

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  15G750	X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING _____	X3) DATE SURVEY COMPLETED  05/25/2012
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NAME OF PROVIDER OR SUPPLIER  DUNGARVIN INDIANA LLC	STREET ADDRESS, CITY, STATE, ZIP CODE 60680 LILAC RD SOUTH BEND, IN 46614
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W0000	<p>This visit was for a post certification revisit to the investigation of complaint #IN00105379 and complaint #00106355 conducted on April 9, 2012.</p> <p>Complaint #IN00105379: Corrected.</p> <p>Complaint #IN00106355: Not Corrected.</p> <p>This survey was conducted in conjunction with the extended recertification and state licensure survey.</p> <p>Dates of Survey: May 21, 22, and 25, 2012</p> <p>Facility number: 011765 Provider number: 15G750 AIM number: 200908290</p> <p>Surveyors: Tim Shebel, Medical Surveyor III-Team Leader Dave Piotrowski, Federal Contract Surveyor</p> <p>The following federal deficiency also reflects state findings in accordance with 460 IAC 9. Quality Review completed 6/4/12 by Ruth Shackelford, Medical Surveyor III.</p>	W0000		

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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W0149	<p>483.420(d)(1) STAFF TREATMENT OF CLIENTS The facility must develop and implement written policies and procedures that prohibit mistreatment, neglect or abuse of the client.</p> <p>Based on record review and interview, the facility failed to implement their abuse/neglect policy for 5 of 5 reviewed incidents of elopement to protect 2 of 2 sampled clients with elopement histories (clients #1 and #2) from eloping.</p> <p>Findings include:</p> <p>The facility's records were reviewed on 5/21/12 at 1:33 P.M.. The following elopement incidents involving client #2 were reviewed:</p> <p>1. "On 5/10/12 at approximately 10:00 am the Dungarvin office (name of facility) was contacted that [client #2], {a client from an ESN (Extra Support Needs) group home} was being sent home (from the contractual workshop) due to insubordination and behaviors. This worker (workshop staff #1) requested staff (facility staff) be sent to pick up [client #2] and take him home {per behavior plan protocol}. A cell phone message was left with the Dungarvin's Program Director regarding the above information. [Client #2's] behaviors continued to escalate and at approximately 10:30 am [client #2]</p>	W0149	<p><b>W 149 483.420(d)(1) STAFF TREATMENT OF CLIENTS</b> Dungarvin has a written policy and procedures in place that prohibits mistreatment, neglect or abuse of the clients (Policy B-2). The Program Director has reviewed Policy B-2, including the need to prevent individuals with histories of elopement from eloping. The Program Director and outside Behaviorist will assist the day program provider to develop and implement a plan to prevent the individuals from eloping from the day program facility.</p> <p>The Program Coordinator has also met with the administrative staff at the Logan Day Program to discuss this concern. Random checks will be done by the Program Director, Lead counselor, Behaviorist, or other designee at both the home and the day program to also assure that the behavior support plan is being followed and is also being effective in preventing elopement.</p> <p>System wide, all Program Director/QMRP's will review this standard and assure that this concern is being addressed at all</p>	06/24/2012			

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	<p>eloped from the Pre-Vocational program at [name of contractual workshop.] Per behavior plan protocol, [contractual workshop] staff [contractual workshop staff] dialed 911. One staff followed [client #2] on foot while the other followed him in their vehicle. [Client #2] walked east on [street #1] and turned north on [street #2]. By this time [client #2's] Residential Program Director (program director #1) had listened to the cell phone message and had called [contractual workshop.] He was informed that [client #2] had eloped so he drove to the location where he believed [client #2] to be. There were three attempts made to encourage [client #2] to stop eloping and voluntarily go with staff in their vehicle. [Client #2] refused and continued to walk north on [street #2]. He then crossed the street ignoring traffic and all north-south {four lane} traffic slowed to a stop. The Program Director from Dungarvin had to physically move/prompt him (client #2) out of the road, and at this time [client #2] agreed to be transported home by the Program Director. [Client #2] and his Program Director returned to the parking lot of [contractual workshop] so that they could speak with the police and inform them [client #2] was safe. Plan to Resolve: Due to health/safety concerns, [client #2] will not be able to attend work at [contractual workshop] until these</p>		<p>Dungarvin ICF-MR's.</p> <p><b>Persons Responsible: Program Coordinator, Program Director/QMRP</b></p>				

