

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL043-027	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 01/30/2026
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NAME OF PROVIDER OR SUPPLIER ELM STREET	STREET ADDRESS, CITY, STATE, ZIP CODE 300 WEST J STREET ERWIN, NC 28339
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V 000	<p>INITIAL COMMENTS</p> <p>An annual survey was completed on January 30, 2026. Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5600C Supervised Living for Adults with Developmental Disability.</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 117	<p>27G .0209 (B) Medication Requirements</p> <p>10A NCAC 27G .0209 MEDICATION REQUIREMENTS</p> <p>(b) Medication packaging and labeling:</p> <p>(1) Non-prescription drug containers not dispensed by a pharmacist shall retain the manufacturer's label with expiration dates clearly visible;</p> <p>(2) Prescription medications, whether purchased or obtained as samples, shall be dispensed in tamper-resistant packaging that will minimize the risk of accidental ingestion by children. Such packaging includes plastic or glass bottles/vials with tamper-resistant caps, or in the case of unit-of-use packaged drugs, a zip-lock plastic bag may be adequate;</p> <p>(3) The packaging label of each prescription drug dispensed must include the following:</p> <p>(A) the client's name;</p> <p>(B) the prescriber's name;</p> <p>(C) the current dispensing date;</p> <p>(D) clear directions for self-administration;</p> <p>(E) the name, strength, quantity, and expiration date of the prescribed drug; and</p> <p>(F) the name, address, and phone number of the pharmacy or dispensing location (e.g., mh/dd/sa center), and the name of the dispensing</p>	V 117		

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

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V 117	<p>Continued From page 1</p> <p>practitioner.</p> <p>This Rule is not met as evidenced by: Based on interviews, record reviews, and observation, the facility failed to ensure all prescription medications were labeled and contained required information. The findings are:</p> <p>Review on 1/29/26 of client #3's record revealed: -21 year old female. -Admitted 12/31/25. -Diagnoses of Moderate Intellectual Developmental Disability, Crohn's Disease, Hereditary Hemorrhagic Telangiectasia and Juvenile Polyposis Syndrome. -Signed Physician order dated 12/5/25 revealed Birth Control Jolessa 0.15 milligram (mg) at bedtime.</p> <p>Observation on 1/29/26 of client #3's medications revealed: -Birth Control pink box with no pharmacy label to include client's name, the prescriber's name, the current dispensing date, the name, strength, quantity and expiration date of the prescribed drug and the name, address, and phone number of the pharmacy or dispensing location.</p> <p>Interview on 1/29/26 of client #3 stated: -She took birth control every night. -The birth control was in a pink box.</p> <p>Interview on 1/29/26 the Home Manager stated: -The pink box of birth control medications</p>	V 117		

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V 117	<p>Continued From page 2</p> <p>belonged to client #3. -Client #3 was admitted with the medication. -The facility placed a new order for the medication and it would have a pharmacy label.</p> <p>Interview on 1/29/26 the Licensed Practical Nurse stated: -Client #3's birth control was a medication she had prior to admission. -The facility had ordered new medications for client #3. -All medications should have a pharmacy label with identifying information.</p> <p>Interview on 1/29/26 the Qualified Professional stated: -The facility had a LPN who reviewed the MARs and medications.</p>	V 117		
V 118	<p>27G .0209 (C) Medication Requirements</p> <p>10A NCAC 27G .0209 MEDICATION REQUIREMENTS (c) Medication administration: (1) Prescription or non-prescription drugs shall only be administered to a client on the written order of a person authorized by law to prescribe drugs. (2) Medications shall be self-administered by clients only when authorized in writing by the client's physician. (3) Medications, including injections, shall be administered only by licensed persons, or by unlicensed persons trained by a registered nurse, pharmacist or other legally qualified person and privileged to prepare and administer medications. (4) A Medication Administration Record (MAR) of all drugs administered to each client must be kept current. Medications administered shall be</p>	V 118		

