incident reports to the Division of Mental Health, Developmental Disabilities and Substance Abuse Services within 72 hours of becoming aware of the incident. Category A providers shall send a copy of all level III incidents involving a client death to the Division of Health Service Regulation within 72 hours of becoming aware of the incident. In cases of client death within seven days of use of seclusion or restraint, the provider shall report the death immediately, as required by 10A NCAC 26C .0300 and 10A NCAC 27E .0104(e)(18). (e) Category A and B providers shall send a report quarterly to the LME responsible for the catchment area where services are provided. The report shall be submitted on a form provided by the Secretary via electronic means and shall include summary information as follows: (1) medication errors that do not meet the definition of a level II or level III incident; (2) restrictive interventions that do not meet the definition of a level II or level III incident; (3) searches of a client or his living area; (4) seizures of client property or property in the possession of a client; (5) the total number of level II and level III incidents that occurred; and (6) a statement indicating that there have been no reportable incidents whenever no incidents have occurred during the quarter that meet any of the criteria as set forth in Paragraphs (a) and (d) of this Rule and Subparagraphs (1) through (4) of this Paragraph.	V 367		

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V 367	<p>Continued From page 5</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews the facility failed to notify the Local Management Entity of all level II and Level III incidents within 72 hours. The findings are:</p> <p>Review on 12-7-22 of facility incident report dated 11-18-22 revealed: -During a visit with client's (Client #1) mom and social worker, client made statements regarding two staff members hurting him. Client stated that one staff member bent his hand, and the other staff squeezed him so hard he couldn't breathe. Client also stated that he didn't tell anyone, including his therapist, because he was scared that no one would believe him or that nothing would get done if he told anyone. Client stated he doesn't know when these incident occurred but thinks it happened, 'mostly in the cottage.'</p> <p>Review on 8-7-22 of facility internal investigation from 11-18-22 revealed: -During a visit with mother and social worker, Client #1 stated that Staff #1 "bent his hand" and the supervisor squeezed him so hard he couldn't breathe. Client #1 also stated to his mother "I think I can go home now" and "I want to go home." Later Client #1 told the nurse that he was not scared of anyone there and that no one had hurt him. He also stated that he would let the facility know if someone hurt him.</p>	V 367		

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V 367	<p>Continued From page 6</p> <p>Review on 12-7-22 of IRIS (Incident Response Improvement System) report revealed: - "Client states that one staff bent his hand and other staff squeezed him so hard he couldn't breathe."</p> <p>Review on 12-7-22 of IRIS website revealed: - No incident report submitted for the incident on 11-18-22.</p> <p>Interview on 12-8-22 with the IRIS administrator revealed: - A report of the incident on 11-18-22 was created in the system , but never submitted.</p> <p>Interview on 12-8-22 with Executive Director of Residential Services revealed: - The IRIS system had been down for a period of time. - The person that enters the IRIS reports says that she was sure she had submitted the report.</p>	V 367		