

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL001-169	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 10/02/2024
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NAME OF PROVIDER OR SUPPLIER JUST IN TIME YOUTH SERVICES II	STREET ADDRESS, CITY, STATE, ZIP CODE 111 DOGWOOD DRIVE BURLINGTON, NC 27215
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on October 2, 2024. Three complaints were substantiated (intakes #NC00216485, #NC00216575, and #NC00217183). One complaint was unsubstantiated (intake #NC00221752). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .1300 Residential Treatment Facilities for Children & Adolescents.</p> <p>This facility is licensed for 6 and has a current census of 6. The survey sample consisted of audits of 4 current clients and 1 former client.</p>	V 000		
V 132	<p>G.S. 131E-256(G) HCPR-Notification, Allegations, & Protection</p> <p>G.S. §131E-256 HEALTH CARE PERSONNEL REGISTRY</p> <p>(g) Health care facilities shall ensure that the Department is notified of all allegations against health care personnel, including injuries of unknown source, which appear to be related to any act listed in subdivision (a)(1) of this section. (which includes:</p> <p>a. Neglect or abuse of a resident in a healthcare facility or a person to whom home care services as defined by G.S. 131E-136 or hospice services as defined by G.S. 131E-201 are being provided.</p> <p>b. Misappropriation of the property of a resident in a health care facility, as defined in subsection (b) of this section including places where home care services as defined by G.S. 131E-136 or hospice services as defined by G.S. 131E-201 are being provided.</p> <p>c. Misappropriation of the property of a healthcare facility.</p> <p>d. Diversion of drugs belonging to a health care</p>	V 132		

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

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V 132	<p>Continued From page 1</p> <p>facility or to a patient or client.</p> <p>e. Fraud against a health care facility or against a patient or client for whom the employee is providing services).</p> <p>Facilities must have evidence that all alleged acts are investigated and must make every effort to protect residents from harm while the investigation is in progress. The results of all investigations must be reported to the Department within five working days of the initial notification to the Department.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews the facility failed to provide evidence that an allegation of abuse was thoroughly investigated. The findings are:</p> <p>Review on 5/3/24 of Former Client #6's record revealed: -Admission date of 2/23/24. -He was 15 years old. -Discharged on 5/3/24. -Diagnoses of Major Depressive Disorder, Single episode, with psychotic Features; Posttraumatic Stress Disorder.</p> <p>Review on 5/3/24 of Staff #1's personnel record revealed: -He was hired on 5/15/23. -He was hired as a Paraprofessional.</p> <p>Review on 8/27/24 of an arrest report from the local law enforcement department of Staff #1 revealed: -Date of report was 8/23/24. -"Arrestee Information: [Staff #1]. -Type of arrest: Taken into custody. -Charge #1: Rape- 2nd degree. -Charge #2: Indecent Liberties.</p>	V 132		

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V 132	<p>Continued From page 2</p> <p>-Charge #3: Statutory rape of a child <15 or =15. -Case status: Closed/cleared."</p> <p>Review on 5/6/24 of an undated investigation conclusion signed by the Owner/Administrator revealed: -"Just in Time Youth Services (JITYS)(licensee) removed the employee in question (Staff #1). JITYS at this time feels that the employee [Staff #1] is not a threat to any of the kids (clients) at the group home (facility). [Staff #1] is an outstanding employee and has been on staff for over a year, without one investigation or complaint from the kids (clients) that reside in all the homes (facilities). All the kids (clients) state they feel safe being around [Staff #1]. This is a serious allegation, but we also recognize the child (Former Client #6) who made the allegations against [Staff #1], also has a history he stated himself. Currently, we are waiting DNA (Deoxyribonucleic acid) evidence. No charges have been filed to say this man (Staff #1) committed the crime. JITYS feels it would be an injustice to put this man (Staff #1) out of work on an allegation as such. Also, all the parents of the kids (clients) in the group home have been informed and if the parents did not feel there was a threat to their child, from this man (Staff #1), its better to wait for the evidence and the police to conduct their investigation. [Staff #1] is a decorative Military Officer for the US (United States) 10 years and in Afghanistan, currently there is not enough evidence to fire or suspend [Staff #1]. JITYS will wait for the outcome of the [local law enforcement]."</p> <p>Interviews on 5/6/24 and 8/27/24 with investigative detective from local law enforcement agency revealed: 5/6/24:</p>	V 132		

