

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>20190063</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>R</b> <b>02/17/2023</b>
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NAME OF PROVIDER OR SUPPLIER  <b>THE WILMINGTON TREATMENT CENTER, LLC</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>2520 TROY DRIVE</b> <b>WILMINGTON, NC 28401</b>
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V 000	<p><b>INITIAL COMMENTS</b></p> <p>An annual, complaint and follow up survey was completed on February 17, 2023. The complaints were unsubstantiated (intake #'s NC00192202 and NC00192152). A deficiency was cited.</p> <p>This facility is licensed for the following service categories: 10A NCAC 27G .3100 Nonhospital Medical Detoxification for Individuals who are Substance Abusers, 10A NCAC 27G .3400 Residential Treatment/Rehabilitation for Individuals with Substance Abuse Disorders, and 10A NCAC 27G .3700 Day Treatment Facilities for Individuals with Substance Abuse Disorders.</p> <p>This facility is licensed for 78 (Residential Treatment/Rehabilitation and Nonhospital Medical Detoxification) and currently has a census of 60. The facility has a current census of 121 Day Treatment clients. The survey sample consisted of audits of 6 current clients and 2 former clients.</p>	V 000		
V 364	<p>G.S. 122C- 62 Additional Rights in 24 Hour Facilities</p> <p>§ 122C-62. Additional Rights in 24-Hour Facilities.</p> <p>(a) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-61, each adult client who is receiving treatment or habilitation in a 24-hour facility keeps the right to:</p> <p>(1) Send and receive sealed mail and have access to writing material, postage, and staff assistance when necessary;</p> <p>(2) Contact and consult with, at his own expense and at no cost to the facility, legal counsel, private physicians, and private mental health, developmental disabilities, or substance abuse professionals of his choice; and</p> <p>(3) Contact and consult with a client advocate if</p>	V 364		

Division of Health Service Regulation LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
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V 364	<p>Continued From page 1</p> <p>there is a client advocate.</p> <p>The rights specified in this subsection may not be restricted by the facility and each adult client may exercise these rights at all reasonable times.</p> <p>(b) Except as provided in subsections (e) and (h) of this section, each adult client who is receiving treatment or habilitation in a 24-hour facility at all times keeps the right to:</p> <p>(1) Make and receive confidential telephone calls. All long distance calls shall be paid for by the client at the time of making the call or made collect to the receiving party;</p> <p>(2) Receive visitors between the hours of 8:00 a.m. and 9:00 p.m. for a period of at least six hours daily, two hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over therapies;</p> <p>(3) Communicate and meet under appropriate supervision with individuals of his own choice upon the consent of the individuals;</p> <p>(4) Make visits outside the custody of the facility unless:</p> <p>a. Commitment proceedings were initiated as the result of the client's being charged with a violent crime, including a crime involving an assault with a deadly weapon, and the respondent was found not guilty by reason of insanity or incapable of proceeding;</p> <p>b. The client was voluntarily admitted or committed to the facility while under order of commitment to a correctional facility of the Division of Adult Correction of the Department of Public Safety; or</p> <p>c. The client is being held to determine capacity to proceed pursuant to G.S. 15A-1002; A court order may expressly authorize visits otherwise prohibited by the existence of the conditions prescribed by this subdivision;</p> <p>(5) Be out of doors daily and have access to</p>	V 364		

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V 364	<p>Continued From page 2</p> <p>facilities and equipment for physical exercise several times a week;</p> <p>(6) Except as prohibited by law, keep and use personal clothing and possessions, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>(7) Participate in religious worship;</p> <p>(8) Keep and spend a reasonable sum of his own money;</p> <p>(9) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes; and</p> <p>(10) Have access to individual storage space for his private use.</p> <p>(c) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-57 and G.S. 122C-59 through G.S. 122C-61, each minor client who is receiving treatment or habilitation in a 24-hour facility has the right to have access to proper adult supervision and guidance. In recognition of the minor's status as a developing individual, the minor shall be provided opportunities to enable him to mature physically, emotionally, intellectually, socially, and vocationally. In view of the physical, emotional, and intellectual immaturity of the minor, the 24-hour facility shall provide appropriate structure, supervision and control consistent with the rights given to the minor pursuant to this Part. The facility shall also, where practical, make reasonable efforts to ensure that each minor client receives treatment apart and separate from adult clients unless the treatment needs of the minor client dictate otherwise.</p> <p>Each minor client who is receiving treatment or habilitation from a 24-hour facility has the right to:</p> <p>(1) Communicate and consult with his parents or guardian or the agency or individual having legal custody of him;</p>	V 364		