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V 118	<p>Continued From page 3</p> <p>recorded immediately after administration. The MAR is to include the following:</p> <p>(A) client's name; (B) name, strength, and quantity of the drug; (C) instructions for administering the drug; (D) date and time the drug is administered; and (E) name or initials of person administering the drug.</p> <p>(5) Client requests for medication changes or checks shall be recorded and kept with the MAR file followed up by appointment or consultation with a physician.</p> <p>This Rule is not met as evidenced by: Based on record review and interview the facility failed to administer medications on the written order of the physician and to ensure the MAR was kept current affecting 1 of 3 clients (#1). The findings are:</p> <p>Review on 1/29/26 of client #2's record revealed: -39 year old female. -Admitted 1/2/10. -Diagnoses of Mild Intellectual Disability, Paranoid Schizophrenia, Converion Disorder with seizures or convulsions. -Signed physician order dated Vienva 0.1-20 milligram (mg) daily continuously skip placebo pills.</p> <p>Review on 1/29/26 of client #2's MARs from 11/1/25 - 1/29/26 revealed the following medication was administered daily: -Vienva 0.1-20 mg</p>	V 118		

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V 118	<p>Continued From page 4</p> <p>Observation on 1/29/26 of client #2's Vienva 0.1-20 mg there were 2 remaining pink pills in the pack.</p> <p>Interview on 1/29/26 client #2 stated: -She received her medication daily.</p> <p>Interview on 1/29/26 staff #4 stated: -Client #2 received her medication daily. -Client #2 had a menstrual cycle.</p> <p>Interview on 1/29/26 the Home Manager stated: -Client #2 received her birth control daily. -Client #2 was administered the white and pink pills. -Staff had not reported client #2 was not administered the the placebo medication. -She was not sure why client #2 needed to continuously take the birth control and skip the placebo.</p> <p>Interview on 1/29/26 the Licensed Practical Nurse (LPN) stated: -Client #2's physician would like for client #2 to not have a menstrual cycle. -Staff were supposed to fully read the MARs prior to administering medication. -Client #2 has had accidents at the facility and the vocational center (office).</p> <p>Interview on 1/29/26 the Qualified Professional stated: -The facility had a LPN who reviewed the MARs and medications.</p>	V 118		
V 133	<p>G.S. 122C-80 Criminal History Record Check</p> <p>G.S. §122C-80 CRIMINAL HISTORY RECORD</p>	V 133		

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V 133	<p>Continued From page 5</p> <p>CHECK REQUIRED FOR CERTAIN APPLICANTS FOR EMPLOYMENT.</p> <p>(a) Definition. - As used in this section, the term "provider" applies to an area authority/county program and any provider of mental health, developmental disability, and substance abuse services that is licensable under Article 2 of this Chapter.</p> <p>(b) Requirement. - An offer of employment by a provider licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a State and national criminal history record check of the applicant. If the applicant has been a resident of this State for less than five years, then the offer of employment is conditioned on consent to a State and national criminal history record check of the applicant. The national criminal history record check shall include a check of the applicant's fingerprints. If the applicant has been a resident of this State for five years or more, then the offer is conditioned on consent to a State criminal history record check of the applicant. A provider shall not employ an applicant who refuses to consent to a criminal history record check required by this section. Except as otherwise provided in this subsection, within five business days of making the conditional offer of employment, a provider shall submit a request to the Department of Justice under G.S. 114-19.10 to conduct a criminal history record check required by this section or shall submit a request to a private entity to conduct a State criminal history record check required by this section. Notwithstanding G.S. 114-19.10, the Department of Justice shall return the results of national criminal history record checks for employment positions not covered by Public Law 105-277 to the</p>	V 133		