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V 132	<p>Continued From page 3</p> <ul style="list-style-type: none"> -They had received a call from the group home on 4/27/24. -"Allegation was that staff- [Staff #1] walked into client's room- [Former Client #6] informed that he had been watching gay porn when [Staff #1] walked in the room. [Former Client #6] had been masturbating and when he stopped, [Staff #1] told him 'not to'. He (Former Client #6) then asked [Staff #1] if he wanted him to do oral sex on him. [Former Client #6] then performed oral sex on [Staff #1]. [Staff #1] ejaculated in client's mouth. [Staff #1] then cleaned himself with [Former Client #6]'s shirt. [Former Client #6] afterwards told [Staff #2] at the facility." -The detective was "concerned" about Staff #1 going to work at another facility with agency while an investigation was still on. -The detective was also "concerned" about the gap of time it took between when the allegation occurred to when the police were contacted by the owner/administrator. -Evidence was collected. -There was semen on the client's shirt. -DNA was taken from Staff #1's mouth with a swab. -All evidence was sent to a laboratory. -"It may take several weeks for the results." -She did not know how long it would take to get the DNA results. "It may take several weeks for the results to get back." -She spoke with the owner/administrator. "Owner/Administrator did not believe the client (Former Client #6). Reported that staff (Staff #1) is very religious. His religion would not allow him to do something like that." 8/27/24: -Staff #1 was arrested on 8/23/24 after being summoned by the police. -Staff #1 was arrested at the police department. -"DNA showed to be "10.3 octillion times likely 	V 132		

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V 132	<p>Continued From page 4</p> <p>that it belonged to [Staff #1]." -Source came from Staff #1. -Juvenile (Former Client #6)'s DNA was not present in the sample.</p> <p>Interviews on 5/3/24, 8/27/24 and 10/2/24 with the Owner/Administrator revealed: 5/3/24: -"[Former Client #6] said that he was in his room doing something inappropriate, and that [Staff #1] opened the door and that he told him to keep going and to not stop. He (Former Client #6) then pulled down [Staff #1]'s pants and [Staff #1] allowed him to give him oral sex." -"[Staff #1] said that he knocked on his (Former Client #6)'s door twice, but [Former Client #6] had barricaded self. He (Staff #1) pushed the door open and noticed that [Former Client #6] was watching gay pornography. He (Staff #1) told him (Former Client #6) to stop. He (Staff #1) cut the tv off and told him (Former Client #6) that he was going to report this to the Owner/Administrator." -She started her internal investigation. -She interviewed the clients and the staff at the facility. -Facility staff (Owner/Administrator and Program Director) investigated and decided to call the police about this incident due to the serious allegation. -Police came to the facility. -"Police then got [Staff #1]'s DNA. He willingly gave his DNA." -"[Former Client #6] had been displaying some behaviors at the home (facility). Getting naked and going to other boys (clients) rooms. He also got suspended at the school for 5 days for getting caught giving oral sex at the school." -"[Former Client #6] had made other false allegations before." -The police informed her that results from DNA</p>	V 132		

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V 132	<p>Continued From page 5</p> <p>may take up to a month to return.</p> <p>-Former Client #6 said that he wanted to be "long gone before the results get back".</p> <p>-"[Former Client #6] has a history of lying. It's his word against [Staff #1]. He (Staff #1) has been working at the facility for about a year. We believe that [Staff #1] should not be put out of his job because a child made a false allegation."</p> <p>-She concluded that Former Client #6's allegations were unsubstantiated.</p> <p>-"I was not going to put a person out of work for a month just because of the allegation."</p> <p>-"[Former Client #6] had also changed some of the story."</p> <p>-Staff #1 was removed from the facility.</p> <p>-"[Staff #1] is at another home (facility) , but he is working with other staff at the house with him. Three staff are working at the other house (facility) over night. No staff are ever alone with the kids (clients). The other house (facility) is for Intellectual Developmental Disabilities.</p> <p>8/27/24:</p> <p>-"I still don't believe he did what they say he did."</p> <p>-Staff #1 was arrested last Friday. He went to the police department after they told him to appear.</p> <p>-She questioned the DNA results.</p> <p>-"I don't believe the numbers they gave about something like one in an octa million or something. I don't think the results were right."</p> <p>-"[Staff #1] has a lawyer and he also questions the DNA results."</p> <p>-Staff #1's DNA was on the shirt because staff did laundry for the kids (clients) at the house (facility).</p> <p>-"Everyone's DNA is on their clothing!"</p> <p>10/2/24:</p> <p>-Staff #1 continued to be incarcerated.</p> <p>-Plan was for Staff #1 to continue to be incarcerated while he went through the trial process.</p> <p>-"[Staff #1] can not come out of jail, because he</p>	V 132		
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V 132	Continued From page 6 may be deported by Immigration. His lawyer recommended for him to stay there while he went through trial." -A new DNA test may also be ordered as Staff #1's lawyer did not believe the "accuracy" of results. Facility concluded their internal investigation and Staff #1 was moved to a sister facility while knowing that DNA results were still pending.	V 132		
V 366	27G .0603 Incident Response Requirements 10A NCAC 27G .0603 INCIDENT RESPONSE REQUIREMENTS FOR CATEGORY A AND B PROVIDERS (a) Category A and B providers shall develop and implement written policies governing their response to level I, II or III incidents. The policies shall require the provider to respond by: (1) attending to the health and safety needs of individuals involved in the incident; (2) determining the cause of the incident; (3) developing and implementing corrective measures according to provider specified timeframes not to exceed 45 days; (4) developing and implementing measures to prevent similar incidents according to provider specified timeframes not to exceed 45 days; (5) assigning person(s) to be responsible for implementation of the corrections and preventive measures; (6) adhering to confidentiality requirements set forth in G.S. 75, Article 2A, 10A NCAC 26B, 42 CFR Parts 2 and 3 and 45 CFR Parts 160 and 164; and (7) maintaining documentation regarding Subparagraphs (a)(1) through (a)(6) of this Rule. (b) In addition to the requirements set forth in	V 366		

