

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 15K015	X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING _____	X3) DATE SURVEY COMPLETED 07/22/2014
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NAME OF PROVIDER OR SUPPLIER FAITHFUL FRIENDS HOME HEALTHCARE INC	STREET ADDRESS, CITY, STATE, ZIP CODE 203 S WASHINGTON STREET MARION, IN 46952
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G000000	<p>This was a federal home health complaint investigation survey.</p> <p>Complaint #IN00152760 - Substantiated: No deficiencies related to the allegation are cited.</p> <p>Complaint #IN00151787 - Substantiated: Federal deficiencies related to the allegation are cited.</p> <p>Survey Date: July 22, 2014</p> <p>Facility #: 003961</p> <p>Surveyor: Tonya Tucker, RN, PHNS</p> <p>Quality Review: Joyce Elder, MSN, BSN, RN July 24, 2014</p>	G000000		
G000121	<p>484.12(c) COMPLIANCE W/ ACCEPTED PROFESSIONAL STD The HHA and its staff must comply with accepted professional standards and principles that apply to professionals furnishing services in an HHA. Based on personnel file review, agency policy and document review, and interview, the agency failed to ensure it followed its own policy regarding</p>	G000121	<p>G121 Employee's with unacceptable criminal background checks have been terminated as of 7/23/14 Agency policy on criminal background checks will be revised as to what crimes disqualify a person for employment. Human Resource staff instructed to report to Director of Nursing and/or Administrator all</p>	08/08/2014

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

TITLE

(X6) DATE

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (see instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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	<p>criminal background checks in 2 of 76 employee files reviewed creating the potential to affect all 115 patients of the agency.</p> <p>Findings include:</p> <p>1. Personnel file for employee KK (home health aide), date of hire 2/28/12, evidenced a document signed by the employee and dated 4/12/11 titled "Notification of OBRA abuse check" that stated, "According to the Omnibus Budget Reconciliation Act of 1987 this agency is prohibited from employing anyone convicted of abusing, neglecting, or mistreating clients or who has had a finding entered into the Bureau concerning abuse, neglect, or mistreatment of clients or misappropriation of their monies. ... Have you had any other criminal conviction? 'Yes' [employee KK's name], certify that I have been convicted of either a felony or misdemeanor crime ... "</p> <p>A. The record contained a document dated 3/1/12 titled "State of Indianan INDIANA STATE POLICE" that stated, "To whom it may concern: A thorough search of our files by name, date of birth, sex, and race only does not reveal a limited criminal history record on: Name:</p>		<p>current employee's who have any criminal convictions for review. Human Resource staff will be inserviced on criminal background checks and will be instructed to report to the Director of Nursing and/or Administrator all criminal background checks that come back with crimes that disqualify the person from employment prior to employment. Human Resource Staff instructed to report to Directory of Nursing and/or Administrator all background checks that come back with any criminal conviction to review prior to employment.. All criminal background checks will also be checked quarterly by the Director of Nursing for any new employees to ensure Human Resource staff is following company's policies on criminal background checks by notifying Director of Nursing and/or Administrator of unacceptable criminal background checks.</p> <p>The Director of Nursing and Administrator will be responsible for monitoring these corrective actions to ensure that this deficiency is corrected and will not recur.</p>				

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	<p>[employee KK] Birth Date: 11/02/1982 Sex: Unknown Race: Unknown"</p> <p>B. The record contained a document dated 5/7/14 titled "Indiana State Police LIMITED CRIMINAL HISTORY" that stated, "Name [employee KK] Birth date 11/02/1982 Sex F Race B ... Arrest - 04/22/2007 ... Cause Number: 34D0207 ... Filed Charge: NEGLECT OF A DEPENDENT (Class D, level felony) ... Disposition: GUILTY Sentence Date: 09/02/2008"</p> <p>On 7/22/14 at 1:52 PM, employee EEEE (administrator) indicated being unaware of the results of the limited criminal history for this employee.</p> <p>2. Personnel file for employee UU (home health aide), date of hire 8/18/09, evidenced a document signed by the employee and dated 8/4/09 titled "Notification of OBRA abuse check" that stated, "According to the Omnibus Budget Reconciliation Act of 1987 this agency is prohibited from employing anyone convicted of abusing, neglecting, or mistreating clients or who has had a finding entered into the Bureau concerning abuse, neglect, or mistreatment of clients or misappropriation of their monies. ... Have you had any other criminal</p>						

