

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL0601117	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 12/12/2022
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NAME OF PROVIDER OR SUPPLIER ALEXANDER YOUTH NETWORK - ELM UNIT	STREET ADDRESS, CITY, STATE, ZIP CODE 6220-D THERMAL ROAD CHARLOTTE, NC 28211
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V 000	<p>INITIAL COMMENTS</p> <p>An annual, complaint and follow up survey was completed on December 12, 2022. The complaints were substantiated (Intake #NC00192973, #NC00194999). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .1900 Psychiatric Residential Treatment for Children and Adolescents.</p> <p>This facility is licensed for 6 and currently has a census of 6. The survey sample consisted of audits of 2 current clients, 3 former clients.</p>	V 000		
V 110	<p>27G .0204 Training/Supervision Paraprofessionals</p> <p>10A NCAC 27G .0204 COMPETENCIES AND SUPERVISION OF PARAPROFESSIONALS</p> <p>(a) There shall be no privileging requirements for paraprofessionals.</p> <p>(b) Paraprofessionals shall be supervised by an 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> <p>(1) technical knowledge;</p> <p>(2) cultural awareness;</p> <p>(3) analytical skills;</p> <p>(4) decision-making;</p>	V 110		

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

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V 110	<p>Continued From page 1</p> <p>(5) interpersonal skills; (6) communication skills; and (7) clinical skills. (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>This Rule is not met as evidenced by: Based on record reviews and interviews the facility failed to ensure 1 of 2 audited paraprofessional staff (staff #2), and 2 Former staff (FS) #4, #5) demonstrate the knowledge, skill and abilities required by the population served. The findings are:</p> <p>Findings 1:</p> <p>Review on 12/6/22 of Former Staff #4's record revealed: - Hire date 12/5/16 - Job title- Behavioral Health Counselor - Termination date 9/20/22</p> <p>Review on 12/6/22 of Former Staff #5's record revealed: - Hire date 8/6/21 - Job title Behavioral Health Counselor - Termination date 9/20/22</p> <p>Review on 12/6/22 of the facility's document labeled Client Interview for client #2 dated 9/2/22 revealed: - "Client #2 stated she wanted to get Former</p>	V 110		

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V 110	<p>Continued From page 2</p> <p>Client (FC) #3, #4 in trouble by telling them to touch her;</p> <ul style="list-style-type: none"> - FC #3, #4 pushed client #2 in the bushes while looking for lizards; - FC #3 told client #2 to pull down her pants; - Client #2 pulled down her pants; - Client #2 stated FC #3 pulled down his pants and tried to have sex with her; - FC #4 was standing there and then asked client #2 to have sex also; - Client #2 stated FC #3, #4 put their penis on her butt; - "Staff was not outside with us." <p>Review on 12/6/22 of the facility's document labeled Client Interview for FC #3 dated 9/2/22 revealed:</p> <ul style="list-style-type: none"> - "Client #2 told "us to touch her down there or she would lie and say that we did." - "we touched her down there on her private parts and then FC #5 came out and told FC #3, #4 to touch her too"; - "Staff was inside the cottage." <p>Review on 12/6/22 of the facility's document labeled Client Interview for FC #4 dated 9/2/22 revealed:</p> <ul style="list-style-type: none"> - "No one touched him(FC #4); - Refused to talk; - FC #5 was mad at FC #3, #4 because they called FC #5 a boy; - FC #5 pulled her pants down and exposed herself proving she was a girl; - Client #2 pulled down her pants; - Client #2 grabbed FC #3 and #4's hand and pulled it toward her vagina; - Client #2 grabbed FC #4's finger and inserted it in her; - Client #2 asked FC #4 to have sex with her; - Client #2 asked FC #3 to have sex with her too; 	V 110		

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V 110	<p>Continued From page 3</p> <ul style="list-style-type: none"> - Client #2 and FC #5 flashed their breast to FC #3, #4; - Staff was inside but FS #4 came outside when the clients went around to the front of the cottage." <p>Review on 12/6/22 of the facility's document labeled Client Interview for FC #5 dated 9/2/22 revealed:</p> <ul style="list-style-type: none"> - "Client #2, FC #3, #4 had their pants down and was touching each other; - FC #5 went over to clients and pulled her pants down a "little bit" also; - Staff was inside the cottage." <p>Review on 12/6/22 of the facility's document labeled Staff Interview for FS #4 dated 9/6/22 revealed:</p> <ul style="list-style-type: none"> - No client reported being touched by a peer; - No client reported another client exposing body parts to peers; - First heard of clients possibly touching one another was when FS #4 returned to work; - Denied any client had been left unsupervised, completely out of sight. <p>Review on 12/6/22 of the facility's document labeled Staff Interview for FS #5 dated 9/6/22 revealed:</p> <ul style="list-style-type: none"> - No client reported being touched by a peer; - No client reported another client exposing body parts to peers; - Denied any client had been left unsupervised, completely out of sight. <p>Interview on 12/8/22 with client #2 revealed:</p> <ul style="list-style-type: none"> - Remembered an incident between Former clients (FC) #3, #4, #5 but could not recall a date; 	V 110		

