

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL047-131	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 09/27/2024
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NAME OF PROVIDER OR SUPPLIER HOPE GARDENS TREATMENT CENTER	STREET ADDRESS, CITY, STATE, ZIP CODE 1958 TURNPIKE ROAD RAEFORD, NC 28376
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V 000	<p>INITIAL COMMENTS</p> <p>An annual and follow up survey was completed on September 27, 2024. Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .1900 Psychiatric Residential Treatment for Children and Adolescents.</p> <p>This facility is licensed for 12 and has a current census of 11. The survey sample consisted of audits of 4 current clients.</p>	V 000		
V 106	<p>27G .0201 (A) (8-18) (B) GOVERNING BODY POLICIES</p> <p>10A NCAC 27G .0201 GOVERNING BODY POLICIES</p> <p>(a) The governing body responsible for each facility or service shall develop and implement written policies for the following:</p> <p>(8) use of medications by clients in accordance with the rules in this Section;</p> <p>(9) reporting of any incident, unusual occurrence or medication error;</p> <p>(10) voluntary non-compensated work performed by a client;</p> <p>(11) client fee assessment and collection practices;</p> <p>(12) medical preparedness plan to be utilized in a medical emergency;</p> <p>(13) authorization for and follow up of lab tests;</p> <p>(14) transportation, including the accessibility of emergency information for a client;</p> <p>(15) services of volunteers, including supervision and requirements for maintaining client confidentiality;</p> <p>(16) areas in which staff, including nonprofessional staff, receive training and continuing education;</p>	V 106		

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

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V 106	<p>Continued From page 1</p> <p>(17) safety precautions and requirements for facility areas including special client activity areas; and</p> <p>(18) client grievance policy, including procedures for review and disposition of client grievances.</p> <p>(b) Minutes of the governing body shall be permanently maintained.</p> <p>This Rule is not met as evidenced by: Based on record review and interviews the facility failed to implement a policy for incident reporting. The findings are:</p> <p>Review on 9/19/24 of client #3's record revealed: -Admission date of 2/23/24. -Diagnoses of Post-traumatic Stress Disorder, Conduct Disorder, Major Depressive Disorder, Attention Deficit Hyperactivity Disorder (ADHD) and Bipolar Disorder-Unspecified. -He was 16 years old. -Physician's order dated 9/12/24 for Mirtazapine 15 milligrams (mg) (Depression), one tablet at bedtime.. -Physician's order dated 9/11/24 for Quetiapine Fumarate 300 mg (Depression), one tablet twice daily. -Physician's order dated 8/27/24 for Atomoxetine HCL 100 mg (ADHD), one capsule at bedtime. -Physician's order dated 6/10/24 for Cetirizine HCL 10 mg (Allergies), one tablet daily.</p> <p>Review on 9/19/24 2024 Medication Administration Records (MAR) for client #3 revealed:</p>	V 106		

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V 106	<p>Continued From page 2</p> <p>September 2024 (Back of MAR)- -On 9/17/24 and 9/18/24 client #3 refused medication- Atomoxetine HCL 100 mg; Quetiapine Fumarate 300 mg; Cetirizine HCL 10 mg and Mirtazapine 15 mg.</p> <p>August 2024 (Back of MAR)- -On 8/26 and 8/27 client #3 refused Atomoxetine HCL 100 mg.</p> <p>July 2024 MAR (Back of MAR) -On 7/7 client #3 refused medication (no specific medication was identified).</p> <p>Review on 9/19/24 of the facility's incident reporting policy revealed: "Level 1 Incidents: Any happening which is not consistent with the routine operation of a facility or service or routine care of a consumer and that is likely to lead to adverse effects upon a consumer and does not meet the definition of a Level II or Level III incident. This includes the following: Any medication error such as wrong dose, wrong medication, wrong time (over 1 hour from prescribed time), missed dose or medication refusal that does not threaten the consumer's health or safety (as determined by the physician notified of the error); (aggregate numbers will be reported to Local Management Entity (LME) for Level I medication errors quarterly)."</p> <p>Review on 9/19/24 of facility records revealed: -There was no documentation of Level 1 incident reports completed for the above medication refusals for client #3.</p> <p>Interview on 9/20/24 with Registered Nurse (RN) #2 revealed: -She checked the dates for the missing incident</p>	V 106		

