

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL041-905	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 12/09/2024
NAME OF PROVIDER OR SUPPLIER ELSWORTH COURT HOME		STREET ADDRESS, CITY, STATE, ZIP CODE 5 ELSWORTH COURT MCLEANSVILLE, NC 27301		
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on December 9, 2024. The complaint was substantiated (intake #NC00224606). A deficiency was cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5600C Supervised Living for Adults with Developmental Disabilities.</p> <p>This facility is licensed for 3 and has a current census of 3. The survey sample consisted of audits of 3 current clients.</p>	V 000		
V 105	<p>27G .0201 (A) (1-7) 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>(1) delegation of management authority for the operation of the facility and services;</p> <p>(2) criteria for admission;</p> <p>(3) criteria for discharge;</p> <p>(4) admission assessments, including:</p> <p>(A) who will perform the assessment; and</p> <p>(B) time frames for completing assessment.</p> <p>(5) client record management, including:</p> <p>(A) persons authorized to document;</p> <p>(B) transporting records;</p> <p>(C) safeguard of records against loss, tampering, defacement or use by unauthorized persons;</p> <p>(D) assurance of record accessibility to authorized users at all times; and</p> <p>(E) assurance of confidentiality of records.</p> <p>(6) screenings, which shall include:</p> <p>(A) an assessment of the individual's presenting problem or need;</p> <p>(B) an assessment of whether or not the facility can provide services to address the individual's</p>	V 105		

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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

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V 105	Continued From page 1 needs; and (C) the disposition, including referrals and recommendations; (7) quality assurance and quality improvement activities, including: (A) composition and activities of a quality assurance and quality improvement committee; (B) written quality assurance and quality improvement plan; (C) methods for monitoring and evaluating the quality and appropriateness of client care, including delineation of client outcomes and utilization of services; (D) professional or clinical supervision, including a requirement that staff who are not qualified professionals and provide direct client services shall be supervised by a qualified professional in that area of service; (E) strategies for improving client care; (F) review of staff qualifications and a determination made to grant treatment/habilitation privileges: (G) review of all fatalities of active clients who were being served in area-operated or contracted residential programs at the time of death; (H) adoption of standards that assure operational and programmatic performance meeting applicable standards of practice. For this purpose, "applicable standards of practice" means a level of competence established with reference to the prevailing and accepted methods, and the degree of knowledge, skill and care exercised by other practitioners in the field;	V 105		

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V 105	<p>Continued From page 2</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to follow its policy on drug testing. The findings are:</p> <p>Review on 12/6/24 of the facility's policy and procedure on Drug Testing-Substance Abuse, revealed: -"QLS is committed to providing an environment that promotes the welfare of the individuals we support ...therefore, in accordance with the Federal Drug-Free Workplace Act of 1988 and state law, strictly prohibits staff fromsale, purchase or use of illegal drugs while on the job ...the purpose of this policy is to (a) establish and maintain safe, healthy environment for the individuals we service ...The President is responsible for the administration of this policy ...Reasonable Suspicion Testing: A staff will be tested for controlled substances and/or alcohol when a reasonable suspicion exists that the staff is under the influence of any controlled substance and/or alcohol while on the job or if reasonable suspicion exists that any staff is otherwise in violation of this policy ...any staff is subject to corrective action, up to and including discharge for any violation of this controlled substance and alcohol abuse policy ..."</p> <p>Review on 12/6/24 of the facility's Investigation Report, dated 11/27/24, the President/Licensee, revealed: -"On 11/22/24, I began my investigation of the incident that was reported by [care managers]. The compliant stated that QLS (Quality Life Services) failed to provide a safe environment for</p>	V 105		