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V 366	<p>Continued From page 7</p> <p>Paragraph (a) of this Rule, ICF/MR providers shall address incidents as required by the federal regulations in 42 CFR Part 483 Subpart I.</p> <p>(c) In addition to the requirements set forth in Paragraph (a) of this Rule, Category A and B providers, excluding ICF/MR providers, shall develop and implement written policies governing their response to a level III incident that occurs while the provider is delivering a billable service or while the client is on the provider's premises. The policies shall require the provider to respond by:</p> <p>(1) immediately securing the client record by:</p> <p>(A) obtaining the client record;</p> <p>(B) making a photocopy;</p> <p>(C) certifying the copy's completeness; and</p> <p>(D) transferring the copy to an internal review team;</p> <p>(2) convening a meeting of an internal review team within 24 hours of the incident. The internal review team shall consist of individuals who were not involved in the incident and who were not responsible for the client's direct care or with direct professional oversight of the client's services at the time of the incident. The internal review team shall complete all of the activities as follows:</p> <p>(A) review the copy of the client record to determine the facts and causes of the incident and make recommendations for minimizing the occurrence of future incidents;</p> <p>(B) gather other information needed;</p> <p>(C) issue written preliminary findings of fact within five working days of the incident. The preliminary findings of fact shall be sent to the LME in whose catchment area the provider is located and to the LME where the client resides, if different; and</p>	V 366		

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V 366	<p>Continued From page 8</p> <p>(D) issue a final written report signed by the owner within three months of the incident. The final report shall be sent to the LME in whose catchment area the provider is located and to the LME where the client resides, if different. The final written report shall address the issues identified by the internal review team, shall include all public documents pertinent to the incident, and shall make recommendations for minimizing the occurrence of future incidents. If all documents needed for the report are not available within three months of the incident, the LME may give the provider an extension of up to three months to submit the final report; and</p> <p>(3) immediately notifying the following:</p> <p>(A) the LME responsible for the catchment area where the services are provided pursuant to Rule .0604;</p> <p>(B) the LME where the client resides, if different;</p> <p>(C) the provider agency with responsibility for maintaining and updating the client's treatment plan, if different from the reporting provider;</p> <p>(D) the Department;</p> <p>(E) the client's legal guardian, as applicable; and</p> <p>(F) any other authorities required by law.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to respond to Level III incidents. The findings are:</p>	V 366		