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	<p>conviction? 'Yes' [employee's name], certify that I have been convicted of either a felony or misdemeanor crime"</p> <p>A. The record contained a document dated 8/26/09 titled "Indiana State Police LIMITED CRIMINAL HISTORY" that stated, "Name [employee UU] Birth date 4/16/1973 Sex F Race W ... Arrest 1-04/29/2005 ... Cause Number: 27D030 ... Filed Charge: POSSESSION OF COCAINE Class/Level: D Felony Disposition: DISMISSED Filed Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Disposition: DISMISSED Filed Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Amended Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Disposition: GUILTY"</p> <p>B. The record contained a document dated 10/30/13 titled "Indiana State Police LIMITED CRIMINAL HISTORY" that stated, "Name [employee UU] Birth date 4/16/1973 Sex F Race W ... Arrest 1- 04/29/2005 ... Cause Number: 27D030 ... Filed Charge: POSSESSION OF COCAINE Class/Level: D Felony Disposition: DISMISSED Filed Charge: POSSESSION OF MARIJUANA</p>				

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	<p>Class/Level: D Felony Disposition: DISMISSED Filed Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Amended Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Disposition: GUILTY"</p> <p>C. The record evidenced a document signed by a judge and dated 5/1/09 titled "State of Indiana In the Grant Superior Court No. 3 Cause No. 27D030 ... " that stated, "State of Indiana vs. [employee UU] ****AMENDED**** Judgment of Conviction and order of Sentence The defendant having been found guilty of the following offense (s) by : Guilty plea/ plea agreement; A judgment of conviction is entered for the following offense (s): Count 1 . POSSESSION OF MARIJUANA Class A Misdemeanor Sentence is imposed as follows: ... III. PROBATION The defendant shall be on probation of ONE YEAR ... V. OTHER: Remaining charges are dismissed."</p> <p>On 7/22/14 at 1:53 PM, employee the administrator indicated being unaware of the results of the limited criminal history for this employee.</p> <p>3. The undated agency policy titled "CRIMINAL BACKGROUND CHECKS" states, "POLICY Agency</p>				

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G000134	<p>requires background screening to be completed on all final candidates for employment. ... PURPOSE To provide increased safety for clients of the agency. To reduce risk to the agency. SPECIAL INSTRUCTIONS ... 8. The following crimes disqualify persons for employment: a. Homicide and aiding suicide. b. Crimes against the person. c. Crimes of compulsion. d. Sex crimes e. Crimes against the family ... g. Theft and related crimes. ... m. Abuse or neglect of a vulnerable adult. n. Crimes related to prohibited drugs. ... "</p> <p>On 7/22/14 at 1:15 PM, the administrator indicated being aware the agency policy prohibits the hiring of persons with a criminal history with drug related crimes.</p> <p>484.14(c) ADMINISTRATOR The administrator, who may also be the supervising physician or registered nurse required under paragraph (d) of this section, employs qualified personnel and ensures adequate staff education and evaluations. Based on personnel file review, agency policy and document review, and interview, the agency failed to ensure the administrator employed qualified</p>	G000134	G0134 Employee's with unacceptable criminal background checks have been terminated as of 7/23/14 Agency policy on criminal background checks will be	08/08/2014			

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	<p>personnel in 2 of 76 personnel files reviewed creating the potential to affect all 115 patients of the agency. (employees KK and UU)</p> <p>Findings include:</p> <p>1. Personnel file for employee KK (home health aide), date of hire 2/28/12, evidenced a document signed by the employee and dated 4/12/11 titled "Notification of OBRA abuse check" that stated, "According to the Omnibus Budget Reconciliation Act of 1987 this agency is prohibited from employing anyone convicted of abusing, neglecting, or mistreating clients or who has had a finding entered into the Bureau concerning abuse, neglect, or mistreatment of clients or misappropriation of their monies. ... Have you had any other criminal conviction? 'Yes' [employee KK's name], certify that I have been convicted of either a felony or misdemeanor crime ... "</p> <p>A. The record contained a document dated 3/1/12 titled "State of Indianan INDIANA STATE POLICE" that stated, "To whom it may concern: A thorough search of our files by name, date of birth, sex, and race only does not reveal a limited criminal history record on: Name:</p>		<p>revised as to what crimes disqualify a person for employment. Human Resource staff instructed to report to Director of Nursing and/or Administrator all current employee's who have any criminal convictions for review. Human Resource staff will be inserviced on criminal background checks and will be instructed to report to the Director of Nursing and/or Administrator all criminal background checks that come back with crimes that disqualify the person from employment prior to employment. Human Resource Staff instructed to report to Directory of Nursing and/or Administrator all background checks that come back with any criminal conviction to review prior to employment.. All criminal background checks will also be checked quarterly by the Director of Nursing for any new employees to ensure Human Resource staff is following company's policies on criminal background checks by notifying Director of Nursing and/or Administrator of unacceptable criminal background checks.</p> <p>The Director of Nursing and Administrator will be responsible for monitoring these corrective actions to ensure that this deficiency is corrected and will not recur.</p>	