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V 106	<p>Continued From page 3</p> <p>reports.</p> <ul style="list-style-type: none"> -She could not find those incident reports online or in the incident report book. -RN #4 worked on 9/17, 9/18 and 7/7 when client #3 had those medication refusals. -RN #1 worked on 8/26 and 8/27 when client #3 had those medications refusals. -She was not sure why incident reports were not completed on those dates. -"[RN #4] may not know he is supposed to do an incident report if clients refuse their medication." <p>Interview on 9/20/24 with RN #4 revealed:</p> <ul style="list-style-type: none"> -Client #3 refused to take his medication a few times. -Client #3 just recently refused to take his medication a few days ago. -He did not do an incident report for any of the medication refusals. -"I didn't know I was supposed to do an incident report for medication refusals." <p>Interview on 10/26/24 with the Vice President of Administration revealed:</p> <ul style="list-style-type: none"> -She didn't know client #3 was refusing his medication. -The Executive Director (ED) was responsible for ensuring the nurses were completing incident reports for medication refusals. -They just recently talked to the EDs about making sure the nurses were doing incident reports for medication refusals. 	V 106		
V 112	<p>27G .0205 (C-D) Assessment/Treatment/Habilitation Plan</p> <p>10A NCAC 27G .0205 ASSESSMENT AND TREATMENT/HABILITATION OR SERVICE PLAN</p>	V 112		

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V 112	<p>Continued From page 4</p> <p>(c) The plan shall be developed based on the assessment, and in partnership with the client or legally responsible person or both, within 30 days of admission for clients who are expected to receive services beyond 30 days.</p> <p>(d) The plan shall include:</p> <ol style="list-style-type: none"> (1) client outcome(s) that are anticipated to be achieved by provision of the service and a projected date of achievement; (2) strategies; (3) staff responsible; (4) a schedule for review of the plan at least annually in consultation with the client or legally responsible person or both; (5) basis for evaluation or assessment of outcome achievement; and (6) written consent or agreement by the client or responsible party, or a written statement by the provider stating why such consent could not be obtained. <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to develop and implement strategies to meet the needs of two of four audited current clients (#3 and #4). The findings are:</p> <p>Review on 9/19/24 of client #3's record revealed: -Admission date of 2/23/24. -Diagnoses of Post-traumatic Stress Disorder, Conduct Disorder, Major Depressive Disorder,</p>	V 112		

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V 112	<p>Continued From page 5</p> <p>Attention Deficit Hyperactivity Disorder (ADHD), Bipolar Disorder-Unspecified. -He was 16 years old. -Physician's order dated 9/12/24 for Mirtazapine 15 milligrams (mg) (Depression), one tablet at bedtime.. -Physician's order dated 9/11/24 for Quetiapine Fumarate 300 mg (Depression), one tablet twice daily. -Physician's order dated 8/27/24 for Atomoxetine HCL 100 mg (ADHD), one capsule at bedtime. -Physician's order dated 6/10/24 for Cetirizine HCL 10 mg (Allergies), one tablet daily. -Person Centered Plan (PCP) dated 3/7/24 had no strategies to address medication refusals.</p> <p>Review on 9/19/24 2024 Medication Administration Records (MAR) for client #3 revealed:</p> <p>September 2024 (Back of MAR)- -On 9/17/24 and 9/18/24 client #3 refused medication- Atomoxetine HCL 100 mg; Quetiapine Fumarate 300 mg; Cetirizine HCL 10 mg and Mirtazapine 15 mg.</p> <p>August 2024 (Back of MAR)- -On 8/26 and 8/27 client #3 refused Atomoxetine HCL 100 mg.</p> <p>July 2024 MAR (Back of MAR) -On 7/7 client #3 refused medication (no specific medication was identified).</p> <p>Review on 9/19/24 of incident reports for client #3 revealed: -On 9/19/24 and 8/25/24 thru 8/21/24 client #3 refused morning doses of Atomoxetine HCL 100 mg. -On 4/25/24 and 4/24/24 client #3 refused</p>	V 112		

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V 112	<p>Continued From page 6</p> <p>Atomoxetine HCL 100 mg and Benztropine Mesylate 2 mg morning doses.</p> <p>Review on 9/19/24 of client #4's record revealed:</p> <ul style="list-style-type: none"> -Admission date of 11/8/23. -Diagnoses of Disruptive Mood Dysregulation Disorder, Conduct Disorder and Mild Intellectual Disability. -He was 13 years old. -Physician's order dated 9/10/24 for Zyprexa 10 mg (Bipolar Disorder), one tablet daily. -Physician's order dated 7/16/24 for Propranolol 20 mg (High Blood Pressure), one tablet three times daily; Propranolol 40 mg, one tablet three times daily and Divalproex Sodium Delayed Release (DR) 500 mg (Bipolar Disorder). -Physician's order dated 1/24/24-Ferrous Sulfate 325 mg (Iron Deficiency), one tablet in the morning; Vitamin C 500 mg (Immune Health), one tablet in the morning; Vitamin D 325 micrograms (mcg) (Vitamin D deficiency), one tablet in the morning and Metformin HCL 1000 mg (High Blood Sugar Levels). -PCP dated 11/30/23 and updated 2/28/24, had no strategies to address medication refusals. <p>Review on 9/19/24 of incident reports for client #4 revealed:</p> <ul style="list-style-type: none"> -On 9/19/24 client #4 refused 8:00 am medication- Ferrous Sulfate 325 mg Vitamin C 500 mg Vitamin D 325 mcg Quetiapine Fumarate 200 mg Propranolol 20 mg Propranolol 40 mg Zyprexa 10 mg Divalproex Sodium DR 500 mg 	V 112		