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V 133	<p>Continued From page 6</p> <p>Department of Health and Human Services, Criminal Records Check Unit. Within five business days of receipt of the national criminal history of the person, the Department of Health and Human Services, Criminal Records Check Unit, shall notify the provider as to whether the information received may affect the employability of the applicant. In no case shall the results of the national criminal history record check be shared with the provider. Providers shall make available upon request verification that a criminal history check has been completed on any staff covered by this section. A county that has adopted an appropriate local ordinance and has access to the Division of Criminal Information data bank may conduct on behalf of a provider a State criminal history record check required by this section without the provider having to submit a request to the Department of Justice. In such a case, the county shall commence with the State criminal history record check required by this section within five business days of the conditional offer of employment by the provider. All criminal history information received by the provider is confidential and may not be disclosed, except to the applicant as provided in subsection (c) of this section. For purposes of this subsection, the term "private entity" means a business regularly engaged in conducting criminal history record checks utilizing public records obtained from a State agency.</p> <p>(c) Action. - If an applicant's criminal history record check reveals one or more convictions of a relevant offense, the provider shall consider all of the following factors in determining whether to hire the applicant:</p> <ol style="list-style-type: none"> (1) The level and seriousness of the crime. (2) The date of the crime. (3) The age of the person at the time of the 	V 133		
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V 133	<p>Continued From page 7</p> <p>conviction.</p> <p>(4) The circumstances surrounding the commission of the crime, if known.</p> <p>(5) The nexus between the criminal conduct of the person and the job duties of the position to be filled.</p> <p>(6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed.</p> <p>(7) The subsequent commission by the person of a relevant offense.</p> <p>The fact of conviction of a relevant offense alone shall not be a bar to employment; however, the listed factors shall be considered by the provider. If the provider disqualifies an applicant after consideration of the relevant factors, then the provider may disclose information contained in the criminal history record check that is relevant to the disqualification, but may not provide a copy of the criminal history record check to the applicant.</p> <p>(d) Limited Immunity. - A provider and an officer or employee of a provider that, in good faith, complies with this section shall be immune from civil liability for:</p> <p>(1) The failure of the provider to employ an individual on the basis of information provided in the criminal history record check of the individual.</p> <p>(2) Failure to check an employee's history of criminal offenses if the employee's criminal history record check is requested and received in compliance with this section.</p> <p>(e) Relevant Offense. - As used in this section, "relevant offense" means a county, state, or federal criminal history of conviction or pending indictment of a crime, whether a misdemeanor or felony, that bears upon an individual's fitness to have responsibility for the safety and well-being of persons needing mental health, developmental</p>	V 133		

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V 133	<p>Continued From page 8</p> <p>disabilities, or substance abuse services. These crimes include the criminal offenses set forth in any of the following Articles of Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing Monetary Substitutes; Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7A, Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretenses and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 19B, Financial Transaction Card Crime Act; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; Article 40, Protection of the Family; Article 59, Public Intoxication; and Article 60, Computer-Related Crime. These crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5.</p> <p>(f) Penalty for Furnishing False Information. - Any applicant for employment who willfully furnishes, supplies, or otherwise gives false information on</p>	V 133		

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V 133	<p>Continued From page 9</p> <p>an employment application that is the basis for a criminal history record check under this section shall be guilty of a Class A1 misdemeanor. (g) Conditional Employment. - A provider may employ an applicant conditionally prior to obtaining the results of a criminal history record check regarding the applicant if both of the following requirements are met: (1) The provider shall not employ an applicant prior to obtaining the applicant's consent for criminal history record check as required in subsection (b) of this section or the completed fingerprint cards as required in G.S. 114-19.10. (2) The provider shall submit the request for a criminal history record check not later than five business days after the individual begins conditional employment. (2000-154, s. 4; 2001-155, s. 1; 2004-124, ss. 10.19D(c), (h); 2005-4, ss. 1, 2, 3, 4, 5(a); 2007-444, s. 3.)</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews the facility failed to request within 5 business days national criminal history record checks, to include a check of the applicant's fingerprints, for 1 of 1 Qualified Professional (QP) who had been a resident of this State for less than five years prior to hire. The findings are:</p> <p>Review on 1/29/26 of the QP's personnel record revealed: -Hire Date: 9/15/25. -Job: QP -Resume' with qualification and employment history with previous employment for</p>	V 133		
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V 133	<p>Continued From page 10</p> <p>approximately 20 years in the state of Georgia. -No documentation of a nation criminal history check to include fingerprints.</p> <p>Interview on 1/29/26 the QP stated: -She had been the QP for 4 months. -She had lived out of the state of North Carolina for 30 years. -She returned to North Carolina around March 2025. -She could not recall if she had fingerprints completed for employment.</p> <p>Interview on 1/30/26 the Human Resources Coordinator stated: -The QP was sent to the local Sheriff Office to complete fingerprints in November 2025. -The local Sheriff Office required an appointment for fingerprints and the QP was not able to attend any of the appointments. -The QP's requirement to have fingerprints was extended until 5/30/26. -The agency's policy stated employees' had a 3 month introductory period to get needed documentation.</p>	V 133		