

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL032-133	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 12/19/2025
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NAME OF PROVIDER OR SUPPLIER THE SHERMAN HOUSE	STREET ADDRESS, CITY, STATE, ZIP CODE 1712 SHERMAN AVENUE DURHAM, NC 27707
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V 000	<p>INITIAL COMMENTS</p> <p>An annual and follow up survey was completed on 12/19/25. Deficiencies were cited.</p> <p>This facility is licensed for the following service categories: 10A NCAC 27G .5600C Supervised Living for Adults with Developmental Disability and 10A NCAC 27G .5100 Community Respite Services for Individuals of All Disability Groups.</p> <p>This facility is licensed for 4 and has a current census of 3. The 5600C Supervised Living for Adults with Developmental Disability has a current census of 3 and the 5100 Community Respite Services for Individuals of All Disability Groups has a current census of 0. The survey sample consisted of audits of 3 current clients in the 5600 Supervised Living for Adults and 0 clients in the 5100 Community Respite Services.</p>	V 000		
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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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE _____ TITLE _____ (X6) DATE _____

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V 118	<p>Continued From page 1</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 observation, record reviews and interviews, the facility failed to ensure staff followed the written order of a physician affecting one of three audited clients (#1) and failed to keep the MAR current affecting two of three audited clients (#1 and #3). The findings are:</p> <p>1. Observation on 12/18/25 at approximately 11:35 am of client #1's medication bin revealed: -There was a container of Ketoconazole 2% Shampoo (Dandruff).</p> <p>Reviews on 12/17/25 and 12/18/25 of client #1's record revealed: -Admission date of 6/10/10. -Diagnoses of Autism, Anxiety Disorder, Obsessive Compulsive Disorder, Moderate Intellectual Disability and Cholesterolemia. -Physician's order dated 8/12/25 for Ketoconazole 2% Shampoo, apply topically 2 x weekly.</p>	V 118		

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V 118	<p>Continued From page 2</p> <p>Review on 12/18/25 of the December 2025 MAR for client #1 revealed: -The week of 12/1 thru 12/7-staff documented client #1 used the Ketoconazole 2% Shampoo 12/3 thru 12/7 (5 days). -The week of 12/8 thru 12/14-staff documented client #1 used the Ketoconazole 2% Shampoo on 12/8, 12/8, 12/13 and 12/14 (4 days).</p> <p>Interview on 12/18/25 with client #1 revealed: -He used the Ketoconazole 2% Shampoo for his hair about 5 days week.</p> <p>Interview on 12/19/25 with the Residential Manager (RM) revealed: -"As soon as [client #1] sees dandruff, [client #1] will ask for the shampoo and wants to wash his hair." -"To keep [client #1] from having a behavior staff will let him wash his hair." -She confirmed staff failed to follow the written order of a physician.</p> <p>Interview on 12/18/25 with the Executive Director (ED) revealed: -She didn't know why staff were giving client #1 the shampoo more than twice a week. -She confirmed staff failed to follow the written order of a physician.</p> <p>2. Reviews on 12/17/25 and 12/18/25 of client #1's record revealed: -Physician's orders dated 8/12/25 for the following: Aripiprazole 5 milligrams (mg) (Anxiety Disorder), one tablet in the morning. Vitamin D3 25 micrograms (mcg) (Bone Health), two tablets daily.</p>	V 118		

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V 118	<p>Continued From page 3</p> <p>Lovastatin 10 mg (Cholesterol), one tablet at bedtime. Fish Oil 1000 mg (Improve Hypertriglyceridemia), take 3 capsule daily. Trazodone 50 mg (Insomnia), one tablet in the evening. Conti Castile Soap (Cleanser), use on face daily. Triamcinolone 0.5% (Inflammation), apply thin layer to affected area twice daily.</p> <p>Review on 12/18/25 of client #1's December 2025 MAR revealed:</p> <p>No staff initials to indicate the medication was administered by staff: -Aripiprazole 5 mg on 12/10. -Vitamin D3 25 mcg on 12/10. -Lovastatin 10 mg on 12/14 8pm dose. -Fish Oil 1000 mg on 12/9 and 12/14. -Trazodone 50 mg on 12/9 and 12/14. -Conti Castile Soap on 12/1, 12/2, 12/10 and 12/12. -Triamcinolone 0.5% on 12/4 and 12/18 8pm doses.</p> <p>Reviews on 12/17/25 and 12/18/25 of client #3's record revealed: -Admission date of 10/1/10. -Diagnoses of Autism Spectrum Disorder, Moderate Intellectual Disability, Prediabetes and Blindness. -Physician's order dated 8/14/25 for Vitamin D3 25 mcg, once daily.</p> <p>Review on 12/18/25 of MARs for client #3 revealed:</p> <p>No staff initials to indicate the medication was administered by staff:</p>	V 118		