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V 112	<p>Continued From page 7</p> <p>-On 5/17/24-client #4 stated that he is not taking anymore medication. (No specific medication identified).</p> <p>-On 5/16/24-client #4 refused 1:00 pm and 6:00 pm medication. Metformin HCL 1000 mg. Client #4 stated that he is not taking anymore medication.</p> <p>Interview on 9/20/24 with client #3 revealed: -He had a few medication refusals over the last three months. -"I refused my medication because it was making me tired."</p> <p>Interview on 9/20/24 with client #4 revealed: -"I didn't take my medication sometimes because it makes me too sleepy."</p> <p>Interview on 9/19/24 with Registered Nurse (RN) #1 revealed: -She was aware of clients #3 and #4 refusing their medication. -"[Client #4] likes to sleep and doesn't want to get out of bed to do anything." -Client #3 refused his medication because he said the medication made him feel sick.</p> <p>Interview on 9/26/24 with the Vice President of Administration revealed: -She didn't know client #3 was refusing his medication. -She was aware client #4 was refusing his medication. -The Care Manager was responsible for ensuring strategies were added to a client's plan. -She confirmed clients #3 and #4 had no strategies to address medication refusals.</p>	V 112		

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V 123	Continued From page 8	V 123		
V 123	<p>27G .0209 (H) Medication Requirements</p> <p>10A NCAC 27G .0209 MEDICATION REQUIREMENTS (h) Medication errors. Drug administration errors and significant adverse drug reactions shall be reported immediately to a physician or pharmacist. An entry of the drug administered and the drug reaction shall be properly recorded in the drug record. A client's refusal of a drug shall be charted.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure medication refusals were reported immediately to a physician or pharmacist for one of three audited current clients (#2). The findings are:</p> <p>Review on 9/19/24 of client #3's record revealed: -Admission date of 2/23/24. -Diagnoses of Post-traumatic Stress Disorder, Conduct Disorder, Major Depressive Disorder, Attention Deficit Hyperactivity Disorder (ADHD), Bipolar Disorder-Unspecified. -He was 16 years old. -Physician's order dated 9/12/24 for Mirtazapine 15 milligrams (mg) (Depression), one tablet at bedtime.. -Physician's order dated 9/11/24 for Quetiapine Fumarate 300 mg (Depression), one tablet twice daily. -Physician's order dated 8/27/24 for Atomoxetine</p>	V 123		

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V 123	<p>Continued From page 9</p> <p>HCL 100 mg (ADHD), one capsule at bedtime. -Physician's order dated 6/10/24 for Cetirizine HCL 10 mg (Allergies), one tablet daily.</p> <p>Review on 9/19/24 2024 Medication Administration Records (MAR) for client #3 revealed:</p> <p>September 2024 (Back of MAR)- -On 9/17/24 and 9/18/24 client #3 refused medication- Atomoxetine HCL 100 mg; Quetiapine Fumarate 300 mg; Cetirizine HCL 10 mg and Mirtazapine 15 mg.</p> <p>August 2024 (Back of MAR)- -On 8/26 and 8/27 client #3 refused Atomoxetine HCL 100 mg.</p> <p>July 2024 MAR (Back of MAR) -On 7/7 client #3 refused medication (no specific medication was identified).</p> <p>Review on 9/19/24 of incident reports for client #3 revealed: -On 9/19/24 and 8/25/24 thru 8/21/24 client #3 refused morning doses of Atomoxetine HCL 100 mg. -On 4/25/24 and 4/24/24 client #3 refused Atomoxetine HCL 100 mg and Benzotropine Mesylate 2 mg morning doses.</p> <p>Review on 9/19/24 of client #4's record revealed: -Admission date of 11/8/23. -Diagnoses of Disruptive Mood Dysregulation Disorder, Conduct Disorder and Mild Intellectual Disability. -He was 13 years old. -Physician's order dated 9/10/24 for Zyprexa 10 mg (Bipolar Disorder), one tablet daily. -Physician's order dated 7/16/24 for Propranolol</p>	V 123		

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V 123	<p>Continued From page 10</p> <p>20 mg (High Blood Pressure), one tablet three times daily; Propranolol 40 mg, one tablet three times daily and Divalproex Sodium Delayed Release (DR) 500 mg (Bipolar Disorder). -Physician's order dated 1/24/24-Ferrous Sulfate 325 mg (Iron Deficiency), one tablet in the morning; Vitamin C 500 mg (Immune Health), one tablet in the morning; Vitamin D 325 micrograms (mcg) (Vitamin D deficiency), one tablet in the morning and Metformin HCL 1000 mg (High Blood Sugar Levels).</p> <p>Review on 9/19/24 of incident reports for client #4 revealed:</p> <p>-On 9/19/24 client #4 refused 8:00 am medication- Ferrous Sulfate 325 mg Vitamin C 500 mg Vitamin D 325 mcg Propranolol 20 mg Propranolol 40 mg Zyprexa 10 mg Divalproex Sodium 500 mg</p> <p>-On 5/17/24-client #4 stated that he is not taking anymore medication. (No specific medication identified).</p> <p>-On 5/16/24-client #4 refused 1:00 pm and 6:00 pm medication. Metformin HCL 1000 mg. Client #4 stated that he is not taking anymore medication.</p> <p>Review of facility records on 9/19/24 revealed: -There was no documentation facility staff notified the physician or pharmacist of medication refusals for clients #3 and #4.</p>	V 123		