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	<p>concerns are addressed. An emergency team meeting will be held tomorrow 5/11/12."</p> <p>2. "On 3/26/12 at approximately 3:30pm, and while the transportation van was stopped at a red light, [client #2] got out and began running away from the van. Plan to Resolve: Staff put the van in park for a brief period and went after [client #2] to ensure his health and safety, as he (client #2) was not paying attention to traffic. Staff unsuccessfully prompted [client #2] to come back to the van. Staff then returned to the van. While returning, staff immediately called police to assist, per protocol, due to additional individuals on van needing supervision. Staff called PD (program director #1), per protocol, to inform. PD has clarified with all staff the procedure in which no fewer than two staff should be on the van during transportation, when there is more than one individual being transported. Responsible staff has been suspended pending investigation due to the possibility that neglect may have occurred. PD will follow-up with [client #2's] IDT (Inter-Disciplinary Team) and behaviorist in order to review his BSP (Behavior Support Plan) and determine if revisions should be made."</p> <p>3. "Date: 1/31/2012, [Client #2] arrived</p>						

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	<p>in the am and was immediately requesting to change workgroups as his primary training supervisor was out ill. [Client #2] was told he needed to spend the day in his workgroup as no other workgroups had any work available for him. [Client #2] demanded he go into [staff #7's] group and became very agitated wringing his hands and then hitting a puzzle box. [Client #2] was told he had to stay in his workgroup. He then stated he wanted to go home so his program coordinator phoned the group home to come and pick up [client #2.] After approximately 10 minutes [client #2] then stated he did not want to go home and that he wanted to stay at [contractual workshop] and that he would be okay. His group home was called and informed that [client #2] had changed his mind and wanted to stay. The program coordinator was monitoring [client #2] when she witnessed [client #2] leaving his workgroup. She found some activities to take to [client #2] but when she presented them to [client #2] he said again he wanted to go home. The program coordinator stated he should return to his group and work on the activities she had for him. [Client #2] then began striking at the program coordinator slapping her on her arms. The program coordinator told [client #2] to 'stop' and [client #2] did. [Client #2] walked into the cafeteria and per the</p>						

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	<p>client's behavior plan the program coordinator went to phone the Dungarvin program director. It was during this time the program coordinator observed [client #2] head out to the front lobby of the building. [Client #2] was followed and when the PC (program coordinator) saw [client #2] begin to exit the building she reminded [client #2] if he left the building the police would be called. [Client #2] chose to leave the building and 911 was called. The PC kept line of sight with [client #2] and followed him out of the building, no eye contact or verbal interaction occurred per the client's behavior plan. [Client #2] stopped by a tree and did not leave the parking lot. Another [contractual workshop] staff had come to stay with [client #2] while the PC went to answer a call from Dungarvin. [Client #2] then voluntarily returned to the building, the police called and were told they did not need to come out and [client #2] remained calm and apologetic until his Dungarvin staff came to take him home. Plan to Resolve: Per team agreement and behavior plan, [client #2] will be given a 'wellness day' (day off) and will return to the pre-vocational program Thursday. Residential staff have been educated by the behavior specialist on the activities that [client #2] is to partake in during his day home from the pre-vocational program."</p>						

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	<p>4. "Date: 11/14/2011, [Client #2] eloped from [contractual workshop] today at about 1:20 pm. The training supervisor was following [client #2] on foot. A code (emergency situation) was called within the building and another staff then got into her vehicle to follow [client #2]. [Client #2] remained within line of site (sic) during the entire time the incident was occurring. [Client #2] ignored the staff's request to stop nor would he get into the staff's vehicle. [Client #2] was swearing and yelling and continued to keep walking. [Client #2] put himself into a very dangerous situation by running across [street #2] which is a very busy four lane street. Staff caught up with [client #2] near [street #3]. They (workshop staff) explained to [client #2] that the police would be called if he didn't come with them. He stopped, got into the vehicle and returned to (contractual workshop) with staff. [Client #2] was questioned as to why he eloped - A few explanations were given, at first [client #2] stated it was because his training supervisor corrected him; he also said he was bored with the work and he also stated it was because he was mad at his behaviorist because she would not let him watch the movies he liked to watch. [Client #2] then apologized to staff for worrying them and options as to what 'he</p>			
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	could have done' instead of eloping - were reviewed with him. Before [client #2] left for the day some other unusual behavior occurred. [Client #2] was sitting in his work group - all of a sudden he stood up and threw his chair then went over to his training supervisor's desk and knocked some things off of it. [Client #2] then went to the restroom where he started to shove another client for making noise - but no client came forward and stated they were shoved. The program coordinator then sat with [client #2] until he was picked up from day program. During their time together [client #2] was stating his father was a machine and he was a machine, but his mother did not believe him. He also said the devil talks to him and that he is going to hell. [Client #2] continued to state he was bad and that he wanted to go to hell. [Client #2] stated he was afraid of his upcoming birthday because last year he smashed his cake and he was afraid he would do that again this year. The program coordinator attempted to redirect [client #2] but [client #2] stated he did not want to talk. His van arrived and then [client #2] apologized for his behavior before going home. Plan to Resolve: [Client #2's] QMRP (Qualified Mental Retardation Professional) and behavior specialist were notified. The behaviorist stated she would contact the PC (Program						

