| STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: | (X2) MULTIPLE CONSTRUCTION | (X3) DATE SURVEY COMPLETED |
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| | MHL023-155 | A. BUILDING: _____ B. WING _____ | 01/19/2023 |

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| V 000 | INITIAL COMMENTS<br><br>An annual survey was completed on January 19, 2023. A deficiency was cited.<br><br>This facility is licensed for the following service category: 10A NCAC 27G .5600C Supervised Living for Adults with Developmental Disability.<br><br>This facility is licensed for 2 and currently has a census of 2. The survey sample consisted of audits of 2 current clients.<br><br>This facility is located in the same building as two sister facilities. The sister facilities will be identified as sister facility A and sister facility B. Sister facility staff and clients will be identified using the letter of the facility and a numerical identifier. | V 000 | | |
| V 290 | 27G .5602 Supervised Living - Staff<br><br>10A NCAC 27G .5602 STAFF<br>(a) Staff-client ratios above the minimum numbers specified in Paragraphs (b), (c) and (d) of this Rule shall be determined by the facility to enable staff to respond to individualized client needs.<br>(b) A minimum of one staff member shall be present at all times when any adult client is on the premises, except when the client's treatment or habilitation plan documents that the client is capable of remaining in the home or community without supervision. The plan shall be reviewed as needed but not less than annually to ensure the client continues to be capable of remaining in the home or community without supervision for specified periods of time.<br>(c) Staff shall be present in a facility in the following client-staff ratios when more than one child or adolescent client is present: | V 290 | | |

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| V 290 | Continued From page 1<br>(1) children or adolescents with substance abuse disorders shall be served with a minimum of one staff present for every five or fewer minor clients present. However, only one staff need be present during sleeping hours if specified by the emergency back-up procedures determined by the governing body; or<br>(2) children or adolescents with developmental disabilities shall be served with one staff present for every one to three clients present and two staff present for every four or more clients present. However, only one staff need be present during sleeping hours if specified by the emergency back-up procedures determined by the governing body.<br>(d) In facilities which serve clients whose primary diagnosis is substance abuse dependency:<br>(1) at least one staff member who is on duty shall be trained in alcohol and other drug withdrawal symptoms and symptoms of secondary complications to alcohol and other drug addiction; and<br>(2) the services of a certified substance abuse counselor shall be available on an as-needed basis for each client.<br><br>This Rule is not met as evidenced by:<br>Based on interviews and record reviews, the facility failed to maintain one staff member present at all times when an adult client was on the premises affecting 2 of 2 clients (Clients #1 and #2). The findings are:<br><br>Review of Client #1's record revealed:<br>-Date of Admission: 2-19-86.<br>-Diagnoses: Mild Intellectual Developmental Disability and Schizophrenia. | V 290 | | |

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| V 290 | Continued From page 2<br>-Treatment plan dated 6-1-22 did not have an assessment which determined the clients capability for unsupervised time.<br><br>Review of Client #2's record revealed:<br>-Date of Admission: 10-1-94.<br>-Diagnoses: Moderate Intellectual Developmental Disability.<br>-Treatment plan dated 11-1-22 did not have an assessment which determined the clients capability for unsupervised time.<br><br>Review on 1-13-23 of the facility client census for November and December 2022 revealed:<br>-In November and December 2022 there was at least one client at the facility every day.<br><br>Review on 1-13-23 of a weekly schedule revealed:<br>-During the week, second shift staff were scheduled to arrive between 2:30 pm - 4 pm.<br>-Clients would return home from work/day program at approximately 4 pm.<br><br>Review on 1-12-13 and 1-17-23 of Time Sheets for November and December 2022 revealed:<br>-November 2022: 16 of 30 days where a staff did not clock in for the entire 24-hour workday for this facility and clients were present. During the remaining 14 days, there was not a staff person present while clients were present.<br>-11-2 no staff between midnight to wake up (6:00am - 8:00am daily) and from 11:01 pm - midnight.<br>-11-3 no staff between midnight to wake up and from 10:38 pm - midnight.<br>-11-4 no staff between midnight to wake up and from 9:17 pm - midnight.<br>-11-5 (Saturday) no staff between midnight to 9:36 am and from 8:56 pm - midnight. | V 290 | | |