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V 123	<p>Continued From page 11</p> <p>Interview on 9/20/24 with Registered Nurse #4 revealed: -Clients #3 and #4 refused to take their medication a few times. -"I didn't contact the [Psychiatrist] for medication refusals." -"I didn't know I was supposed to contact the [Psychiatrist]."</p> <p>Interview on 9/26/24 with the Vice President of Administration revealed: -She didn't know client #3 was refusing his medication. -She was aware client #4 was refusing his medication. -The Executive Director (ED) was responsible for ensuring the nurses contacted the Psychiatrist about medication refusals for clients. -They just recently talked to the EDs about making sure the nurses were ensuring the Psychiatrist was contacted whenever clients refuse medication.</p>	V 123		
V 365	<p>G.S. 122C-224 Judicial Review of Voluntary Admission</p> <p>§ 122C-224. Judicial review of voluntary admission. (a) When a minor is admitted to a 24-hour facility where the minor will be subjected to the same restrictions on his freedom of movement present in the State facilities for the mentally ill, or to similar restrictions, a hearing shall be held by the district court in the county in which the 24-hour facility is located within 15 days of the day that the minor is admitted to the facility. A continuance of not more than five days may be granted. (b) Before the admission, the facility shall provide the minor and his legally responsible person with</p>	V 365		

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V 365	<p>Continued From page 12</p> <p>written information describing the procedures for court review of the admission and informing them about the discharge procedures. They shall also be informed that, after a written request for discharge, the facility may hold the minor for 72 hours during which time the facility may apply for a petition for involuntary commitment.</p> <p>(c) (Effective until October 1, 2019) Within 24 hours after admission, the facility shall notify the clerk of court in the county where the facility is located that the minor has been admitted and that a hearing for concurrence in the admission must be scheduled. At the time notice is given to schedule a hearing, the facility shall notify the clerk of the names and addresses of the legally responsible person and the responsible professional.</p> <p>(c) (Effective October 1, 2019) Within 24 hours after admission, the facility shall notify the clerk of court in the county where the facility is located that the minor has been admitted and that a hearing for concurrence in the admission must be scheduled. At the time notice is given to schedule a hearing, the facility shall (i) notify the clerk of the names and addresses of the legally responsible person and the responsible professional and (ii) provide the clerk with a copy of the legally responsible person's written application for admission of the minor and the facility's written evaluation of the minor, both of which are required under G.S. 122C-211(a). (1975, c. 839; 1977, c. 756; 1979, c. 171, s. 1; 1983, c. 889, ss. 1, 2; 1985, c. 589, s. 2; 1987, c. 370, s. 1; 2018-33, s. 16.)</p> <p>§ 122C-224.1. Duties of clerk of court. (a) Within 48 hours of receipt of notice that a minor has been admitted to a 24-hour facility</p>	V 365		

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V 365	<p>Continued From page 13</p> <p>wherein his freedom of movement will be restricted, an attorney shall be appointed for the minor in accordance with rules adopted by the Office of Indigent Defense Services. When a minor has been admitted to a State facility for the mentally ill, the attorney appointed shall be the attorney employed in accordance with G.S. 122C-270(a) through (c). All minors shall be conclusively presumed to be indigent, and it shall not be necessary for the court to receive from any minor an affidavit of indigency. The attorney shall be paid a reasonable fee in accordance with rules adopted by the Office of Indigent Defense Services. The judge may require payment of the attorney's fee from a person other than the minor as provided in G.S. 7A-450.1 through G.S. 7A-450.4.</p> <p>(b) Upon receipt of notice that a minor has been admitted to a 24-hour facility wherein his freedom of movement will be restricted, the clerk shall calendar a hearing to be held within 15 days of admission for the purpose of review of the minor's admission. Notice of the time and place of the hearing shall be given as provided in G.S. 1A-1, Rule 4(j) to the attorney in lieu of the minor, as soon as possible but not later than 72 hours before the scheduled hearing. Notice of the hearing shall be sent to the legally responsible person and the responsible professional as soon as possible but not later than 72 hours before the hearing by first-class mail postage prepaid to the individual's last known address.</p> <p>(c) The clerk shall schedule all hearings and rehearings and send all notices as required by this Part. (1987, c. 370, s. 1; 2000-144, s. 37.)</p> <p>§ 122C-224.2. Duties of the attorney for the minor.</p>	V 365		