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N000000	<p>requires background screening to be completed on all final candidates for employment. ... PURPOSE To provide increased safety for clients of the agency. To reduce risk to the agency. SPECIAL INSTRUCTIONS ... 8. The following crimes disqualify persons for employment: a. Homicide and aiding suicide. b. Crimes against the person. c. Crimes of compulsion. d. Sex crimes e. Crimes against the family ... g. Theft and related crimes. ... m. Abuse or neglect of a vulnerable adult. n. Crimes related to prohibited drugs."</p> <p>On 7/22/14 at 1:15 PM, the administrator indicated being aware the agency policy prohibits the hiring of persons with a criminal history with drug related crimes.</p> <p>This was a state home health complaint investigation survey.</p> <p>Complaint #IN00152760 - Substantiated: No deficiencies related to the allegation are cited.</p> <p>Complaint #IN00151787 - Substantiated:</p>	N000000		

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N000446	<p>State deficiencies related to the allegation are cited.</p> <p>Survey Date: July 22, 2014</p> <p>Facility #: 003961</p> <p>Surveyor: Tonya Tucker, RN, PHNS</p> <p>Quality Review: Joyce Elder, MSN, BSN, RN July 24, 2014</p> <p>410 IAC 17-12-1(c)(3) Home health agency administration/management Rule 12 410 IAC 17-12-1(c)(3)</p> <p>Sec. 1(c)(3) The administrator, who may also be the supervising physician or registered nurse required by subsection (d), shall do the following: (3) Employ qualified personnel and ensure adequate staff education and evaluations. Based on personnel file review, agency policy and document review, and interview, the agency failed to ensure the administrator employed qualified personnel in 2 of 76 personnel files reviewed creating the potential to affect all 115 patients of the agency. (employees KK and UU)</p> <p>Findings include:</p> <p>1. Personnel file for employee KK</p>	N000446	<p>N0446 Employee's with unacceptable criminal background checks have been terminated as of 7/23/14</p> <p>Agency policy on criminal background checks will be revised as to what crimes disqualify a person for employment. Human Resource staff instructed to report to Director of Nursing and/or Administrator all current employee's who have any criminal convictions for review. Human Resource staff will be inserviced on criminal background checks and will be instructed to report to the Director of Nursing and/or Administrator all criminal background checks that come back with crimes that disqualify the person from employment prior to employment. Human Resource Staff instructed to report to Director of Nursing and/or Administrator all background checks that come back with any criminal conviction to review prior to employment.. All criminal background checks will also be checked quarterly by the Director of Nursing for any new employees to ensure Human Resource staff is following company's policies on criminal background</p>	08/08/2014			

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	<p>(home health aide), date of hire 2/28/12, evidenced a document signed by the employee and dated 4/12/11 titled "Notification of OBRA abuse check" that stated, "According to the Omnibus Budget Reconciliation Act of 1987 this agency is prohibited from employing anyone convicted of abusing, neglecting, or mistreating clients or who has had a finding entered into the Bureau concerning abuse, neglect, or mistreatment of clients or misappropriation of their monies. ... Have you had any other criminal conviction? 'Yes' [employee KK's name], certify that I have been convicted of either a felony or misdemeanor crime"</p> <p>A. The record contained a document dated 3/1/12 titled "State of Indianan INDIANA STATE POLICE" that stated, "To whom it may concern: A thorough search of our files by name, date of birth, sex, and race only does not reveal a limited criminal history record on: Name: [employee KK] Birth Date: 11/02/1982 Sex: Unknown Race: Unknown"</p> <p>B. The record contained a document dated 5/7/14 titled "Indiana State Police LIMITED CRIMINAL HISTORY" that stated, "Name [employee KK] Birth date 11/02/1982 Sex F Race B ... Arrest -</p>		<p>checks by notifying Director of Nursing and/or Administrator of unacceptable criminal background checks. The Director of Nursing and Administrator will be responsible for monitoring these corrective actions to ensure that this deficiency is corrected and will not recur.</p>	