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| V 290 | Continued From page 3<br>-11-7 no staff between midnight to wake up and from 8:58 pm - midnight. This day Staff #1 was only clocked in from 7:11 pm - 8:58 pm. No staff clocked in for coverage when clients returned from work/day program.<br>-11-10 no staff between midnight to wake up and from 10:47 pm - midnight.<br>-11-11 no staff between midnight to wake up and from 7:49 pm - midnight.<br>-11-13 (Saturday) no staff between midnight to 8:26 and from 10:51 pm - midnight.<br>-11-14 no staff between midnight to wake up and from 11:05 pm - midnight.<br>-11-15 no staff between midnight to wake up and from 11:16 pm - midnight.<br>-11-16 no staff between midnight to wake up and from 11:19 pm - midnight.<br>-11-17 no staff between midnight to wake up and from 10:55 pm - midnight.<br>-11-28 Staff #1 clocked in at 8 am but did not clock out. 8 hours were documented but unable to determine which hours were worked.<br>-11-29 Staff #1 clocked in at 8 am but did not clock out. 8 hours were documented but unable to determine which hours were worked.<br>-December 2022: 27 of 31 days where a staff did not clock in for work for this facility and clients present. During the remaining 4 days, there was not a staff person present while clients were present.<br>-12-8 no staff between midnight to wake up and from 4 pm - midnight.<br>-12-9 no staff between midnight to wake up and from 8:34 pm - midnight.<br>-12-10 no staff between midnight to wake up and from 8:45 pm - midnight.<br>-12-22 no staff between midnight to wake up and from 10:11 pm - midnight. Staff was clocked in from 5:12 pm - 10:11 pm. No staff clocked in for coverage when clients returned home from | V 290 | | |

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| V 290 | Continued From page 4<br>work/day program.<br><br>Interview on 1-10-23 with Client #1 revealed:<br>-Staff go back and forth between Charles Road C and Sister Facility B.<br>-Staff are in Charles Road C overnight.<br><br>Interview on 1-10-21 with Client #2 revealed:<br>-During the night, Staff would watch tv " ...they watch it on our side."<br>-Sometimes staff would be in Sister Facility A at night.<br><br>Interview on 1-10-23 with Client #B1 revealed:<br>-Staff would check in every few minutes " ...bouncing back and forth." (between Charles Road B and Sister Facility C)<br>-During overnight, staff stays in Charles Road C but checks in on Sister Facility B.<br><br>Interview on 1-10-23 with Client #B2 revealed:<br>-Had lived in Sister Facility B for almost 5 years.<br>-"Staff pops in and out the whole shift."<br>-"Overnight staff will check on us to see if we are asleep. They stay in Charles Road C."<br><br>Interview on 1-10-23 with Staff #1 revealed:<br>-The clients in Charles Road C and Sister Facility B were " ...pretty much low key."<br>-Would go between Charles Road C and Sister Facility B " ...back and forth all the time."<br>-There had been only "one staff as long as I have been here." (for Sister Facility B and Sister Facility C)<br>-Would walk over and check in on the clients at Sister Facility A.<br>-"[Staff #A1] works the whole building sometime." (Charles Road C and Sister Facilities B and C)<br><br>Interview on 1-11-23 with Staff #2 revealed: | V 290 | | |

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| V 290 | Continued From page 5<br>-When working between Charles Road C and Sister Facility B, would go back and forth to make sure they were doing chores and hygiene.<br>-Sister Facility B mainly required supervision so that they remained on task.<br>-Would usually spend the majority of her time in Charles Road C.<br><br>Interview on 1-9-23 with Staff #A2 revealed:<br>-Mostly worked in Charles Road A but has covered the Sister Facilities B and C at the same time as the only staff.<br>-Charles Road B and Sister Facility C clients were more independent.<br>-"Mainly I sit with the guys (Sister Facility C) ...but I go back and forth and check on them (clients in Sister Facilities B and C)."<br><br>Interview on 1-12-23 with Staff #A1 revealed:<br>-"I work by myself all the time." (Covering Charles Road C and Sister Facilities A and B).<br>-Would go from apartment to apartment (between Charles Road A to Sister Facilities B and C) to make sure they have what they need.<br>-"I can pretty much handle it by myself." (cover all three facilities at once)<br>-"If I am by myself (covering all three facilities, the girls (Sister Facility B) will automatically do their stuff and chill."<br><br>Interview on 1-17-23 with Staff #A3 revealed:<br>-"We have been short staffed for a long time."<br>-"I haven't done it in a while." (covered for all facilities at once)<br>-The clients very seldom have negative behaviors.<br><br>Interview on 1-11-23 with the Staff #A House Manager revealed:<br>-One staff covered both Charles Road C and | V 290 | | |