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	<p>Coordinator) tomorrow to discuss the occurrence. [Contractual workshop] will work with [client #2's] team to follow the behavior plan and any advice offered by the behavior specialist. PD/QMRP (Program Director/Qualified Mental Retardation Professional) instructed that [client #2] not attend day program until (behavior) plan had been revised to ensure his health and safety during elopement. [Contractual workshop] &amp; Behavior Specialist discussed and will revise BSP (behavior support plan) to state @ day program if [client #2] leaves the grounds 911 will be called immediately for assistance."</p> <p>The facility's records were further reviewed on 5/21/12 at 2:40 P.M.. The following elopement incident involving client #1 was reviewed:</p> <p>1. "On May 9, 2012, at approximately 2:20 pm, [client #1] was in his work area when he became agitated when another peer called him a chicken. [Client #1] became verbally aggressive and began to threaten to do physical harm to the peer if he called him a chicken again. The peer attempted to leave the area with another staff member. [Client #1] chased after the peer and continued to yell, shaking his fist, pointing his fingers in the peers face and verbally threatening physical harm.</p>						

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	<p>The training supervisor immediately intervened and separated the two individuals. [Client #1] then stormed out of the area and went to the nurse's station. I (program coordinator) went to the nurse's station and spoke with [client #1]. I continued to attempt to de-escalate [client #1]. [Client #1] did briefly calm down, but then became upset again when I told him he would have to stay home tomorrow as a result of the verbal and physical aggression as per his behavior plan. [Client #1] became upset and stormed out of the nurse's station to the cafeteria. I followed [client #1] to the cafeteria and continued to attempt to de-escalate him. [Client #1] did calm down and walked back to his assigned work group with me. I spoke to the other peer about the incident and advised him not not call anybody names. The other peer did apologize to [client #1] and [client #1] in turn apologized to the peer. At approximately 2:45 pm, I received a call from [training supervisor] informing me that [client #1] became angry again and began to pound on the table and then got up and walked out of the group without any provocation. [Client #1] then exited the building through the 'vanning' doors and into the parking lot. [Program coordinator] and [program assistant] followed [client #1] as he was heading for the bus stop. [Client #1] stated 'He was</p>			

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	<p>running away.' Staff attempted to stop [client #1] several times, but kept walking. I met up with [client #1] and the staff on the sidewalk in front of the building. [Client #1] stated that he was leaving because he was tired of people getting him suspended. [Client #1] then turned towards the street and began to leave. I instructed [program coordinator] to have the police called as per Dungarvin's protocol when one of their ESN (Extra Support Needs) residential clients attempts to elope. I continued to follow [client #1] across the parking lot and into the lawn. [Client #1] did leave [contractual workshop] property before I was able to get him to stop and talk with me. While I was talking with [client #1], his residential van arrived to pick him and his housemates up since it was the end of day program. [Client #1] saw his van and walked back with me to his van. I instructed [program coordinator] to cancel the call to the police. Plan to Resolve: [Client #1] is a 37 year old male with the following diagnosis (sic): [Client #1] did in fact become verbally and physically aggressive toward a peer who called him a name. [Client #1] then attempted to elope from the building. Staff did follow proper protocol as set by [client #1's] IDT (Inter-Disciplinary Team) and did follow [client #1's] behavior plan. [Client #1] has had an increase in his target behaviors</p>						