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V 365	<p>Continued From page 14</p> <p>(a) The attorney shall meet with the minor within 10 days of his appointment but not later than 48 hours before the hearing. In addition, the attorney shall inform the minor of the scheduled hearing and shall give the minor a copy of the notice of the time and place of the hearing no later than 48 hours before the hearing.</p> <p>(b) The attorney shall counsel the minor concerning the hearing procedure and the potential effects of the hearing proceeding on the minor. If the minor does not wish to appear, the attorney shall file a motion with the court before the scheduled hearing to waive the minor's right to be present at the hearing procedure except during the minor's own testimony. If the attorney determines that the minor does not wish to appear before the judge to provide his own testimony, the attorney shall file a separate motion with the court before the hearing to waive the minor's right to testify.</p> <p>(c) In all actions on behalf of the minor, the attorney shall represent the minor until formally relieved of the responsibility by the judge. (1987, c. 370, s. 1.)</p> <p>§ 122C-224.3. Hearing for review of admission. (a) Hearings shall be held at the 24-hour facility in which the minor is being treated, if it is located within the judge's district court district as defined in G.S. 7A-133, unless the judge determines that the court calendar will be disrupted by such scheduling. In cases where the hearing cannot be held in the 24-hour facility, the judge may schedule the hearing in another location, including the judge's chambers. The hearing may not be held in a regular courtroom, over objection of the minor's attorney, if in the discretion of the judge a more suitable place is available.</p>	V 365		

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V 365	<p>Continued From page 15</p> <p>(b) The minor shall have the right to be present at the hearing unless the judge rules favorably on the motion of the attorney to waive the minor's appearance. However, the minor shall retain the right to appear before the judge to provide his own testimony and to respond to the judge's questions unless the judge makes a separate finding that the minor does not wish to appear upon motion of the attorney.</p> <p>(c) Certified copies of reports and findings of physicians, psychologists and other responsible professionals as well as previous and current medical records are admissible in evidence, but the minor's right, through his attorney, to confront and cross-examine witnesses may not be denied.</p> <p>(d) Hearings shall be closed to the public unless the attorney requests otherwise.</p> <p>(e) A copy of all documents admitted into evidence and a transcript of the proceedings shall be furnished to the attorney, on request, by the clerk upon the direction of a district court judge. The copies shall be provided at State expense.</p> <p>(f) For an admission to be authorized beyond the hearing, the minor must be (1) mentally ill or a substance abuser and (2) in need of further treatment at the 24-hour facility to which he has been admitted. Further treatment at the admitting facility should be undertaken only when lesser measures will be insufficient. It is not necessary that the judge make a finding of dangerousness in order to support a concurrence in the admission.</p> <p>(g) The court shall make one of the following dispositions: (1) If the court finds by clear, cogent, and convincing evidence that the requirements of subsection (f) have been met, the court shall concur with the voluntary admission and set the length of the authorized admission of the minor</p>	V 365		

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V 365	<p>Continued From page 16</p> <p>for a period not to exceed 90 days; or</p> <p>(2) If the court determines that there exist reasonable grounds to believe that the requirements of subsection (f) have been met but that additional diagnosis and evaluation is needed before the court can concur in the admission, the court may make a one time authorization of up to an additional 15 days of stay, during which time further diagnosis and evaluation shall be conducted; or</p> <p>(3) If the court determines that the conditions for concurrence or continued diagnosis and evaluation have not been met, the judge shall order that the minor be released.</p> <p>(h) The decision of the District Court in all hearings and rehearings is final. Appeal may be had to the Court of Appeals by the State or by any party on the record as in civil cases. The minor may be retained and treated in accordance with this Part, pending the outcome of the appeal, unless otherwise ordered by the District Court or the Court of Appeals. (1987, c. 370; 1987 (Reg. Sess., 1988), c. 1037, s. 113.)</p> <p>§ 122C-224.4. Rehearings.</p> <p>(a) A minor admitted to a 24-hour facility upon order of the court for further diagnosis and evaluation shall have the right to a rehearing if the responsible professional determines that the minor is in need of further treatment beyond the time authorized by the court for diagnosis and evaluation.</p> <p>(b) A minor admitted to a 24-hour facility upon the concurrence of the court shall have the right to a rehearing for further concurrence in continued treatment before the end of the period authorized by the court. The court shall review the continued admission in accordance with the hearing procedures in this Part. The court may order</p>	V 365		

