

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL078-330	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 10/24/2023
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NAME OF PROVIDER OR SUPPLIER WILKINSON FACILITY	STREET ADDRESS, CITY, STATE, ZIP CODE 635 NORTH WILKINSON DRIVE SAINT PAULS, NC 28384
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V 000	<p>INITIAL COMMENTS</p> <p>An annual and complaint survey was completed on October 24, 2023. The complaint was unsubstantiated (intake #NC00207607). Deficiencies were cited.</p> <p>This facility is licensed for the following category: 10A NCAC 27G .5600B Supervised Living for Minors With Developmental Disabilities.</p> <p>The facility is licensed for 4 and currently has a census of 1. The survey sample consisted of audits of 1 current client and 1 former client.</p>	V 000		
V 118	<p>27G .0209 (C) Medication Requirements</p> <p>10A NCAC 27G .0209 MEDICATION REQUIREMENTS (c) Medication administration: (1) Prescription or non-prescription drugs shall only be administered to a client on the written order of a person authorized by law to prescribe drugs. (2) Medications shall be self-administered by clients only when authorized in writing by the client's physician. (3) Medications, including injections, shall be administered only by licensed persons, or by unlicensed persons trained by a registered nurse, pharmacist or other legally qualified person and privileged to prepare and administer medications. (4) A Medication Administration Record (MAR) of all drugs administered to each client must be kept current. Medications administered shall be recorded immediately after administration. The MAR is to include the following: (A) client's name; (B) name, strength, and quantity of the drug; (C) instructions for administering the drug; (D) date and time the drug is administered; and</p>	V 118		

DHSR - Mental Health
NOV 3 9 2023
Lic. & Cert. Section

Division of Health Service Regulation
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE *[Signature]* TITLE *DP* (X6) DATE *11/21/23*

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V 118	<p>Continued From page 1</p> <p>(E) name or initials of person administering the drug.</p> <p>(5) Client requests for medication changes or checks shall be recorded and kept with the MAR file followed up by appointment or consultation with a physician.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interview, the facility failed to keep the MARs current affecting 1 of 1 current clients (#1). The findings are:</p> <p>Finding #1: Review on 10/20/23 of client #1's record revealed: - 17-year old male. - Admission date of 5/1/23. - Diagnoses of impulse control disorder, conduct disorder, and intellectual developmental disability.</p> <p>Review on 10/23/23 of physician orders for client #1 dated 10/12/23 revealed: - Aripiprazole (antipsychotic) 10 milligrams (mg) - 1 tablet (tab) daily. - Clonidine (anxiety) 0.1 mg - 1 tab every evening. - Fluoxetine (antidepressant) 20 mg - 3 capsules daily.</p> <p>Review on 10/20/23 of client #1's October 2023 MAR revealed the following blanks: - Aripiprazole 10mg - 10/1/23, 10/2/23, and 10/10/23 at 7am. - Clonidine 0.1mg - 10/12/23 and 10/19/23 at 7pm.</p>	V 118		

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V 118	<p>Continued From page 2</p> <p>- Fluoxetine 20 mg - 10/2/23 and 10/7/23 at 7am.</p> <p>Interview on 10/20/23 client #1 stated; - He took his medications as prescribed. - He had not missed any medications.</p> <p>Interview on 10/24/23 the Qualified Professional/Director stated: - She would ensure staff completed MARs moving forward.</p> <p>Due to the failure to accurately document medication administration it could not be determined if client #1 received his medications as ordered by the physician.</p>	V 118		
V 133	<p>G.S. 122C-80 Criminal History Record Check</p> <p>G.S. §122C-80 CRIMINAL HISTORY RECORD CHECK REQUIRED FOR CERTAIN APPLICANTS FOR EMPLOYMENT.</p> <p>(a) Definition. - As used in this section, the term "provider" applies to an area authority/county program and any provider of mental health, developmental disability, and substance abuse services that is licensable under Article 2 of this Chapter.</p> <p>(b) Requirement. - An offer of employment by a provider licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a State and national criminal history record check of the applicant. If the applicant has been a resident of this State for less than five years, then the offer of employment is conditioned on consent to a State and national criminal history record check of the applicant. The national criminal history record check shall include a check of the applicant's fingerprints. If</p>	V 133		

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V 133	Continued From page 3 the applicant has been a resident of this State for five years or more, then the offer is conditioned on consent to a State criminal history record check of the applicant. A provider shall not employ an applicant who refuses to consent to a criminal history record check required by this section. Except as otherwise provided in this subsection, within five business days of making the conditional offer of employment, a provider shall submit a request to the Department of Justice under G.S. 114-19.10 to conduct a criminal history record check required by this section or shall submit a request to a private entity to conduct a State criminal history record check required by this section. Notwithstanding G.S. 114-19.10, the Department of Justice shall return the results of national criminal history record checks for employment positions not covered by Public Law 105-277 to the Department of Health and Human Services, Criminal Records Check Unit. Within five business days of receipt of the national criminal history of the person, the Department of Health and Human Services, Criminal Records Check Unit, shall notify the provider as to whether the information received may affect the employability of the applicant. In no case shall the results of the national criminal history record check be shared with the provider. Providers shall make available upon request verification that a criminal history check has been completed on any staff covered by this section. A county that has adopted an appropriate local ordinance and has access to the Division of Criminal Information data bank may conduct on behalf of a provider a State criminal history record check required by this section without the provider having to submit a request to the Department of Justice. In such a case, the county shall commence with the State	V 133		