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V 118	<p>Continued From page 4</p> <p>December 2025- -Vitamin D3 25 mcg on 12/1 and 12/17.</p> <p>November 2025- -Vitamin D3 25 mcg on 11/1 thru 11/30.</p> <p>October 2025- -Vitamin D3 25 mcg on 10/1 thru 10/31.</p> <p>Interview on 12/19/25 with client #3 revealed: -He was familiar with the medication her took daily. -He took the Vitamin D3 and all of his other medication daily.</p> <p>Interview on 12/19/25 with the RM revealed: -She was responsible for ensuring staff administered medication and completed MARs. -Client #1 took his medication daily. -Staff forgot to sign the MAR daily for client #1. -"I have to remind them sometimes about making sure they sign off on the MAR." -Client #3 took his Vitamin D3 daily. -Staff documented the Vitamin D3 on a separate form from the other MAR because it was an over the counter (OTC) medication. -She was not sure why the October and November MARs were not in the chart for client #3. -Those MARs were "possibly misplaced" by staff. -She confirmed the MARs were not kept current for clients #1 and #3.</p> <p>Interview on 12/18/25 with the ED revealed: -Clients got their prescribed medication daily. -She thought staff forgot to sign the MAR daily for clients #1 and #3. -Staff documented the OTC medication on a sheet separate from the MAR. -She didn't know why there why the October and</p>	V 118		

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V 118	Continued From page 5 November 2025 MARs were not in the chart with the Vitamin D3 listed for client #3. -She confirmed the MARs were not kept current for clients #1 and #3. This deficiency constitutes a re-cited deficiency and must be corrected within 30 days.	V 118		
V 364	G.S. 122C- 62 Additional Rights in 24 Hour Facilities § 122C-62. Additional Rights in 24-Hour Facilities. (a) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-61, each adult client who is receiving treatment or habilitation in a 24-hour facility keeps the right to: (1) Send and receive sealed mail and have access to writing material, postage, and staff assistance when necessary; (2) Contact and consult with, at his own expense and at no cost to the facility, legal counsel, private physicians, and private mental health, developmental disabilities, or substance abuse professionals of his choice; and (3) Contact and consult with a client advocate if there is a client advocate. The rights specified in this subsection may not be restricted by the facility and each adult client may exercise these rights at all reasonable times. (b) Except as provided in subsections (e) and (h) of this section, each adult client who is receiving treatment or habilitation in a 24-hour facility at all times keeps the right to: (1) Make and receive confidential telephone calls. All long distance calls shall be paid for by the client at the time of making the call or made collect to the receiving party; (2) Receive visitors between the hours of 8:00	V 364		

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V 364	<p>Continued From page 6</p> <p>a.m. and 9:00 p.m. for a period of at least six hours daily, two hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over therapies;</p> <p>(3) Communicate and meet under appropriate supervision with individuals of his own choice upon the consent of the individuals;</p> <p>(4) Make visits outside the custody of the facility unless:</p> <p>a. Commitment proceedings were initiated as the result of the client's being charged with a violent crime, including a crime involving an assault with a deadly weapon, and the respondent was found not guilty by reason of insanity or incapable of proceeding;</p> <p>b. The client was voluntarily admitted or committed to the facility while under order of commitment to a correctional facility of the Division of Adult Correction of the Department of Public Safety; or</p> <p>c. The client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>A court order may expressly authorize visits otherwise prohibited by the existence of the conditions prescribed by this subdivision;</p> <p>(5) Be out of doors daily and have access to facilities and equipment for physical exercise several times a week;</p> <p>(6) Except as prohibited by law, keep and use personal clothing and possessions, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>(7) Participate in religious worship;</p> <p>(8) Keep and spend a reasonable sum of his own money;</p> <p>(9) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes; and</p> <p>(10) Have access to individual storage space for</p>	V 364		

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V 364	<p>Continued From page 7</p> <p>his private use.</p> <p>(c) In addition to the rights enumerated in G.S. 122C-51 through G.S. 122C-57 and G.S. 122C-59 through G.S. 122C-61, each minor client who is receiving treatment or habilitation in a 24-hour facility has the right to have access to proper adult supervision and guidance. In recognition of the minor's status as a developing individual, the minor shall be provided opportunities to enable him to mature physically, emotionally, intellectually, socially, and vocationally. In view of the physical, emotional, and intellectual immaturity of the minor, the 24-hour facility shall provide appropriate structure, supervision and control consistent with the rights given to the minor pursuant to this Part. The facility shall also, where practical, make reasonable efforts to ensure that each minor client receives treatment apart and separate from adult clients unless the treatment needs of the minor client dictate otherwise.</p> <p>Each minor client who is receiving treatment or habilitation from a 24-hour facility has the right to:</p> <ol style="list-style-type: none"> (1) Communicate and consult with his parents or guardian or the agency or individual having legal custody of him; (2) Contact and consult with, at his own expense or that of his legally responsible person and at no cost to the facility, legal counsel, private physicians, private mental health, developmental disabilities, or substance abuse professionals, of his or his legally responsible person's choice; and (3) Contact and consult with a client advocate, if there is a client advocate. <p>The rights specified in this subsection may not be restricted by the facility and each minor client may exercise these rights at all reasonable times.</p> <p>(d) Except as provided in subsections (e) and (h) of this section, each minor client who is receiving</p>	V 364		