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V 365	<p>Continued From page 17</p> <p>discharge of the minor if the minor no longer meets the criteria for admission. If the minor continues to meet the criteria for admission the court shall concur with the continued admission of the minor and set the length of the authorized admission for a period not to exceed 180 days. Subsequent rehearings shall be scheduled at the end of each subsequent authorized treatment period, but no longer than every 180 days.</p> <p>(c) The responsible professional shall notify the clerk, no later than 15 days before the end of the authorized admission, that continued stay beyond the authorized admission is recommended for the minor. The clerk shall calendar the rehearing to be held before the end of the current authorized admission. (1987, c. 370, s. 1.)</p> <p>§ 122C-224.5. Transportation. When it is necessary for a minor to be transported to a location other than the treating facility for the purpose of a hearing, transportation shall be provided under the provisions of G.S. 122C-251. However, the 24-hour facility may obtain permission from the court to routinely provide transportation of minors to and from hearings. (1987, c. 370, s. 1.)</p> <p>§ 122C-224.6. Treatment pending hearing and after authorization for or concurrence in admission. (a) Pending the initial hearing and after authorization for further diagnosis and evaluation, or concurrence in admission, the responsible professional may administer to the minor reasonable and appropriate medication and treatment that is consistent with accepted medical standards and consistent with Article 3 of</p>	V 365		

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V 365	<p>Continued From page 18</p> <p>this Chapter.</p> <p>(b) The responsible professional may release the minor conditionally for periods not in excess of 30 days on specified appropriate conditions. Violation of the conditions is grounds for return of the minor to the 24-hour facility. A law enforcement officer, on request of the responsible professional, shall take the minor into custody and return him to the facility in accordance with G.S. 122C-205. (1987, c. 370, s. 1.)</p> <p>§ 122C-224.7. Discharge.</p> <p>(a) The responsible professional shall unconditionally discharge a minor from treatment at any time that it is determined that the minor is no longer mentally ill or a substance abuser, or no longer in need of treatment at the facility.</p> <p>(b) The legally responsible person may file a written request for discharge from the facility at any time. The facility may hold the minor in the facility for 72 hours after receipt of the request for discharge. If the responsible professional believes that the minor is mentally ill and dangerous to himself or others, he may file a petition for involuntary commitment under the provisions of Part 7 of this Article. If the responsible professional believes that the minor is a substance abuser and dangerous to himself or others, he may file a petition for involuntary commitment under the provisions of Part 8 of this Article. If an order authorizing the holding of the minor under involuntary commitment procedures is issued, further treatment and holding shall follow the provisions of Part 7 or Part 8 whichever is applicable. If an order authorizing the holding of the minor under involuntary commitment procedures is not issued, the minor shall be</p>	V 365		

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V 365	<p>Continued From page 19</p> <p>discharged.</p> <p>(c) If a client reaches age 18 while in treatment, and the client refuses to sign an authorization for continued treatment within 72 hours of reaching 18, he shall be discharged unless the responsible professional obtains an order to hold the client under the provisions of Part 7 or Part 8 of this Article pursuant to an involuntary commitment. (1975, c. 839; 1977, c. 756; 1979, c. 171, s. 1; 1983, c. 889, ss. 1, 2; 1985, c. 589, s. 2; 1987, c. 370, s. 1.)</p> <p>This Rule is not met as evidenced by: Based on observations, record reviews and interviews, the facility failed to ensure that judicial review of voluntary admissions was completed affecting nine of eleven clients (#1, #2, #3, #4, #5, #6, #7, #8 and #9). The findings are:</p> <p>Reviews on 9/19/24 and 9/20/24 of client #1's record revealed: -Admission date of 6/21/24. -Diagnoses of Disruptive Mood Dysregulation Disorder (DMDD), Conduct Disorder and Attention Deficit Hyperactivity Disorder (ADHD). -He was 14 years old. -He was a voluntary admission. -No documentation that client #1 and his legally responsible person were provided with written documentation of procedures for court review before client #1's admission to the facility. -No documentation that the clerk of court was</p>	V 365		

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V 365	<p>Continued From page 20</p> <p>notified within 24 hours of client #1's admission. -No documentation that a hearing was held in district court within 15 days of client #1's admission.</p> <p>Reviews on 9/19/24 and 9/20/24 of client #2's record revealed: -Admission date of 2/28/04. -Diagnoses of Adjustment Disorder with mixed disturbance of emotions and conduct, ADHD and Post-traumatic Stress Disorder (PTSD). -He was 12 years old. -He was a voluntary admission. -No documentation that client #2 and his legally responsible person were provided with written documentation of procedures for court review before client #2's admission to the facility. -No documentation that the clerk of court was notified within 24 hours of client #2's admission. -No documentation that a hearing was held in district court within 15 days of client #2's admission.</p> <p>Reviews on 9/19/24 and 9/20/24 of client #3's record revealed: -Admission date of 2/23/24. -Diagnoses of PTSD, Conduct Disorder, Major Depressive Disorder (MDD), ADHD, Bipolar Disorder-Unspecified. -He was 16 years old. -No documentation that client #3 and his legally responsible person were provided with written documentation of procedures for court review before client #3's admission to the facility. -No documentation that the clerk of court was notified within 24 hours of client #3's admission. -No documentation that a hearing was held in district court within 15 days of client #3's admission.</p>	V 365		