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V 366	<p>Continued From page 9</p> <p>Review on 5/3/24 of Former Client #6's record revealed: -Admission date of 2/23/24. -He was 15 years old. -Discharged on 5/3/24. -Diagnoses of Major Depressive Disorder, Single episode, with psychotic Features; Posttraumatic Stress Disorder.</p> <p>Review on 5/3/24 of Staff #1's personnel record revealed: -He was hired on 5/15/23. -He was hired as a Paraprofessional.</p> <p>Review on 5/6/24 of a Level III incident report for Former Client #6 submitted on 4/29/24 by the Program Director and updated on 5/6/24 to the North Carolina Incident Response Improvement System (IRIS) revealed: 4/29/24: -Date of Incident: 4/27/24 at 12:00 pm. -"While staff (Staff #1) was serving lunch he (Staff #1) went to client (Former Client #6)'s room to let him know it was time to eat. Staff member (Staff #1) knocked on the door and there was no answer. Staff (Staff #1) knocked a second time there was still no answer. Staff (Staff #1) then tried to open the door and realized that there was something pushed a against the door. When staff member (Staff #1) was able to open the door. Client (Former Client #6) was naked in the room watching porn. Staff (Staff #1) then told him (Former Client #1) to come eat. Client (Former Client #1) then went to the other staff (Staff #2) on shift and stated that he needed to tell her something. When staff (Staff #2) asked what. Client (Former Client #6) stated that staff (Staff #1) did something inappropriate with him. When staff member (Staff #2) asked what did he (Staff #1) do. Client (Former Client #6) stated that I</p>	V 366		

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V 366	<p>Continued From page 10</p> <p>performed oral sex on him. Staff (Staff #2) then contacted Program Director and Owner of the group home." 5/6/24: -"Staff member (Staff #1) is still employed until all active police & Department of Social Services (DSS) investigations are completed. Staff member (Staff #1) was removed from direct care of the individual (Former Client #6) until those investigations are completed. Client (Former Client #6) has made allegations against his father & uncle in the past."</p> <p>Review on 8/27/24 of an arrest report from the local law enforcement department of Staff #1 revealed: -Date of report was 8/23/24. -"Arrestee Information: [Staff #1]. -Type of arrest: Taken into custody. -Charge #1: Rape- 2nd degree. -Charge #2: Indecent Liberties. -Charge #3: Statutory rape of a child <15 or =15. -Case status: Closed/cleared."</p> <p>Review on 5/6/24 of an undated investigation conclusion signed by the Owner/Administrator revealed: -"Just in Time Youth Services (JITYS)(licensee) removed the employee in question (Staff #1). JITYS at this time feels that the employee [Staff #1] is not a threat to any of the kids (clients) at the group home (facility). [Staff #1] is an outstanding employee and has been on staff for over a year, without one investigation or complaint from the kids (clients) that reside in all the homes (facilities). All the kids (clients) state they feel safe being around [Staff #1]. This is a serious allegation, but we also recognize the child (Former Client #6) who made the allegations against [Staff #1], also has a history he stated</p>	V 366		

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V 366	<p>Continued From page 11</p> <p>himself. Currently, we are waiting DNA (Deoxyribonucleic acid) evidence. No charges have been filed to say this man (Staff #1) committed the crime. JITYS feels it would be an injustice to put this man (Staff #1) out of work on an allegation as such. Also, all the parents of the kids (clients) in the group home have been informed and if the parents did not feel there was a threat to their child, from this man (Staff #1), its better to wait for the evidence and the police to conduct their investigation. [Staff #1] is a decorative Military Officer for the US (United States) 10 years and in Afghanistan, currently there is not enough evidence to fire or suspend [Staff #1]. JITYS will wait for the outcome of the [local law enforcement]."</p> <p>Interviews on 5/6/24 and 8/27/24 with investigative detective from local law enforcement agency revealed: 5/6/24: -They had received a call from the group home on 4/27/24. -"Allegation was that staff- [Staff #1] walked into client's room- [Former Client #6] informed that he had been watching gay porn when [Staff #1] walked in the room. [Former Client #6] had been masturbating and when he stopped, [Staff #1] told him 'not to'. He (Former Client #6) then asked [Staff #1] if he wanted him to do oral sex on him. [Former Client #6] then performed oral sex on [Staff #1]. [Staff #1] ejaculated in client's mouth. [Staff #1] then cleaned himself with [Former Client #6]'s shirt. [Former Client #6] afterwards told [Staff #2] at the facility." -The detective was "concerned" about Staff #1 going to work at another facility with agency while an investigation was still on. -The detective was also "concerned" about the gap of time it took between when the allegation</p>	V 366		

