| STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: | (X2) MULTIPLE CONSTRUCTION | (X3) DATE SURVEY COMPLETED |
|---|---|---|---|
| | mhl067-049 | A. BUILDING: _____ B. WING _____ | 08/22/2024 |

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| V 000 | INITIAL COMMENTS<br><br>A complaint survey was completed on August 22, 20024. The complaints were substantiated NC00220422 and NC0022313. 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 Disabilities.<br><br>This facility is licensed for 3 and has a current census of 3. The survey sample consisted of audits of 2 current clients. | V 000 | | |
| V 109 | 27G .0203 Privileging/Training Professionals<br><br>10A NCAC 27G .0203 COMPETENCIES OF QUALIFIED PROFESSIONALS AND ASSOCIATE PROFESSIONALS<br>(a) There shall be no privileging requirements for qualified professionals or associate professionals.<br>(b) Qualified professionals and associate professionals shall demonstrate knowledge, skills and abilities required by the population served.<br>(c) At such time as a competency-based employment system is established by rulemaking, then qualified professionals and associate professionals shall demonstrate competence.<br>(d) Competence shall be demonstrated by exhibiting core skills including:<br>(1) technical knowledge;<br>(2) cultural awareness;<br>(3) analytical skills;<br>(4) decision-making;<br>(5) interpersonal skills;<br>(6) communication skills; and<br>(7) clinical skills.<br>(e) Qualified professionals as specified in 10A NCAC 27G .0104 (18)(a) are deemed to have met the requirements of the competency-based | V 109 | | |

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| V 109 | Continued From page 1<br>employment system in the State Plan for MH/DD/SAS.<br>(f) The governing body for each facility shall develop and implement policies and procedures for the initiation of an individualized supervision plan upon hiring each associate professional.<br>(g) The associate professional shall be supervised by a qualified professional with the population served for the period of time as specified in Rule .0104 of this Subchapter.<br><br>This Rule is not met as evidenced by:<br>Based on record review and interviews, 1 of 1 Qualified Professional (QP) failed to demonstrate the knowledge, skills and abilities required by the population served. The findings are:<br><br>Review on 8/14/24 of the QP's personnel file revealed:<br>-Hire date of 11/26/07.<br>-Job title of QP.<br><br>Review on 8/14/24 of a North Carolina Incident Response Improvement System (IRIS) report for client #2 revealed:<br>-Date of incident 7/27/24.<br>-Physical Abuse: "7/30/2024 DA expressed that staff hit him on the face."<br>-Supervisor Actions: "Describe the cause of this incident: At this time, there is no plausible cause for the alleged incident."<br>-Incident Prevention: "7/30/2024 The staff the allegation made against is no longer employed with the agency at his own volition. Current | V 109 | | |

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employees will receive in-service training on incident reporting times. Staff will continue to receive supervision from QP and will complete refresher crisis prevention training within 1 week."
-"Did this incident result in injury/harm: No."
-Perpetrator Former Staff (FS) #5.
-Person who conducted investigation QP.
-"Allegation substantiated: No."

Review on 8/14/24 of a "Bruise Chart" for client #2 dated 7/27/24 revealed:
-"After giving [Client #2] a shower on Saturday evening staff (#1) noticed [client #2] had fresh scratches on his back. Located on his neck (lower) and left shoulder (back)."
-Signed by staff #1.

Review on 8/14/24 of a facility "Internal Report and Investigation Note" revealed:
-"Identified Persons: [QP]-Administrative QP
[Program Manager]-Cape Cod Program Manager
[Client #2]-Consumer
Client 2 (Client #3)- Other member residing within the home
Staff 1(FS #5)- Staff allegations is made against
Staff 2- Staff allegation was reported to
Incident: On July 29, 2024, I, [QP] received a phone call at 8am from [Program Manager]. [Program Manager] informed me that client 1 (#3) approached her and requested that he speak to her in private. [Program Manager] entered into Client 1 (#3)'s room, where he expressed to her that he witnessed Staff 1 (FS #5) strike on the face. After conferring with Client 1 (#3), [Program Manager] deduced that he incident most likely occurred on Saturday, July 27,2024.
Upon learning of the incident, QP visited the

