

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL054-126	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 08/21/2024
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NAME OF PROVIDER OR SUPPLIER OAKWOOD FACILITY	STREET ADDRESS, CITY, STATE, ZIP CODE 2002 D & E SHACKLEFORD ROAD KINSTON, NC 28504
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V 000	<p>INITIAL COMMENTS</p> <p>An annual, complaint and follow up survey was completed on August 21, 2024. Three complaints were substantiated (intake #NC00220258, NC00220181 and NC00220176) and two complaints were unsubstantiated (intake #NC00220251 and NC00220189). A deficiency was cited.</p> <p>This facility is licensed for the following service category: 10A NCAC .1900 Psychiatric Residential Treatment for Children and Adolescents.</p> <p>This facility is licensed for 12 and has a current census of 8. The survey sample consisted of audits of 4 current clients and 5 former clients.</p>	V 000		
V 315	<p>27G .1902 Psych. Res. Tx. Facility - Staff</p> <p>10A NCAC 27G .1902 STAFF</p> <p>(a) Each facility shall be under the direction a physician board-eligible or certified in child psychiatry or a general psychiatrist with experience in the treatment of children and adolescents with mental illness.</p> <p>(b) At all times, at least two direct care staff members shall be present with every six children or adolescents in each residential unit.</p> <p>(c) If the PRTF is hospital based, staff shall be specifically assigned to this facility, with responsibilities separate from those performed on an acute medical unit or other residential units.</p> <p>(d) A psychiatrist shall provide weekly consultation to review medications with each child or adolescent admitted to the facility.</p> <p>(e) The PRTF shall provide 24 hour on-site coverage by a registered nurse.</p>	V 315		

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

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V 315	<p>Continued From page 1</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to maintain an approved waiver of Rule 10A NCAC 27G .1902 (e) to ensure compliance with providing 24-hr onsite coverage by a registered nurse (RN).</p> <p>Review on 08/21/24 of Division of Health Service Regulation (DHSR) records for the facility revealed: - No current approval waiver of Rule 10A NCAC 27G.1902 (e). - The last approved waiver for Rule 10A NCAC 27G.1902 (e) was valid until December 31, 2022.</p> <p>Review on 08/20/24 of a Plan of Correction completed by the Chief Operating Officer (COO) implemented on 06/15/24 revealed: - "NOVA always takes steps to ensure that the PRTF has adequate nursing staffing to maintain the health and safety of the children we serve. [COO Name], COO, will contact our home LME (Local Management Entity) [LME] to request a waiver to 10A NCAC 27G .1902. We have been successful in receiving this waiver in past years. [COO Name], COO will communicate with [LME], and request a waiver that will allow NOVA to staff all three facilities on NOVA ' s PRTF campus with 1 RN, minimally. Once the waiver is in place, [Director of Nursing (DON), Director of Nursing will ensure that PRTF shall provide 24 hour on-site coverage by a registered nurse."</p> <p>Review on 08/21/24 of a letter by the COO</p>	V 315		

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V 315	<p>Continued From page 2</p> <p>addressed to the Local Management Entity/Managed Care Organization (LME/MCO) and dated 06/12/24 revealed:</p> <p>- "To Whom it May Concern, NOVA Behavioral Health operates three licensed facilities ([sister facility], Oakwood, and [sister facility]) on our PRTF (Psychiatric Residential Treatment Facility) site. DHSR recently cited our facilities for a failure to maintain adequate nursing coverage as required by 10A NCAC 27G 1902 (c). This regulation requires that "The PRTF shall provide 24 hour on-site coverage by a registered nurse. "DHSR interprets this standard to mean that NOVA's PRTF should always maintain a minimum of three registered nurses on site (or one per unit), despite the fact that the standard makes no mention of the number of nurses necessary per licensed facility. NOVA considers our PRTF program one facility because we share resources and operate on the same physical site. Therefore, we interpret the standard to mean that NOVA is required to always have one registered nurse on our PRTF site, a requirement that we exceed under usual circumstances. Although we disagree with DHSR's interpretation of this rule, they have agreed to waive the requirement and allow NOVA's PRTF to always maintain at least one registered nurse on campus, if we obtain a letter of support from Trillium. Therefore, we are seeking support from Trillium to share one Registered Nurse per shift to provide 24-hour onsite coverage on our PRTF campus. NOVA unequivocally assumes that the health, safety, and welfare of all consumers will not be threatened should this request be granted. NOVA has had a waiver in effect since 2010 without compromise of the provided nursing services as evidenced by multiple surveys that have not resulted in sanctions regarding the use of one registered nurse. We further believe that one</p>	V 315		