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V 366	<p>Continued From page 12</p> <p>occurred to when the police were contacted by the owner/administrator.</p> <ul style="list-style-type: none"> -Evidence was collected. -There was semen on the client's shirt. -DNA was taken from Staff #1's mouth with a swab. -All evidence was sent to a laboratory. -"It may take several weeks for the results." -She did not know how long it would take to get the DNA results. "It may take several weeks for the results to get back." -She spoke with the owner/administrator. <p>"Owner/Administrator did not believe the client (Former Client #6). Reported that staff (Staff #1) is very religious. His religion would not allow him to do something like that."</p> <p>8/27/24:</p> <ul style="list-style-type: none"> -Staff #1 was arrested on 8/23/24 after being summoned by the police. -Staff #1 was arrested at the police department. -"DNA showed to be "10.3 octillion times likely that it belonged to [Staff #1]." -Source came from Staff #1. -Juvenile (Former Client #6)'s DNA was not present in the sample. <p>Interviews on 5/3/24, 8/27/24 and 10/2/24 with the Owner/Administrator revealed:</p> <p>5/3/24:</p> <ul style="list-style-type: none"> -"[Former Client #6] said that he was in his room doing something inappropriate, and that [Staff #1] opened the door and that he told him to keep going and to not stop. He (Former Client #6) then pulled down [Staff #1]'s pants and [Staff #1] allowed him to give him oral sex." -"[Staff #1] said that he knocked on his (Former Client #6)'s door twice, but [Former Client #6] had barricaded self. He (Staff #1) pushed the door open and noticed that [Former Client #6] was watching gay pornography. He (Staff #1) told him 	V 366		

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V 366	<p>Continued From page 13</p> <p>(Former Client #6) to stop. He (Staff #1) cut the tv off and told him (Former Client #6) that he was going to report this to the Owner/Administrator." -She started her internal investigation. -She interviewed the clients and the staff at the facility. -Facility staff (Owner/Administrator and Program Director) investigated and decided to call the police about this incident due to the serious allegation. -Police came to the facility. -"Police then got [Staff #1]'s DNA. He willingly gave his DNA." -"[Former Client #6] had been displaying some behaviors at the home (facility). Getting naked and going to other boys (clients) rooms. He also got suspended at the school for 5 days for getting caught giving oral sex at the school." -"[Former Client #6] had made other false allegations before." -The police informed her that results from DNA may take up to a month to return. -Former Client #6 said that he wanted to be "long gone before the results get back". -"[Former Client #6] has a history of lying. It's his word against [Staff #1]. He (Staff #1) has been working at the facility for about a year. We believe that [Staff #1] should not be put out of his job because a child made a false allegation." -She concluded that Former Client #6's allegations were unsubstantiated. -"I was not going to put a person out of work for a month just because of the allegation." -"[Former Client #6] had also changed some of the story." -Staff #1 was removed from the facility. -"[Staff #1] is at another home (facility) , but he is working with other staff at the house with him. Three staff are working at the other house (facility) over night. No staff are ever alone with</p>	V 366		

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V 366	<p>Continued From page 14</p> <p>the kids (clients). The other house (facility) is for Intellectual Developmental Disabilities.</p> <p>8/27/24: -"I still don't believe he did what they say he did." -Staff #1 was arrested last Friday. He went to the police department after they told him to appear. -She questioned the DNA results. -"I don't believe the numbers they gave about something like one in an octa million or something. I don't think the results were right." -"[Staff #1] has a lawyer and he also questions the DNA results." -Staff #1's DNA was on the shirt because staff did laundry for the kids (clients) at the house (facility). -"Everyone's DNA is on their clothing!"</p> <p>10/2/24: -Staff #1 continued to be incarcerated. -Plan was for Staff #1 to continue to be incarcerated while he went through the trial process. -"[Staff #1] can not come out of jail, because he may be deported by Immigration. His lawyer recommended for him to stay there while he went through trial." -A new DNA test may also be ordered as Staff #1's lawyer did not believe the "accuracy" of results.</p> <p>Facility concluded their internal investigation while knowing that DNA results were still pending.</p>	V 366		
V 512	<p>27D .0304 Client Rights - Harm, Abuse, Neglect</p> <p>10A NCAC 27D .0304 PROTECTION FROM HARM, ABUSE, NEGLECT OR EXPLOITATION (a) Employees shall protect clients from harm, abuse, neglect and exploitation in accordance with G.S. 122C-66. (b) Employees shall not subject a client to any</p>	V 512		

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V 512	<p>Continued From page 15</p> <p>sort of abuse or neglect, as defined in 10A NCAC 27C .0102 of this Chapter.</p> <p>(c) Goods or services shall not be sold to or purchased from a client except through established governing body policy.</p> <p>(d) Employees shall use only that degree of force necessary to repel or secure a violent and aggressive client and which is permitted by governing body policy. The degree of force that is necessary depends upon the individual characteristics of the client (such as age, size and physical and mental health) and the degree of aggressiveness displayed by the client. Use of intervention procedures shall be compliance with Subchapter 10A NCAC 27E of this Chapter.</p> <p>(e) Any violation by an employee of Paragraphs (a) through (d) of this Rule shall be grounds for dismissal of the employee.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, one of three audited Paraprofessional Staffs (Staff #1) abused one of one former client (Former Client #6). The findings are:</p> <p>Review on 5/3/24 of Former Client #6's record revealed: -Admission date of 2/23/24. -He was 15 years old. -Discharged on 5/3/24. -Diagnoses of Major Depressive Disorder, Single episode, with psychotic Features; Posttraumatic Stress Disorder.</p> <p>Review on 5/3/24 of Staff #1's personnel record revealed: -He was hired on 5/15/23.</p>	V 512		