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home at 9:30am. QP first spoke with [Client #2]. QP asked him to explain what happened this weekend. He explained that Staff 1 (FS #5) "hurt his neck". When asked to clarify, he stated that Staff 1 (FS #5) placed his hands on his neck and verbalized that he hit him. QP asked if he remembered when it happened. He could not specify a day, but affirmed that I happened when he was eating breakfast at the table. Following my conversation with [Client #2], I examined his facial region for observable injuries. Examination yielded no indications of injury/harm. Following initial contact with [Client #2], QP spoke with Client 2 (Client #3). QP instructed Client 2 (Client #3) to discuss with her the events that happened. Client 2 (Client #3) stated that Staff 1 (FS #5) struck [Client #2] on the face. He stated the incident took place over the weekend during breakfast. When asked to identify precipitating events that led to the incident, Client 2 (Client #3) could not provide details, but continued to state he observed DA being struck by Staff 1 (FS #5). He informed QP that he had reported this to Staff 2 when she relieved Staff 1 (FS #5) that morning. After speaking with both members, I took the time to question the staff member. I requested that he provided me with details of any incidents that occurred over the weekend when he worked. He did not confirm any incident, I expressed to him that an allegation of abuse was made against him. He stated that he did not strike. Per the staff ' s recounting of the event that happened that morning, he stated that [Client #2] was at the kitchen table eating breakfast. He observed [Client #2] dropping food on the floor from not being seated closely to the table. He explained that he went to reposition [Client #2] closer to the table to prevent him dropping food on the floor while eating. He stated that [Client #2] began to display behaviors and that at the point, he

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refrained from engaging with him. After speaking with [Client 2] (Client #3), I spoke with Staff 2 via phone call. I inquired if [Client 2] (Client #3) reported an incident to her. She affirmed that he had. She indicated that he stated he witnessed Staff 1 (FS #5) strike [Client #2] on the face. Before Leaving the home, I informed Staff 1 (FS #5) that I would be placing him on a three day suspension pending the results of my completed investigation. Upon making my intentions clear to him, he resigned. Results:At this time, I cannot affirm or substantiate allegations made against the staff. There are no observable signs injury or harm to [Client # 2]'s facial region nor could I positively identify any signs of mental duress. Protocol have been followed to the best of my ability at this time. Proper authorities have been notified of this incident, to include: Legal Guardians, Care Manager, and Local DSS (Department of Social Services) and will provide full cooperation henceforth.
Respectfully Submitted, [QP]."

Interview on 8/22/24 Client #2 stated:
-He had lived at the facility for many years.
-He had recently been hit by staff that was no longer at the facility.

Interview on 8/22/24 Client #3 stated:
-He lived at the facility for a long time.
-He saw a staff hit Client #2 three times.

Interview on 8/14/24 Staff #1 stated:
-He worked at the facility for 13 years.
-He typically worked the 11:00am to 7:00pm Shift.
-Client #3 stated FS #5 hit Client #2 three times.
-He documented injuries on an internal chart for Client #3 dated 7/27/24.

Interview on 8/14/24 FS #5 stated:

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| V 109 | Continued From page 5<br>-He had worked at the facility for 4 years.<br>-He no longer works at the facilty.<br>-He never hit client #2.<br><br>Interview on 8/14/24 Program Manager stated:<br>-She had worked at the facility for 16 years.<br>-Client #3 told her FS #5 hit Client #2 three times.<br>-She notified the QP of the allegation against FS #5.<br><br>Interview on 8/14/24 the QP stated:<br>-She had worked at the facility since 2018.<br>-She was notified by the Program Manager in July about an allegation against FS #5.<br>-She investigated the allegation against FS #5.<br>-Client #2 said FS #5 grabbed him by the neck.<br>-Client #3 said FS #5 hit Client #2 three times.<br>-FS #5 denied hitting Client #2.<br>-She never checked Client #2's neck or back for any injuries.<br>-Client #2 had a history of making false allegations.<br>-She said she should have checked Client #2's neck.<br>-FS #5 never came back to work.<br>-She completed incident report training and a refresher in alternatives to restrictive intervention training with staff. | V 109 | | |