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V 315	Continued From page 3 registered nurse per shift can effectively serve the facilities because they are on the same site and are in very close proximity to each other. From the central nursing office, located in Building C; it is 270 feet (90 yds (yards).) and 50 seconds to the [sister] Facility; it is 240 feet (80 yds) and 41 seconds to the Oakwood Facility, and it is 240 feet (80 yds) and 41 seconds to the [sister] Facility. Therefore, nursing support can be present and available anywhere on site in less than one minute. Furthermore, there are many layers of support on campus throughout the day. Although we are seeking a waiver to have a minimum of one registered nurse on campus at all times, we typically maintain two to four nursed on campus. Additionally, during the first shift (7 a.m.-7 p.m.) the registered nurses are further supported by the presence of several other clinical staff. This support consists of a Nursing Director (who is an RN), a Program Director, three Licensed Therapists and at least five Qualified Professionals in addition to many other support positions. Although, we have a reduced number of clinical staff after 7 p.m., we have support in place to assist nurses on duty. Aside from the presence of two to three Residential Services Supervisors, the Director of PRTF Services is an experienced residential healthcare professional is on call 24/7 to the facility. I am the Chief Operating Officer and Licensed Clinical Psychologist and am also available 24/7 to assist the PRFT program. The PRFT also maintains and Administrator- On-Call, who is a Qualified Professional. NOVA has a Psychiatrist and a MD on call 24/7 also. Most of our consumers retire for bed by 9 p.m. and many of them choose to retire earlier. Our campus is generally calm and quiet throughout the second shift with little to be done by an RN. In sum, Nova's PRTF requests a waiver from 10A NCAC 27G 1902 (c). We seek to	V 315		

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V 315	<p>Continued From page 4</p> <p>use one RN position per shift at a minimum, to provide twenty-four-hour onsite coverage for our PRTF, located on one site. Even with one registered nurse on campus at all times, the PRTF program has ample supports in place, from nursing and other departments, to ensure the health and safety of the children we serve. Please consider continued support of this waiver and let us know if your have any questions or concerns about our request."</p> <p>Review on 08/21/24 of an email from the LME Provider Relations and Engagement Manager to the facility COO dated 07/10/24 revealed: - "[LME]'s Executive team has reviewed the Nova's request, and it has been disapproved."</p> <p>Interview on 08/21/24 the DON stated: - She had worked at the facility for one year. - She was a RN. - There are usually 2 nurses on each shift. - One nurse provided medications to a sister facility and the other nurse would provide medications to Oakwood facility and another sister facility. - There is not a nurse currently stationed at each facility. - All nurses help each other out to ensure the needs of clients are met.</p> <p>Interview on 08/20/24 the Program Manager stated: - The nursing staff for Oakwood and a sister facility are shared. - The nursing staff have an office in the administrative building. - There are 2 nurses on the campus at night one serves a sister facility and the other serves another sister facility and Oakwood Facility. - The facility owners have had correspondence</p>	V 315		

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V 315	<p>Continued From page 5</p> <p>with the LME related to the waiver and securing the waiver for nursing coverage.</p> <p>- There is no waiver in place currently.</p> <p>This deficiency constitutes a re-cited deficiency and must be corrected within 30 days.</p>	V 315		