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V 512	<p>Continued From page 16</p> <p>-He was hired as a Paraprofessional.</p> <p>Review on 5/6/24 of a Level III incident report for Former Client #6 submitted on 4/29/24 by the Program Director and updated on 5/6/24 to the North Carolina Incident Response Improvement System (IRIS) revealed: 4/29/24: -Date of Incident: 4/27/24 at 12:00 pm. -"While staff (Staff #1) was serving lunch he (Staff #1) went to client (Former Client #6)'s room to let him know it was time to eat. Staff member (Staff #1) knocked on the door and there was no answer. Staff (Staff #1) knocked a second time there was still no answer. Staff (Staff #1) then tried to open the door and realized that there was something pushed a against the door. When staff member (Staff #1) was able to open the door. Client (Former Client #6) was naked in the room watching porn. Staff (Staff #1) then told him (Former Client #1) to come eat. Client (Former Client #1) then went to the other staff (Staff #2) on shift and stated that he needed to tell her something. When staff (Staff #2) asked what. Client (Former Client #6) stated that staff (Staff #1) did something inappropriate with him. When staff member (Staff #2) asked what did he (Staff #1) do. Client (Former Client #6) stated that I performed oral sex on him. Staff (Staff #2) then contacted Program Director and Owner of the group home." 5/6/24: -"Staff member (Staff #1) is still employed until all active police & Department of Social Services (DSS) investigations are completed. Staff member (Staff #1) was removed from direct care of the individual (Former Client #6) until those investigations are completed. Client (Former Client #6) has made allegations against his father & uncle in the past."</p>	V 512		

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V 512	<p>Continued From page 17</p> <p>Review on 5/6/24 of an undated investigation conclusion signed by the Owner/Administrator revealed: -"Just in Time Youth Services (JITYS)(licensee) removed the employee in question (Staff #1). JITYS at this time feels that the employee [Staff #1] is not a threat to any of the kids (clients) at the group home (facility). [Staff #1] is an outstanding employee and has been on staff for over a year, without one investigation or complaint from the kids (clients) that reside in all the homes (facilities). All the kids (clients) state they feel safe being around [Staff #1]. This is a serious allegation, but we also recognize the child (Former Client #6) who made the allegations against [Staff #1], also has a history he stated himself. Currently, we are waiting DNA (Deoxyribonucleic acid) evidence. No charges have been filed to say this man (Staff #1) committed the crime. JITYS feels it would be an injustice to put this man (Staff #1) out of work on an allegation as such. Also, all the parents of the kids (clients) in the group home have been informed and if the parents did not feel there was a threat to their child, from this man (Staff #1), its better to wait for the evidence and the police to conduct their investigation. [Staff #1] is a decorative Military Officer for the US (United States) 10 years and in Afghanistan, currently there is not enough evidence to fire or suspend [Staff #1]. JITYS will wait for the outcome of the [local law enforcement]."</p> <p>Review on 8/27/24 of an arrest report from the local law enforcement department of Staff #1 revealed: -Date of report was 8/23/24. -"Arrestee Information: [Staff #1]. -Type of arrest: Taken into custody.</p>	V 512		

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V 512	<p>Continued From page 18</p> <ul style="list-style-type: none"> -Charge #1: Rape- 2nd degree. -Charge #2: Indecent Liberties. -Charge #3: Statutory rape of a child <15 or =15. -Case status: Closed/cleared." <p>Interviews on 5/6/24 and 8/27/24 with investigative detective from local law enforcement agency revealed: 5/6/24:</p> <ul style="list-style-type: none"> -They had received a call from the group home on 4/27/24. -"Allegation was that staff- [Staff #1] walked into client's room- [Former Client #6] informed that he had been watching gay porn when [Staff #1] walked in the room. [Former Client #6] had been masturbating and when he stopped, [Staff #1] told him 'not to'. He (Former Client #6) then asked [Staff #1] if he wanted him to do oral sex on him. [Former Client #6] then performed oral sex on [Staff #1]. [Staff #1] ejaculated in client's mouth. [Staff #1] then cleaned himself with [Former Client #6]'s shirt. [Former Client #6] afterwards told [Staff #2] at the facility." -The detective was "concerned" about Staff #1 going to work at another facility with agency while an investigation was still on. -The detective was also "concerned" about the gap of time it took between when the allegation occurred to when the police were contacted by the owner/administrator. -Evidence was collected. -There was semen on the client's shirt. -DNA was taken from Staff #1's mouth with a swab. -All evidence was sent to a laboratory. -"It may take several weeks for the results." -She did not know how long it would take to get the DNA results. "It may take several weeks for the results to get back." -She spoke with the owner/administrator. 	V 512		