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V 133	<p>Continued From page 4</p> <p>criminal history record check required by this section within five business days of the conditional offer of employment by the provider. All criminal history information received by the provider is confidential and may not be disclosed, except to the applicant as provided in subsection (c) of this section. For purposes of this subsection, the term "private entity" means a business regularly engaged in conducting criminal history record checks utilizing public records obtained from a State agency.</p> <p>(c) Action. - If an applicant's criminal history record check reveals one or more convictions of a relevant offense, the provider shall consider all of the following factors in determining whether to hire the applicant:</p> <ol style="list-style-type: none"> (1) The level and seriousness of the crime. (2) The date of the crime. (3) The age of the person at the time of the conviction. (4) The circumstances surrounding the commission of the crime, if known. (5) The nexus between the criminal conduct of the person and the job duties of the position to be filled. (6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed. (7) The subsequent commission by the person of a relevant offense. <p>The fact of conviction of a relevant offense alone shall not be a bar to employment; however, the listed factors shall be considered by the provider. If the provider disqualifies an applicant after consideration of the relevant factors, then the provider may disclose information contained in the criminal history record check that is relevant to the disqualification, but may not provide a copy of the criminal history record check to the</p>	V 133		

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V 133	Continued From page 5 applicant. (d) Limited Immunity. - A provider and an officer or employee of a provider that, in good faith, complies with this section shall be immune from civil liability for: (1) The failure of the provider to employ an individual on the basis of information provided in the criminal history record check of the individual. (2) Failure to check an employee's history of criminal offenses if the employee's criminal history record check is requested and received in compliance with this section. (e) Relevant Offense. - As used in this section, "relevant offense" means a county, state, or federal criminal history of conviction or pending indictment of a crime, whether a misdemeanor or felony, that bears upon an individual's fitness to have responsibility for the safety and well-being of persons needing mental health, developmental disabilities, or substance abuse services. These crimes include the criminal offenses set forth in any of the following Articles of Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing Monetary Substitutes; Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7A, Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretenses and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 19B, Financial Transaction Card Crime Act; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and	V 133		

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V 133	<p>Continued From page 6</p> <p>Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; Article 40, Protection of the Family; Article 59, Public Intoxication; and Article 60, Computer-Related Crime. These crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5.</p> <p>(f) Penalty for Furnishing False Information. - Any applicant for employment who willfully furnishes, supplies, or otherwise gives false information on an employment application that is the basis for a criminal history record check under this section shall be guilty of a Class A1 misdemeanor.</p> <p>(g) Conditional Employment. - A provider may employ an applicant conditionally prior to obtaining the results of a criminal history record check regarding the applicant if both of the following requirements are met:</p> <p>(1) The provider shall not employ an applicant prior to obtaining the applicant's consent for criminal history record check as required in subsection (b) of this section or the completed fingerprint cards as required in G.S. 114-19.10.</p> <p>(2) The provider shall submit the request for a criminal history record check not later than five business days after the individual begins conditional employment. (2000-154, s. 4; 2001-155, s. 1; 2004-124, ss. 10.19D(c), (h); 2005-4, ss. 1, 2, 3, 4, 5(a); 2007-444, s. 3.)</p>	V 133		

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V 133	<p>Continued From page 7</p> <p>This Rule is not met as evidenced by: Based on record review and interviews, the facility failed to request within five business days of making the conditional offer of employment, a national criminal history record check to include a check of the applicant's fingerprints, for 2 of 3 staff audited who had lived out of state within 5 years of hire (#1, #2). The findings are:</p> <p>Review on 10/20/23 of staff #2's personnel record revealed: - Date of Hire: 5/18/23 - No documentation of a national criminal background with fingerprint check had been completed</p> <p>Review on 10/20/23 of staff #3's personnel record revealed: - Date of Hire: 9/22/23 - No documentation of a national criminal background with fingerprint check had been completed</p> <p>Interview on 10/23/23 staff #2 stated: - He had moved from the state of New York to the state of North Carolina several months earlier.</p> <p>Interview on 10/23/23 staff #3 stated: - She had moved from the state of New York to the state of North Carolina 2 months earlier.</p> <p>Interview on 10/24/23 the Qualified Professional/Director stated: - A national criminal background with fingerprint check would be completed for staff #2 and #3.</p>	V 133		

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V 736	<p>27G .0303(c) Facility and Grounds Maintenance</p> <p>10A NCAC 27G .0303 LOCATION AND EXTERIOR REQUIREMENTS (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 observation and interview, the facility was not maintained in a safe, clean, attractive and orderly manner. The findings are:</p> <p>Observation on 10/20/23 at approximately 11:00am during a tour of the facility revealed:</p> <ul style="list-style-type: none"> - There was a chirping fire alarm behind living area. - There were dark discolorations, peeling paint, and stains along the ceiling down the hallway, approximately 3' x 3' in size. - The floor was uneven in the hallway. - There was a long cable extending from the behind the top left corner of the garage door and into the front yard. <p>Interview on 10/24/23 the Qualified Professional/Director stated:</p> <ul style="list-style-type: none"> - Repairs would be made. 	V 736		

Findings	Corrective Measures	Preventive Measures	Responsible Party/ How often	Time Frame
10A NCAC 27G . 0209 Medication Requirements	QP met with staff to ensure that moving forward every person initial is documented after giving medication	House manager will complete weekly checks of MARS and OM will oversee house manager	House manager Operational Manager	60 Days
G.S 122C-80 Criminal history record check required for certain applicants for employment	Complete fingerprints for required staff	Moving forward, Office staff responsible for staff personnel files will make sure to send required applicant to obtain fingerprint upon hire	Office Admin	60 Days
10A NCAC 27G . 0303 LOCATION AND EXTERIOR REQUIREMENTS	Work order completed for damages	Met with staff about making sure to complete work orders for any property damage in the home	House Manager Office Admin Maintenance	60 Days