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	<p>04/22/2007 ... Cause Number: 34D0207 ... Filed Charge: NEGLECT OF A DEPENDENT (Class D, level felony) ... Disposition: GUILTY Sentence Date: 09/02/2008"</p> <p>On 7/22/14 at 1:52 PM, employee EEEE (administrator) indicated being unaware of the results of the limited criminal history for this employee.</p> <p>2. Personnel file for employee UU (home health aide), date of hire 8/18/09, evidenced a document signed by the employee and dated 8/4/09 titled "Notification of OBRA abuse check" that stated, "According to the Omnibus Budget Reconciliation Act of 1987 this agency is prohibited from employing anyone convicted of abusing, neglecting, or mistreating clients or who has had a finding entered into the Bureau concerning abuse, neglect, or mistreatment of clients or misappropriation of their monies. ... Have you had any other criminal conviction? 'Yes' [employee's name], certify that I have been convicted of either a felony or misdemeanor crime"</p> <p>A. The record contained a document dated 8/26/09 titled "Indiana State Police LIMITED CRIMINAL HISTORY" that</p>				

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 15K015	X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING _____	X3) DATE SURVEY COMPLETED 07/22/2014
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	<p>stated, "Name [employee UU] Birth date 4/16/1973 Sex F Race W ... Arrest 1-04/29/2005 ... Cause Number: 27D030 ... Filed Charge: POSSESSION OF COCAINE Class/Level: D Felony Disposition: DISMISSED Filed Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Disposition: DISMISSED Filed Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Amended Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Disposition: GUILTY"</p> <p>B. The record contained a document dated 10/30/13 titled "Indiana State Police LIMITED CRIMINAL HISTORY" that stated, "Name [employee UU] Birth date 4/16/1973 Sex F Race W ... Arrest 1- 04/29/2005 ... Cause Number: 27D030 ... Filed Charge: POSSESSION OF COCAINE Class/Level: D Felony Disposition: DISMISSED Filed Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Disposition: DISMISSED Filed Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Amended Charge: POSSESSION OF MARIJUANA Class/Level: D Felony Disposition: GUILTY"</p>			

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	<p>C. The record evidenced a document signed by a judge and dated 5/1/09 titled "State of Indiana In the Grant Superior Court No. 3 Cause No. 27D030 ... " that stated, "State of Indiana vs. [employee UU] ****AMENDED**** Judgment of Conviction and order of Sentence The defendant having been found guilty of the following offense (s) by : Guilty plea/ plea agreement; A judgment of conviction is entered for the following offense (s): Count 1 . POSSESSION OF MARIJUANA Class A Misdemeanor Sentence is imposed as follows: ... III. PROBATION The defendant shall be on probation of ONE YEAR ... V. OTHER: Remaining charges are dismissed."</p> <p>On 7/22/14 at 1:53 PM, employee the administrator indicated being unaware of the results of the limited criminal history for this employee.</p> <p>3. The undated agency policy titled "CRIMINAL BACKGROUND CHECKS" states, "POLICY Agency requires background screening to be completed on all final candidates for employment. ... PURPOSE To provide increased safety for clients of the agency. To reduce risk to the agency. SPECIAL INSTRUCTIONS ... 8. The following crimes disqualify persons for employment: a. Homicide and aiding</p>						

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	<p>suicide. b. Crimes against the person. c. Crimes of compulsion. d. Sex crimes e. Crimes against the family ... g. Theft and related crimes. ... m. Abuse or neglect of a vulnerable adult. n. Crimes related to prohibited drugs."</p> <p>On 7/22/14 at 1:15 PM, the administrator indicated being aware the agency policy prohibits the hiring of persons with a criminal history with drug related crimes.</p>				