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V 512	<p>Continued From page 19</p> <p>"Owner/Administrator did not believe the client (Former Client #6). Reported that staff (Staff #1) is very religious. His religion would not allow him to do something like that." 8/27/24: -Staff #1 was arrested on 8/23/24 after being summoned by the police. -Staff #1 was arrested at the police department. -"DNA showed to be "10.3 octillion times likely that it belonged to [Staff #1]." -Source came from Staff #1. -Juvenile (Former Client #6)'s DNA was not present in the sample.</p> <p>Interview on 5/3/24 with Former Client #6 revealed: -He had been at the facility for about 2 months. -"[Staff #1] was in the kitchen making sandwiches and serving the other clients at the house. He (Staff #1) then came to my room and without knocking on the door, he opened it." -"I was watching a gay porn (pornographic movie) on my tv (television). [Staff #1] opened the door and when I was going to turn off the tv, he told me 'no, that's ok' and he pointed to his penis. I then asked him if he wanted me to give him oral sex?" -"I gave him oral sex." -"I initiated it" -"[Staff #1] told me not to tell anyone." -After the incident, Former Client #6 started to have some homicidal thoughts against Staff #1 for what he allowed him to do. -Staff #1 gave him some chocolate and told him again not to tell anyone. -Former Client #6 told Staff #2 later that day of what happened. -Staff #2 told the Owner/Administrator. -"[The Owner/Administrator] did not believe me." -"I then ran away from the home (facility) and</p>	V 512		

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V 512	<p>Continued From page 20</p> <p>went to the police." -Facility staff called the police when he ran away. -He told police there was evidence. "A red shirt." -"[Staff #1] had cleaned himself with the shirt." -Former Client #6 went to the hospital afterwards. -"They tested my DNA (deoxyribonucleic acid). They did a mouth swab to get my DNA." -I returned home (facility) and now they are going to discharge me because they don't want to be bothered by what happened." -"I do not feel safe at the group home (facility).</p> <p>Interview on 5/6/24 with Staff #1 revealed: -He denied abusing Former Client #6. -He had been preparing sandwiches and went to get Former Client #6 to come out to eat. -Former Client #6 was watching pornography on the tv. He turned it off and told him (Former Client #6) that "it was not right." -He left Former Client #6's bedroom and continued to serve sandwiches to the clients. -Nothing else happened afterwards.</p> <p>Interview on 5/6/24 with Staff #2 revealed: -She was sitting on the couch when Former Client #6 came to her and told her about what happened. -She had been on the couch and did not see Staff #1 go into Former Client #6's room. -When Former Client #6 told her about the sexual abuse, she contacted her manager (Program Director). -Owner/Administrator later came to the house and investigated. -"I had never seen anything inappropriate with Staff #1."</p> <p>Interviews on 5/3/24, 8/27/24 and 10/2/24 with the Owner/Administrator revealed: 5/3/24:</p>	V 512		

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V 512	<p>Continued From page 21</p> <p>-"[Former Client #6] said that he was in his room doing something inappropriate, and that [Staff #1] opened the door and that he told him to keep going and to not stop. He (Former Client #6) then pulled down [Staff #1]'s pants and [Staff #1] allowed him to give him oral sex."</p> <p>-"[Staff #1] said that he knocked on his (Former Client #6)'s door twice, but [Former Client #6] had barricaded self. He (Staff #1) pushed the door open and noticed that [Former Client #6] was watching gay pornography. He (Staff #1) told him (Former Client #6) to stop. He (Staff #1) cut the tv off and told him (Former Client #6) that he was going to report this to the Owner/Administrator."</p> <p>-She started her internal investigation.</p> <p>-She interviewed the clients and the staff at the facility.</p> <p>-Facility staff (Owner/Administrator and Program Director) investigated and decided to call the police about this incident due to the serious allegation.</p> <p>-Police came to the facility.</p> <p>-"Police then got [Staff #1]'s DNA. He willingly gave his DNA."</p> <p>-"[Former Client #6] had been displaying some behaviors at the home (facility). Getting naked and going to other boys (clients) rooms. He also got suspended at the school for 5 days for getting caught giving oral sex at the school."</p> <p>-"[Former Client #6] had made other false allegations before."</p> <p>-The police informed her that results from DNA may take up to a month to return.</p> <p>-Former Client #6 said that he wanted to be "long gone before the results get back".</p> <p>-"[Former Client #6] has a history of lying. It's his word against [Staff #1]. He (Staff #1) has been working at the facility for about a year. We believe that [Staff #1] should not be put out of his job because a child made a false allegation."</p>	V 512		