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V 110	<p>Continued From page 4</p> <ul style="list-style-type: none"> - Pulled pants down in front of FC #3, #4 ; - FC #3, #4 pulled their pants down and pulled their "private" out; - FC #3, #4 put their "private" on client #2's butt; - FC #3 kissed client #2; - FS #4, #5 were inside the cottage; - The incident happened on the side of the cottage beside the bushes; - Happened only one time; - Did not know anything else about the incident. <p>Interview on 12/8/22 with FC #4 revealed:</p> <ul style="list-style-type: none"> - Client #2 pulled her pants down while outside looking for lizards; - Client #2 told FC #3, #4 to touch her; - FC #3, #4 touched client #2's "private area" and then stopped; - FC #5 touched FC #4's "private area" - FC #4 clothes were on; - Happened only one time; - FS #4, #5 were in the cottage. <p>Interview on 12/9/22 with FC #5 revealed:</p> <ul style="list-style-type: none"> - Client #2, FC #3, #4, #5 were at a bush outside the cottage touching each other's "private area"; - Originally stated clothes were on; - Showed client #2, FC #3, #4 her front "private part"; - FC #3, #4 showed their front "private part"; - Heard client #2 showed FC #4 her private part; - Denied any touching of private parts, just showed private parts to each other; - After private parts were shown, pulled clothes back up and continued to play; - FS #4, #5 were inside the cottage. - Happened only one time; - FC #3 suggested to show private parts to each other. <p>Interview on 12/8/22 with FS #4 revealed:</p>	V 110		

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V 110	<p>Continued From page 5</p> <ul style="list-style-type: none"> - Client #2, FC #3, #4, #5 were outside in the back of cottage playing; - Was able to see and hear clients playing outside through the huge window in cottage; - Client #2, FC #3, #4, #5 went to the left of the building and I immediately told them to come back insight; - "When I turned my back" client #2, FC #3, #4, #5 ran back to the left side of the building for about 60 seconds then ran back; - "They were not out of my sight long enough for anything to happen." <p>Interview on 12/8/22 with FS #5 revealed:</p> <ul style="list-style-type: none"> - All clients were in line of sight while outside; - Was able to hear and see clients while clients were outside playing; - "No client never pulled down their pants." - There were several different stories about the incident of the clients touching each other; - Client #2, FC #3, #4, #5 were "inconsistent with their stories about what happened"; - Client #2 "lied about the allegations"; - Client #2 had a "history of lying and making up allegations on clients"; - Termination was unfair and unfound. <p>Interview on 12/6/22 with the Executive Director revealed:</p> <ul style="list-style-type: none"> - Client #2 threatened FC #3, #4 by telling them to touch her and if they did not then she would make up allegation on them; - Unsure of what happened while client #2, FC #3, #4, #5 were outside playing due to inconsistencies in their stories; - At some point the clients were out of sight of FS #4, #5; - FS #4, #5 were terminated on 9/20/22 due to violation of General Work Rules policy; - On October 3, 2022, current staff in the cottage 	V 110		