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V 364	<p>Continued From page 8</p> <p>treatment or habilitation in a 24-hour facility has the right to:</p> <p>(1) Make and receive telephone calls. All long distance calls shall be paid for by the client at the time of making the call or made collect to the receiving party;</p> <p>(2) Send and receive mail and have access to writing materials, postage, and staff assistance when necessary;</p> <p>(3) Under appropriate supervision, receive visitors between the hours of 8:00 a.m. and 9:00 p.m. for a period of at least six hours daily, two hours of which shall be after 6:00 p.m.; however visiting shall not take precedence over school or therapies;</p> <p>(4) Receive special education and vocational training in accordance with federal and State law;</p> <p>(5) Be out of doors daily and participate in play, recreation, and physical exercise on a regular basis in accordance with his needs;</p> <p>(6) Except as prohibited by law, keep and use personal clothing and possessions under appropriate supervision, unless the client is being held to determine capacity to proceed pursuant to G.S. 15A-1002;</p> <p>(7) Participate in religious worship;</p> <p>(8) Have access to individual storage space for the safekeeping of personal belongings;</p> <p>(9) Have access to and spend a reasonable sum of his own money; and</p> <p>(10) Retain a driver's license, unless otherwise prohibited by Chapter 20 of the General Statutes.</p> <p>(e) No right enumerated in subsections (b) or (d) of this section may be limited or restricted except by the qualified professional responsible for the formulation of the client's treatment or habilitation plan. A written statement shall be placed in the client's record that indicates the detailed reason for the restriction. The restriction shall be</p>	V 364		

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V 364	<p>Continued From page 9</p> <p>reasonable and related to the client's treatment or habilitation needs. A restriction is effective for a period not to exceed 30 days. An evaluation of each restriction shall be conducted by the qualified professional at least every seven days, at which time the restriction may be removed. Each evaluation of a restriction shall be documented in the client's record. Restrictions on rights may be renewed only by a written statement entered by the qualified professional in the client's record that states the reason for the renewal of the restriction. In the case of an adult client who has not been adjudicated incompetent, in each instance of an initial restriction or renewal of a restriction of rights, an individual designated by the client shall, upon the consent of the client, be notified of the restriction and of the reason for it. In the case of a minor client or an incompetent adult client, the legally responsible person shall be notified of each instance of an initial restriction or renewal of a restriction of rights and of the reason for it. Notification of the designated individual or legally responsible person shall be documented in writing in the client's record.</p> <p>This Rule is not met as evidenced by: Based on record review and interviews, the facility failed to ensure the restriction of one of three audited clients (#2) access to personal property had a written statement detailing the reason for the restriction and failed to review the restriction as required. The findings are:</p> <p>Review on 12/17/25 of client #2's record revealed:</p>	V 364		

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V 364	<p>Continued From page 10</p> <ul style="list-style-type: none"> -Admission date of 3/24/05. -Diagnoses of Autism Spectrum Disorder and Severe Intellectual Disability. -No documentation of restriction in Individualized Support Plan dated 9/1/25. <p>Observation on 12/18/25 at approximately 10:45 am revealed:</p> <ul style="list-style-type: none"> -Client #2 did not have any socks and/or underwear in his bedroom. -Client #2's socks and underwear were in a dresser drawer in the empty bedroom. <p>Attempted interview on 12/18/25 with client #2 revealed:</p> <ul style="list-style-type: none"> -He could not be interviewed because he was nonverbal. <p>Interview on 12/18/25 with staff #1 revealed:</p> <ul style="list-style-type: none"> -Client #2 tore his clothing. -Most of client #2's clothing, underwear and socks were kept in the dresser drawers in the empty bedroom. -"We kept most of his clothing in the empty bedroom for the last few months." <p>Interview on 12/19/25 with the Residential Manager (RM) revealed:</p> <ul style="list-style-type: none"> -Client #2's underwear and socks were kept in empty bedroom dresser drawers since she has become the RM in February 2025. -"This has been on and off." -They would sometimes put client #2's clothes back in his bedroom. -Client #2 started putting his clothes in the toilet and tore his clothes again. -They would then put his clothes back into the empty bedroom dresser drawers. <p>Interviews on 12/17/25 and 12/18/25 with the</p>	V 364		

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V 364	Continued From page 11 Executive Director revealed: -Staff no longer locked client #2's clothes in his closet. -They started buying and ordering "non-tear" clothing for client #2. -She didn't realize staff kept client #2's socks and underwear in the dresser drawers in the empty bedroom.	V 364		