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| V 290 | Continued From page 6<br><br>Sister Facility B.<br>-"[Staff #A1] has been here alone a lot of times." She usually worked second shift.<br>-"She just runs back and forth the whole time she is here." (when covering for all facilities at once)<br><br>Interview on 1-9-23, 1-10-23 and 1-11-23 with the Qualified Professional (QP) revealed:<br>-Since being employed, Charles Road C and Sister Facility B always had one staff. One staff covered both facilities at the same time.<br>-The clients in Charles Road C and Sister Facility B were more independent and only one staff worked to cover both facilities.<br>-Was trained by the previous QP and " ...I was told it was in their plans they could stay independently for 2 hours in B and C."<br>-"Recently there has been situations where we had one staff for the whole facility (Charles Road B and Sister Facilities A and C) ...We are just short staffed right now."<br>-Clients would arrive home from work/day program around 4 pm.<br>-"If someone doesn't show, I'll ask if they (staff going off shift) can stay a few minutes. I will come if I can't find someone until I can find someone. Sometimes I can find someone, sometimes I can't."<br>-The last two months have been more frequent.<br>-"Lost a house manager and then a third shift staff. Lost a lot of staff 3 months ago."<br><br>Interview on 1-11-23 with the Community Services Regional Director revealed:<br>-"I think it has been a big issue, staffing during COVID."<br>-Have had staffing issues for all 3 facilities.<br>-"I didn't understand that there were not people working."<br>-"I don't think we are providing a dangerous | V 290 | | |

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| V 290 | Continued From page 7<br>environment, but it could run a whole lot better."<br><br>Interview on 1-17-23 with the Chief Executive Officer (CEO) revealed:<br>-"I knew that we had the shared staff between the two apartments (Charles Road C and Sister Facility B). I thought we had the evaluations (unsupervised time assessments)."<br>-"Unfortunately with the way staff is right now, we are short and trying to keep people safe."<br>-"We would have never put in anyone in those apartments (Charles Road C and Sister Facility B) that couldn't handle it."<br>-"I can assure you it is a thoughtful process who goes into those homes due to staffing."<br>-"Honestly I was not aware that had happened. That definitely needs to be addressed." (sharing staff between Charles Road C and Sister Facilities A and B)<br>-"We definitely screwed up in not getting documented what needed to get documented."<br><br>Review on 1-13-23 of the Plan of Protection dated 1-13-23 written by the Community Services Regional Director revealed:<br>"What immediate action will the facility take to ensure the safety of the consumers in your care?<br>The facility will ensure that the staff schedule is maintained with a staff present for all individuals in Charles Road B and C at all times. This staff will not be used for staffing Charles Road A.<br>The staffing schedule will be posted every two weeks in the facility to ensure that staff know their time and place of work.<br>If a staff will not be able to work their schedule, then they will inform the 'Q' (QP) for the facility at least four hours before the beginning of shift.<br>The 'Q' will then ensure that a staff person is obtained for the vacant shift.<br>The 'Q' will be responsible for ensuring that the | V 290 | | |

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| V 290 | Continued From page 8<br>Regional Director has a copy of the staffing schedule and is made aware of any changes to the schedule.<br>Care Coordinators and guardians will be contacted immediately to obtain a verbal consent for unsupervised time for these individuals in C. Care Coordinators will also be requested to review plans for all individuals in both Charles Road B and C to ensure that the treatment team agrees with unsupervised time for individuals living in these apartments. The plan will then be revised in order to reflect approved unsupervised time appropriate for each individual. Risk Assessments will also be reviewed in order to reflect appropriate amount of supervision and ensure that it is reflected in the assessment.<br>Describe your plans to make sure the above happens.<br>The Regional Manager will check weekly with the supervising 'Q' to ensure that schedules have been followed.<br>The Regional Manager will also check with staff on shift at varying times to ensure that two staff are present at all times when individuals are present in the facilities."<br><br>The facility served 2 adult clients whose diagnoses included Intellectual Developmental Disability and Schizophrenia. The facility was located in a building that was also occupied by Sister Facilities B and C. There were 30 days in November 2022 and 31 days in December 2022 where at some point there was not a staff present while clients were present. The clients required supervision and were not assessed or approved for unsupervised time. Staff from Sister Facilities A and/or B would cover the lapse of time where no staff was present for Charles Road C. Staff that was assigned and clocked in as working for Charles Road C would also work to cover Sister | V 290 | | |

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| V 290 | Continued From page 9<br>Facility B at the same time. Staff would cover these shifts ranging from minutes to several hours. This deficiency constitutes a Type B rule violation which is detrimental to the health, safety, and welfare of the clients. If the violation is not corrected within 45 days, an administrative penalty of $200.00 per day will be imposed for each day the facility is out of compliance beyond the 45th day. | V 290 | | |