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V 110	<p>Continued From page 6</p> <p>were retrained on General Work Rules that included line of sight supervision, close proximity of consumers, implementing any procedures related to consumers precaution status and utilizing radios for assistance and support.</p> <p>Findings 2:</p> <p>Review on 12/7/22 of Staff #2's record revealed:</p> <ul style="list-style-type: none"> - Hire date 2/25/19 - Job title Behavioral Health Counselor - Termination date 12/5/22 <p>Review on 12/6/22 of the facility's Internal Allegation Review completed by the Executive Director revealed:</p> <p>-Report-"staff #3 reported that she and staff #2 had a discussion regarding consumer's(client #1) issues of encopresis. Staff #3 reported that Staff #2 was explaining that consumer does not wipe thoroughly then proceeded to show staff #3 a picture of client #1 in his phone. Staff #3 reported that in the picture she observed client #1 who was facing toilet and naked. Staff #3 reported she could see client #1's face, penis and tissue with feces on it. Staff #2 reported that he only took a picture of the amount of feces to show nursing and supervisors in order to address issue of encopresis. Staff #2 reported that he did not take a picture of client #1's face and penis. Client #1 reported that he has not observed staff take any pictures of him or have their phone appearing to take picture of him. There have not been any reports of touching, uncomfortable interactions, specific acts, transmission of photos, etc. Additional staff members reported staff #2 showed them a picture of a pamper and feces. All three staff members report that they did not observe consumer face or penis in the picture."</p>	V 110		

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V 110	<p>Continued From page 7</p> <p>Interview on 12/8/22 with Staff #1 revealed:</p> <ul style="list-style-type: none"> - Staff #2 showed her a picture of a dirty depends with feces and a wipe; - No client face or penis was in the picture; - Staff took the picture for communication purposes to show client #1 was pooping in the Depends. <p>Interview on 12/9/22 with the Registered Nurse #2 revealed:</p> <ul style="list-style-type: none"> - Staff #2 showed her a picture of a diaper(depends) with feces in it; - No identity of the client was in the picture; - Staff #2 was talking loud and inappropriate about the concern of client #1 pooping in "diaper" (depend) and other staff not helping out. - Explained to staff #2 the conversation needed to happen after finishing medication administration but staff #2 left the facility after his shift. <p>Interview on 12/8/22 with Staff #2 revealed:</p> <ul style="list-style-type: none"> -The smell of feces when arrived to work for 3rd shift; - Checked client #1's hamper for soiled clothes due to the smell in the cottage; - Awaken client #1 several nights for him to change his depends due to pooping in the depends while asleep; - Started speaking with the staff on other shifts about making sure client #1's diaper was being changed; - Left messages on the dry erase board(communication board) in the common area to 2nd shift staff, to check client #1's depends periodically and to make sure client #1 wipes thoroughly; - On 11/2/22, took a picture of client #1's hand holding the wipe with the feces on it; - Did not show client #1's face or penis in the picture; 	V 110		

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V 110	<p>Continued From page 8</p> <ul style="list-style-type: none"> - On 11/2/22 showed staff #1 the picture when she arrived to work that morning; - On 11/2/22 showed staff #3 the picture of the feces on the wipe and explained that staff #3 needed to check client #1 because he was pooping on her shift in the bed, but it was being left for 3rd shift staff to clean up; - Staff #3 left out of the cottage after the picture was shown; - Staff #3 made a report stating I had client #1's face and penis in the picture; - Terminated on 12/5/22. <p>Interview on 12/5/22 and 12/8/22 with the Executive Director revealed:</p> <ul style="list-style-type: none"> - Completed an internal investigation on staff #2 for taking a picture of client #1 and writing confidential information about client #1 on the board (communication board) for other clients to be able to see. - Staff #2 was terminated on 12/5/22. 	V 110		
V 736	<p>27G .0303(c) Facility and Grounds Maintenance</p> <p>10A NCAC 27G .0303 LOCATION AND EXTERIOR REQUIREMENTS</p> <p>(c) Each facility and its grounds shall be maintained in a safe, clean, attractive and orderly manner and shall be kept free from offensive odor.</p> <p>This Rule is not met as evidenced by: Based on observations and interviews the facility was not maintained in a safe, clean, attractive, and orderly manner. The findings are:</p>	V 736		

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V 736	<p>Continued From page 9</p> <p>Observations on 12/8/22 at approximately 1:16pm of the facility revealed:</p> <ul style="list-style-type: none"> -Common area- broken chair laying against a desk; <ul style="list-style-type: none"> - The couch 2 cushions had tears ranging from approximately ½ inch to 9 inches long; -Kitchen- missing cabinet door over the kitchen sink; <ul style="list-style-type: none"> - Cabinet under the sink is missing a handle; - Third drawer under the kitchen counter was missing a handle; -Bedroom #1 on the right side of the hallway had writing on the door. <p>Interview on 12/8/22 with the Executive Director revealed:</p> <ul style="list-style-type: none"> -Completed a walk through the of the cottage on 11/10/22; -Aware of what needed to be replaced; -Maintenance fixed some things in the cottage already from walk through completed on 11/10/22; - 	V 736		