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V 364	<p>Continued From page 3</p> <p>(2) Contact and consult with, at his own expense or that of his legally responsible person and at no cost to the facility, legal counsel, private physicians, private mental health, developmental disabilities, or substance abuse professionals, of his or his legally responsible person's choice; and</p> <p>(3) Contact and consult with a client advocate, if there is a client advocate.</p> <p>The rights specified in this subsection may not be restricted by the facility and each minor client may exercise these rights at all reasonable times.</p> <p>(d) Except as provided in subsections (e) and (h) of this section, each minor client who is receiving treatment or habilitation in a 24-hour facility has the right to:</p> <p>(1) Make and receive telephone calls. All long distance calls shall be paid for by the client at the time of making the call or made collect to the receiving party;</p> <p>(2) Send and receive mail and have access to writing materials, postage, and staff assistance when necessary;</p> <p>(3) Under appropriate supervision, receive visitors between the hours of 8:00 a.m. and 9:00 p.m. for a period of at least six hours daily, two hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over school or therapies;</p> <p>(4) Receive special education and vocational training in accordance with federal and State law;</p> <p>(5) Be out of doors daily and participate in play, recreation, and physical exercise on a regular basis in accordance with his needs;</p> <p>(6) Except as prohibited by law, keep and use personal clothing and possessions under appropriate supervision, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>(7) Participate in religious worship;</p>	V 364		

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V 364	<p>Continued From page 4</p> <p>(8) Have access to individual storage space for the safekeeping of personal belongings;</p> <p>(9) Have access to and spend a reasonable sum of his own money; and</p> <p>(10) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes.</p> <p>(e) No right enumerated in subsections (b) or (d) of this section may be limited or restricted except by the qualified professional responsible for the formulation of the client's treatment or habilitation plan. A written statement shall be placed in the client's record that indicates the detailed reason for the restriction. The restriction shall be reasonable and related to the client's treatment or habilitation needs. A restriction is effective for a period not to exceed 30 days. An evaluation of each restriction shall be conducted by the qualified professional at least every seven days, at which time the restriction may be removed. Each evaluation of a restriction shall be documented in the client's record. Restrictions on rights may be renewed only by a written statement entered by the qualified professional in the client's record that states the reason for the renewal of the restriction. In the case of an adult client who has not been adjudicated incompetent, in each instance of an initial restriction or renewal of a restriction of rights, an individual designated by the client shall, upon the consent of the client, be notified of the restriction and of the reason for it. In the case of a minor client or an incompetent adult client, the legally responsible person shall be notified of each instance of an initial restriction or renewal of a restriction of rights and of the reason for it. Notification of the designated individual or legally responsible person shall be documented in writing in the client's record.</p>	V 364		

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V 364	<p>Continued From page 5</p> <p>This Rule is not met as evidenced by: Based on record review and interview, when clients were admitted for 24 hour residential services, the facility failed to ensure the restriction of access to the facility phone, visitation, personal clothing, and possessions were: (1) imposed only the Qualified Professional (QP) responsible for client's treatment plan; (2) reviewed by the QP at least every seven days, and, (3) the reason for restrictions was documented in the client record, affecting 1 of 6 current clients (#1, #2, #3). The findings are:</p> <p>Reviews between 01/16/23 and 01/17/23 of the following client records revealed: -Client # 1 - 55 year old male admitted on 02/12/23. Treatment plan dated 02/12/23.. -Client # 2 - 78 year old female admitted on 02/13/23. Treatment plan dated 02/13/23. -Client # 3 - 45 year old female admitted on 02/14/23. Treatment plan dated 02/14/23. -All of the clients had diagnoses of substance use disorders. -None of the clients' treatment plans included restrictions of their rights to use of the facility phone, receive visitors, make visits outside of the facility, or to retain personal clothing, possessions, or a reasonable amount of money.</p> <p>Review on 02/16/23 of the "Standardized Admission Orders" revealed clients admitted to detox or the residential level of care would not have access to the facility phones or visitation "unless clinically indicated."</p> <p>Review on 6/2/23 of the facility's "Consent for</p>	V 364		

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V 364	<p>Continued From page 6</p> <p>Treatment and Conditions of Admission" revealed:</p> <ul style="list-style-type: none"> <li>-The facility maintained a safe to secure clients' money and belongings.</li> <li>-The "Consent for Treatment and Conditions of Admission" did not specify which personal possessions the clients were not allowed to keep.</li> </ul> <p>Interview on client #1 stated:</p> <ul style="list-style-type: none"> <li>-He was admitted to the detox section of the facility.</li> <li>-Staff keep all personal items in the facility safe.</li> <li>-He was on a phone call schedule.</li> </ul> <p>Interview on client #3 stated:</p> <ul style="list-style-type: none"> <li>- She had resided at detox for 4 days.</li> <li>- She was moved to the residential section of the facility today, 02/17/23.</li> <li>- Some personal items were kept by staff.</li> </ul> <p>During interview on 02/17/23 the Clinical Director revealed:</p> <ul style="list-style-type: none"> <li>-Each plan was reviewed and updated by herself and the Quality Assurance Director every 7 days.</li> <li>-She was not aware the Plan of Correction that was sent to Division of Health Service Regulation had indicated the patients in Detox needed the restrictions added to the treatment plan.</li> <li>-She would ensure every patient served at the facility the treatment plans would include all the restrictions upon time of admission.</li> </ul> <p>This deficiency constitutes a re-cited deficiency and must be corrected within 30 days.</p>	V 364		