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V 365	<p>Continued From page 21</p> <p>Reviews on 9/19/24 and 9/20/24 of client #4's record revealed:</p> <ul style="list-style-type: none"> -Admission date of 11/8/23. -Diagnoses of DMDD, Conduct Disorder and Mild Intellectual Disability. -He was 13 years old. -No documentation that client #4 and his legally responsible person were provided with written documentation of procedures for court review before client #4's admission to the facility. -No documentation that the clerk of court was notified within 24 hours of client #4's admission. <p>Review on 9/20/24 of client #5's record revealed:</p> <ul style="list-style-type: none"> -Admission date of 1/31/24. -Diagnoses of Generalized Anxiety Disorder, MDD and ADHD. -He was 16 years old. -No documentation that client #5 and his legally responsible person were provided with written documentation of procedures for court review before client #5's admission to the facility. -No documentation that the clerk of court was notified within 24 hours of client #5's admission. -No documentation that a hearing was held in district court within 15 days of client #5's admission. <p>Review on 9/20/24 of client #6's record revealed:</p> <ul style="list-style-type: none"> -Admission date of 2/15/24. -Diagnoses of Oppositional Defiant Disorder (ODD) and ADHD. -He was 17 years old. -No documentation that client #6 and his legally responsible person were provided with written documentation of procedures for court review before client #6's admission to the facility. -No documentation that the clerk of court was notified within 24 hours of client #6's admission. -No documentation that a hearing was held in 	V 365		

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V 365	<p>Continued From page 22</p> <p>district court within 15 days of client #6's admission.</p> <p>Review 9/20/24 of client #7's record revealed: -Admission date of 10/9/23. -Diagnoses of Conduct Disorder, DMDD, PTSD and ADHD. -He was 15 years old. -No documentation that client #7 and his legally responsible person were provided with written documentation of procedures for court review before client #7's admission to the facility. -No documentation that the clerk of court was notified within 24 hours of client #7's admission. -No documentation that a hearing was held in district court within 15 days of client #7's admission.</p> <p>Review on 9/20/24 of client #8's record revealed: -Admission date of 3/21/24. -Diagnoses of Conduct Disorder and Unspecified Sexual Dysfunction. -He was 16 years old. -No documentation that client #8 and his legally responsible person were provided with written documentation of procedures for court review before client #8's admission to the facility. -No documentation that the clerk of court was notified within 24 hours of client #8's admission. -No documentation that a hearing was held in district court within 15 days of client #8's admission.</p> <p>Review on 9/20/24 of client #9's record revealed: -Admission date of 11/20/23. -Diagnoses of Conduct Disorder, DMDD and ADHD. -He was 13 years old. -No documentation that client #9 and his legally responsible person were provided with written</p>	V 365		

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V 365	<p>Continued From page 23</p> <p>documentation of procedures for court review before client #9's admission to the facility. -No documentation that the clerk of court was notified within 24 hours of client #9's admission.</p> <p>Observation on 9/19/24 of the front door to the facility at approximately 10:10 am revealed: -The front door was locked and could not be opened by pulling the handle on the outside. -The front door could not be opened by the handle on the inside being pushed. -There was a metal panel on the wall next to the front door of the facility in the lobby area. -The Assistant Executive Director (AED) greeted the Division of Health Service Regulation (DHSR) surveyors at the front door and put a key fob into the metal panel on wall to open the door.</p> <p>Observation on 9/19/24 of the front door to the facility at approximately 12:40 pm revealed: -The front door was locked inside the lobby and could not be opened by pushing the handle. -Registered Nurse (RN) #1 pushed a button on side of wall and the door opened.</p> <p>Observation on 9/19/24 of the front door to the facility at approximately 4:45 pm revealed: -The front door was locked inside the lobby and could not be opened by pushing the handle. -The ED unlocked the door by putting the key fob in the metal panel.</p> <p>Interview on 9/19/224 with RN #1 revealed: -The front door to the facility was "always" locked. -The front door to the facility had been locked for several months. -She had to ring the doorbell in the mornings to get into the building.</p> <p>Interview on 9/20/24 with staff #1 revealed:</p>	V 365		