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	<p>over the past several months. [Client #1] did have medication adjustments due to result of lab work. [Client #1's] team continues to work with [client #1's] behaviorist and psychiatrist to help reduce the severity and frequency of [client #1's] target behaviors. Day program staff will continue to monitor [client #1] and intervene as necessary to keep everyone safe. [Client #1's] day program staff will continue to work closely with [client #1's] IDT team and communicate any necessary information. [Client #1's] day program staff will continue to track data and run his behavior plan on a daily basis. All IDT team members have been notified of the incident. All necessary reports have been filed."</p> <p>Client #1's record was reviewed on 5/22/12 at 9:33 A.M.. A review of a 1/27/11 comprehensive functional assessment indicated client #1 had a history of elopement. Further review indicated client #1 had limited pedestrian safety skills. Further review of client #1's record indicated the client's 9/27/11 behavior plan did not address elopement, had not been changed or modified to address the current status of client #1's elopement behavior.</p> <p>Client #2's record was reviewed on 5/22/12 at 9:45 A.M.. A review of a</p>			

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	<p>1/27/11 comprehensive functional assessment and a 1/20/11 comprehensive safety assessment indicated client #2 had a history of elopement. Further review indicated the client had limited pedestrian safety skills.</p> <p>Program Director #1 was interviewed on 5/22/12 at 9:50 A.M.. Program Director #1 indicated the 5/9/12 incident report involving client#1 was still open. When Program Director #1 was asked if the facility investigated the incident as potential neglect since contractual workshop identified the incident as elopement and the police were called, Program Director #1 indicated he did not investigate that specific aspect of the incident as he was more focused on addressing the behavioral aspects that occurred at the onset. Program Director #1 was asked at that time to identify any additional corrective action that had been taken by Dungarvin other than what was stated in the incident report completed by the contractual workshop. Program Director #1 indicated the contractual workshop would not implement any hands on physical interventions and as a result should an elopement, or elopement attempt occur in the future, the contractual workshop would still be expected to contact the police (via 911) and Dungarvin staff for assistance. When</p>				

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(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETION DATE
	<p>Program Director #1 was asked if the inter-disciplinary team (IDT) had met since the incident of 5/9/12 to: address the incident, revise the behavior plan; anticipate and identify any potentially new precipitating factors. He indicated the team had not yet met, but Client #1 ' s behavior plan would be revised. When further interviewed, Program Director #1 stated the workshop intervention of calling 911 should client #1 and/or client #2 should elope from the workshop "was not effective."</p> <p>The facility's records were reviewed on 5/22/12 at 11:03 A.M.. A review of the facility's "Policy and Procedure Concerning Individual Abuse, Neglect, and Exploitation", dated 4/4/12, indicated, in part, the following: "Neglect or abuse of any consumer (client) is strictly prohibited in any Dungarvin service delivery location...." and ".... *Neglect is defined as: Failure to provide appropriate supervision, care, or training."</p> <p>This deficiency was cited on April 9, 2012. The facility failed to implement a systemic plan of correction to prevent recurrence.</p> <p>9-3-2(a)</p>			

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  15G750	X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING _____		X3) DATE SURVEY COMPLETED  05/25/2012
NAME OF PROVIDER OR SUPPLIER  DUNGARVIN INDIANA LLC			STREET ADDRESS, CITY, STATE, ZIP CODE 60680 LILAC RD SOUTH BEND, IN 46614		
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		W0149	<p><b>W 149 483.420(d)(1) STAFF TREATMENT OF CLIENTS</b></p> <p>Dungarvin has a written policy and procedures in place that prohibits mistreatment, neglect or abuse of the clients (Policy B-2). The Program Director has reviewed Policy B-2, including the need to prevent individuals with histories of elopement from eloping. The Program Director and outside Behaviorist will assist the day program provider to develop and implement a plan to prevent the individuals from eloping from the day program facility.</p> <p>The Program Coordinator has also met with the administrative staff at the Logan Day Program to discuss this concern. Random checks will be done by the Program Director, Lead counselor, Behaviorist, or other designee at both the home and the day program to also assure that the behavior support plan is being followed and is also being effective in preventing elopement.</p> <p>System wide, all Program Director/QMRP's will review this standard and assure that this concern is being addressed at all Dungarvin ICF-MR's.</p> <p><b>Persons Responsible:</b> <b>Program Coordinator, Program Director/QMRP</b></p>	06/24/2012	