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V 105	Continued From page 3 [client #1] and [client #2] due to the smell of marijuana when the staff answered the door during a scheduled monitoring review. On 11/21/24, [a care manager] contacted [the Qualified Professional/Vice President (QP/VP)] and advised her that she had visited the facility y for a monitoring review and when the staff (#2) opened the door, she was able to smell marijuana. She stated that she did not see any smoke, but the smell was in the area. [QP/VP] stated that she immediately contacted [staff #1], Lead staff and informed him of the situation. He advised he would check on the home and [staff #2]. On 11/22/24, I met with [staff #1] to find out the status of the situation with [staff #2]. He advised me that after he received the telephone call, he contacted [staff #2] about the situation. He advised me that [staff #2] stated he was not aware of the smell and it could have been coming from the laundry bag when he was separating his clothing. [Staff #1] stated that he then went to check on the three consumers in the home and that all of them were doing okay. He stated he reminded [staff #2] that company policy did not allow drugs on the property and it would not be tolerated. In our conversation during an interview, [staff #1] stated that he had seen [staff #2] when he picked up the guys from the day center at approximately 3:00pm. He stated that he did not smell any odor at the home, and he did not seed to be impaired. He stated that when he went to the home, after the call, he did not smell anything at that time. He walked through the house and the guys were okay and there was not any odor present in the home. I advised him that I would be obtaining his written statement at a later time. On 11/25/24, at approximately 1:30pm, I interviewed [staff #2] to gather information regarding the marijuana smell. He stated that he had removed some clothes from his car and the smell may	V 105		

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V 105	<p>Continued From page 4</p> <p>have come from his clothes. He stated that he had accidentally brought his roommates clothes in the home. He said that when [staff #1] called him, he checked those clothes and noticed the smell and put them back in his car. He verbally stated that he did not use any marijuana while at work or in the home. When I asked him, if he was familiar with the company policy regarding the use of illegal drugs, he stated that he was. On 11/25/24, I interviewed [client #1] and asked him if he had seen [staff #2] smoking in the house. He stated that he had not. I also asked him if he noticed anything that smelled 'funny' in the home and he stated that he did not smell anything. On 11/25/24, I interviewed [client #2] and asked him if he had seen [staff #2] smoking in the house. He stated he had not. I also asked him if he notified anything that smelled 'funny' in the home and he stated that he did not smell anything. On 11/27/24, I spoke with [the case manager] to gather a couple of details from the visit. She stated that the odor that she noticed was in the foyer area of the home and she did not smell anything in or near the consumers' rooms. I asked her if he (staff #2) appeared to be impaired at the time. She advised that he did not appear to be and held a brief conversation with her.</p> <p>-Outcome: Because we were not able to determine if [staff #2] had used illegal drugs while at the home or if he reported to work impaired, we were not able to substantiated failure to provide a safe environment for the members.</p> <p>-Resolution: Per company policy, [staff #2] will be required to submit to a drug screening due to reasonable suspicion of potential use. The results of the screening will determine what further actions will be taken relating to employment and/or referral for counseling. As per company operations, facility inspections occur on a quarterly basis to access the operation and safety</p>	V 105		

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V 105	<p>Continued From page 5</p> <p>issues and also to monitor for issues of this nature. An increase in unannounced visits to the facilities will occur to ensure that staff perform their duties within company guidelines."</p> <p>Review on 12/9/24 of staff #2's record revealed: -A hire date of 6/28/24 -A job description of Paraprofessional (Habilitation Technician) -A termination date of 12/9/24</p> <p>Interview on 12/6/24 with client #1 revealed: -Client #2 stated "[staff #2] smokes p-o-t (spelled the word out loud)." -"He smokes it downstairs in the living room." -"I am upstairs in my room." -"It smelled funny." -"He holds it to his mouth." -"It is a device. It is a square device." -"He keeps it (the device) on 'hissself.'"</p> <p>Interview on 12/6/24 with staff #2 revealed: -"A couple of weeks ago, someone said I smelled like marijuana. It (the smell of marijuana) was actually in the clothes in a bag that I had brought into the facility to separate. Some of my roommate's clothes were in there. There were fumes everywhere. Once I smelled the scent of it, I took the bag back out to my car ..." -Denied smoking marijuana on the facility's premises -" ...I used to smoke marijuana, but I stopped. It has been a couple of months when I stopped. Now I just vape ...I started smoking marijuana when I was in my early twenties. I was smoking marijuana a little heavy to be honest with you. I would smoke at least like 2 or 3 times a week ...I was supposed to get drug tested. It has not happened yet ..."</p>	V 105		

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V 105	Continued From page 6 Interview on 12/6/24 with the President revealed: -Had not drug tested staff #2. -"The lab we used previously, we no longer use ...I would like to wait and get a hair sample, that way, it will go back up to several months ..." -"If [client #2] said [staff #2] smoked pot, then I believe him. He has no reason not to tell the truth. When I interviewed him (client #2), he did not say that to me. He may not have felt comfortable telling me if he thought someone was going to get in trouble."	V 105		