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V 365	<p>Continued From page 24</p> <p>-The front door to the facility was "always" locked. -She used a key fob to get in the lobby.</p> <p>Interview on 9/19/24 with the Executive Director revealed: -The front door to the facility was normally unlocked. -They had a "crisis" this morning (9/19/24) and that was why the front door was locked. -"If there is a crisis, a red card will be over the door." -"This facility is considered staff secure."</p> <p>Interview on 9/26/24 with the Vice President of Administration revealed: -The front door to the facility was normally unlocked. -"If there are behaviors, such as making threats to run they will lock the door." -Staff were supposed to unlock the door once the behavior was under control. -"The facility is considered staff secure." -She confirmed clients, and their Legal Guardians were not provided written information about court review of the admission prior to each client's admission. -She confirmed the clerk of court had not been notified of each admission within 24 hours of the admission. -She confirmed a hearing in district court had not been held within 15 days of each client's admission.</p>	V 365		
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</p>	V 736		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL047-131	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 09/27/2024
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NAME OF PROVIDER OR SUPPLIER HOPE GARDENS TREATMENT CENTER	STREET ADDRESS, CITY, STATE, ZIP CODE 1958 TURNPIKE ROAD RAEFORD, NC 28376
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V 736	<p>Continued From page 25</p> <p>manner and shall be kept free from offensive odor.</p> <p>This Rule is not met as evidenced by: Based on observation and interviews, the facility was not maintained in a safe, clean, attractive, orderly manner and kept free from offensive odor. The findings are:</p> <p>Observation on 9/20/24 at approximately 1:40 PM revealed:</p> <p>Pod A-</p> <ul style="list-style-type: none"> -Bathroom-Strong urine odor. No shower curtain on rod. Mirror was discolored and scratched. Pencil markings on the walls. -Client #4's bedroom-Approximately 14 pieces of sticker debris on plexiglass window. Three plastic pieces from blinds and 2 pieces of paper were in between window and plexiglass. -Client #8's bedroom-Strong body odor. Approximately 10 pieces of sticker debris on plexiglass window. Plastic piece from blinds and 2 pieces of paper were in between window and plexiglass. -Client #1's bedroom-Approximately 14 pieces of sticker debris approximately 40 scratches on plexiglass window. -Client #2's bedroom-Sweat pants, sock and stuffing from blanket on the floor. Plastic piece from blinds in between window and plexiglass. Empty yogurt container sticking out of window. Paper in shape of a square hanging over door. Scrapes on walls approximately 6 inches, 8 inches and 14 inches long. Approximately 50 brown stains on wall. A dime sized hole in the wall. <p>Pod C-</p> <ul style="list-style-type: none"> -Bathroom-Mirror was discolored. Brownish and 	V 736		

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V 736	<p>Continued From page 26</p> <p>yellowish stains near toilet seat lid.</p> <p>-Client #11's bedroom-Approximately 20 black markings on the wall. Approximately 10 brown stains on the wall. Three drawings on the wall. Rusted door jamb.</p> <p>-Client #10's bedroom-Approximately 30 scratches and 2 pieces of sticker debris on plexiglass. Bedroom door had peeling paint. Door jamb was rusted.</p> <p>-Client #5's bedroom-Bedroom door had peeling paint. Door jamb was rusted. Peeling paint on the wall. Caulking substance on column approximately 12 inches long. Blanket over window.</p> <p>Pod B-</p> <p>-Bathroom-Strong urine odor. Tub had black sludge like substance. Mirror was discolored. Door jamb was rusted.</p> <p>-Client #3's bedroom-Comforter, socks, sweat shirt, greeting card, shorts, approximately 70 playing cards, approximately 10 books, cup, notebook and 4 sheets of paper were on the floor. The top of nightstand had a box of playing cards, a pair of socks, 3 paper balls and ear phones in a pile. Approximately 40 pieces of sticker debris.</p> <p>-Client #6's bedroom-Rusted door jamb. Peeling paint on wall near bed. Three black markings on ceiling. Baseboards in corner had dust build up. The top of his nightstand had a plastic container, book, glass case and approximately 40 pieces of paper in a pile.</p> <p>-Client #9's bedroom-Glue like substance on plexiglass window. Approximately 10 pieces of paper, a pair of glasses, headphones, shirt, book, and blanket in pile on bed. Approximately 10 plastic construction toy pieces, tissue paper, 2 assembled plastic construction vehicles, shirt of paper, bin filled with plastic construction toy pieces and a stuffed animal were on the floor.</p>	V 736		

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V 736	<p>Continued From page 27</p> <p>Approximately 7 black markings and caulking substance on the wall. Peeling paint on the walls. Top of bedroom door had peeling paint and approximately 40 scratches.</p> <p>-Client #7's bedroom-Approximately 10 pieces of balled up toilet paper, approximately 12 pieces of notebook paper, a crayon, metal end of a pencil, plastic piece from blinds were in between plexiglass and window. Black and brown stains on the walls. Three black scruffs on the floor. Crack in corner approximately 4 feet long. Door had crayon markings and black stains.</p> <p>Interview on 9/19/24 with the Executive Director revealed:</p> <ul style="list-style-type: none"> -Maintenance staff painted the facility about a month ago. -The plexiglass was also replaced and trash was taken out of the window sills. -Some of the property damage was caused by the clients. -"Whenever they (clients) get upset and they punch the walls." -Management was aware of issues with the facility because they send the Director of Operations a maintenance request every week -He confirmed the facility was not maintained in a safe, clean, attractive, orderly manner and kept free from offensive odor. <p>Interview on 9/26/24 with the Vice President of Administration revealed:</p> <ul style="list-style-type: none"> -She was aware of some of the maintenance issues at the facility. -They have a full time maintenance person who comes to the facility weekly. -She confirmed the facility was not maintained in a safe, clean, attractive, orderly manner and kept free from offensive odor. 	V 736		

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V 736	Continued From page 28 This deficiency has been cited 5 times since the original cite on 7/20/22 and must be corrected within 30 days	V 736		