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V 512	<p>Continued From page 22</p> <p>-She concluded that Former Client #6's allegations were unsubstantiated.</p> <p>-"I was not going to put a person out of work for a month just because of the allegation."</p> <p>-"[Former Client #6] had also changed some of the story."</p> <p>-Staff #1 was removed from the facility.</p> <p>-"[Staff #1] is at another home (facility) , but he is working with other staff at the house with him. Three staff are working at the other house (facility) over night. No staff are ever alone with the kids (clients). The other house (facility) is for Intellectual Developmental Disabilities.</p> <p>8/27/24:</p> <p>-"I still don't believe he did what they say he did."</p> <p>-Staff #1 was arrested last Friday. He went to the police department after they told him to appear.</p> <p>-She questioned the DNA results.</p> <p>-"I don't believe the numbers they gave about something like one in an octa million or something. I don't think the results were right."</p> <p>-"[Staff #1] has a lawyer and he also questions the DNA results."</p> <p>-Staff #1's DNA was on the shirt because staff did laundry for the kids (clients) at the house (facility).</p> <p>-"Everyone's DNA is on their clothing!"</p> <p>10/2/24:</p> <p>-Staff #1 continued to be incarcerated.</p> <p>-Plan was for Staff #1 to continue to be incarcerated while he went through the trial process.</p> <p>-"[Staff #1] can not come out of jail, because he may be deported by Immigration. His lawyer recommended for him to stay there while he went through trial."</p> <p>-A new DNA test may also be ordered as Staff #1's lawyer did not believe the "accuracy" of results.</p> <p>Review on 10/2/24 of the Plan of Protection dated</p>	V 512		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL001-169	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 10/02/2024
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NAME OF PROVIDER OR SUPPLIER JUST IN TIME YOUTH SERVICES II	STREET ADDRESS, CITY, STATE, ZIP CODE 111 DOGWOOD DRIVE BURLINGTON, NC 27215
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V 512	<p>Continued From page 23</p> <p>10/2/24 written by the Program Director revealed: -"What immediate action will the facility take to ensure the safety of the consumers in your care? -In-house training with all staff, which includes client's right, policy and procedures in reference to harm and neglect, also safety of clients in our care. -Describe your plans to make sure the above happens. -All new hires will undergo this training during their orientation training, and participate in all training scheduled by management during their employment."</p> <p>The facility served clients with diagnoses of Attention Deficit Hyperactivity Disorder; Autism Spectrum Disorders; Intellectual Disability; Disruptive Mood Dysregulation Disorder; Conduct Disorder; Intermittent Explosive Disorder; Generalized Anxiety Disorder, Major Depressive Disorder; Posttraumatic Stress Disorder. On 4/27/24, Former Client #6 had been watching pornographic material. Staff #1 walked in Former Client #6's bedroom and told him to not turn off the television, and rather pointed at his groin area. Former Client #6 then asked Staff #1 if he wanted him to perform oral sex on him. Staff #1 allowed Former Client #6 to perform oral sex on him. After the incident, Staff #1 cleaned himself up with one of Former Client #6's shirts. Later that day, Former Client #6 informed Staff #2 about the sexual abuse. Police were contacted and DNA was obtained from Former Client #6's shirt to be analyzed at a laboratory. On 8/23/24 Staff #1 was arrested by local law enforcement agency after DNA results revealed that the sample obtained on Former Client #6's shirt had matched Staff #1's DNA. Staff #1 was charged with Rape- 2nd degree, Indecent Liberties and Statutory rape of a child <15 or =15. This</p>	V 512		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL001-169	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 10/02/2024
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V 512	Continued From page 24 deficiency constitutes a Type A1 rule violation for serious abuse and must be corrected within 23 days.	V 512		