

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 15A011	X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING _____	X3) DATE SURVEY COMPLETED 04/20/2012
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NAME OF PROVIDER OR SUPPLIER ESPECIALLY KIDZ HEALTH & REHAB	STREET ADDRESS, CITY, STATE, ZIP CODE 2325 S MILLER ST SHELBYVILLE, IN 46176
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F0000	<p>This visit was for Investigation of Complaint IN00105496.</p> <p>Complaint IN00105496 - Substantiated. Federal/state deficiencies related to the allegations are cited at F159 and F224.</p> <p>Survey dates: April 18 & 20, 2012</p> <p>Facility number: 000273 Provider number: 15A011 AIM number: 100267870</p> <p>Survey Team: Mary Jane G. Fischer RN</p> <p>Census bed type: NF: 126 Total: 126</p> <p>Census payor type: Medicaid: 125 Other: 1 Total: 126</p> <p>Sample: 7 Supplemental sample: 10</p> <p>These deficiencies also reflect state findings cited in accordance with 410 IAC 16.2.</p>	F0000	<p>Submission of this plan of correction does not constitute admission or agreement by the provider of the truth of facts alleged or correction set forth on the statement of deficiencies. This plan of correction is prepared and submitted because of requirement under state and federal law. Please accept this plan of correction as our credible allegation of compliance.</p>	

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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	Quality review 4/27/12 by Suzanne Williams, RN				

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F0159 SS=E	<p>483.10(c)(2)-(5) FACILITY MANAGEMENT OF PERSONAL FUNDS</p> <p>Upon written authorization of a resident, the facility must hold, safeguard, manage, and account for the personal funds of the resident deposited with the facility, as specified in paragraphs (c)(3)-(8) of this section.</p> <p>The facility must deposit any resident's personal funds in excess of \$50 in an interest bearing account (or accounts) that is separate from any of the facility's operating accounts, and that credits all interest earned on resident's funds to that account. (In pooled accounts, there must be a separate accounting for each resident's share.)</p> <p>The facility must maintain a resident's personal funds that do not exceed \$50 in a non-interest bearing account, interest-bearing account, or petty cash fund.</p> <p>The facility must establish and maintain a system that assures a full and complete and separate accounting, according to generally accepted accounting principles, of each resident's personal funds entrusted to the facility on the resident's behalf.</p> <p>The system must preclude any commingling of resident funds with facility funds or with the funds of any person other than another resident.</p> <p>The individual financial record must be available through quarterly statements and on request to the resident or his or her legal representative.</p> <p>The facility must notify each resident that receives Medicaid benefits when the amount</p>			

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	<p>in the resident's account reaches \$200 less than the SSI resource limit for one person, specified in section 1611(a)(3)(B) of the Act; and that, if the amount in the account, in addition to the value of the resident's other nonexempt resources, reaches the SSI resource limit for one person, the resident may lose eligibility for Medicaid or SSI.</p> <p>Based on observation, record review and interview, the facility failed to ensure the protection of the monies deposited in the resident trust account, in that when the residents had their personal funds handled by the facility, the Administrator and Business Office Manager failed to safeguard the monies against misappropriation for 7 of 7 sampled and 7 of 10 supplemental sampled residents. [Residents "A", "B", "C", "D", "E", "F", "G", "I", "J", "M", "N", "O", "P" and "Q".]</p> <p>Review of the resident listing for the facility trust accounts included 90 residents of 126 residents in the facility.</p> <p>Findings include:</p> <p>1. During a confidential interview on 04-18-12 at 8:50 a.m., the person indicated she had concerns related to the handling of the resident trust fund accounts by the Business Office Manager [employee #1]. "She [in regard to employee #1] goes to Wal-mart and supposedly buys things for the residents</p>	F0159	<p>F159 I. Residents "A", "B", "C", "D", "E", "F", "G", "I", "J", "M", "N", "O", "P" and "Q" were affected. The corrective actions listed below were taken for these <u>and all other</u> residents of the facility. Thus, all items listed within the 2567 which were not purchased for use by the resident were reimbursed by the facility.</p> <p>II. As all residents of the facility could have been affected by the deficient practice, the following corrective actions were taken for the 14 identified residents, as well as <u>all residents</u> of the facility:</p> <ul style="list-style-type: none"> ·The misappropriation of resident funds was directly related to the Business Office Manager assuming responsibility of purchasing items for the residents utilizing trust funds in lieu of the Social Service Designee, effective July of 2011. It was at this time that there was no system of checks and balances to provide protection of the monies deposited and utilized from the resident trust account. ·All receipts of any purchase(s) made with monies from resident trust accounts since July 2011 were identified and listed, per resident. The individual list of 	05/04/2012			

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	<p>with their money, but not all the items are appropriate, and some items don't even make it to the residents. Take a look at [names of Resident "D" and Resident "G"]."</p> <p>During confidential interview on 04-18-12 at 9:00 a.m., employee #5 indicated she was aware the Business Office Manager [employee #1] "buys things supposedly in a resident's name and then only some of the items show up. She bought a dress for [name of Resident "F"] - our residents don't wear clothes like that or tops with spaghetti straps. I have seen her [in regard to employee #1] shred copies of the bank statements and tear up copies of the carbon copy from the check book and throw them in the trash can."</p> <p>During confidential interview on 04-18-12 at 9:45 a.m., employee #4 indicated the facility had a resident ["J"] who made a model gun. The resident sold raffle tickets and then was going to send the money made from the raffle to the Indians in South Dakota. I know [resident] asked [name of employee #5] how much money had been raised and was told about \$110.00. I don't think that much is there now."</p> <p>Interview on 04-18-12 at 10:30 a.m. with the Assistant Director of Nurses indicated</p>		<p>purchases made since July 2011 was then taken to the applicable resident's room. If the item listed <u>could not be confirmed</u> as present in the resident's room, the item was denoted as to be reimbursed to the resident for whom the charge was made.</p> <p>The sum of unconfirmed charges/purchases was returned to the applicable resident account. If the resident was discharged or deceased, the sum of unconfirmed charges/purchases was refunded to responsible party.</p> <p><u>RE: Fundraiser/Raffle</u> The facility reconciled the resident-sponsored charity raffle to ensure the amount was present as per number of tickets sold. <u>RE: Resident Trust Account/Individuals Named on the Bank Account</u> The Business Office Manager is no longer an employee of the facility. The Administrator is again listed on the account. <u>RE: Return of Resident Funds Upon Discharge (Resident "I")</u> Funds due to be returned to Resident "I" following discharge have been reimbursed. An audit was conducted to confirm any resident with a refund due has received the applicable refund. _ III. In an effort to ensure ongoing compliance with ensuring the protection of the monies deposited in the resident trust account, the facility initiated immediate revision in practice of purchasing items on behalf of</p>		

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	<p>he had concerns when he went "shopping" with the Business Office Manager. "We went shopping - DVD's were purchased, but she [in reference to the Business Office Manager] was buying clothes for the kids too. I reported it to [name of the Administrator] and told him I wasn't accusing anyone but I thought he should know."</p> <p>During interview on 04-18-12 at 10:40 a.m., Resident "J" indicated a model gun had been made and the proceeds were to be sent to the Lagoda Indians in South Dakota. When interviewed if the resident was aware the amount of money already raised, the Resident responded "about \$100.00."</p> <p>During an interview on 04-20-12 at 8:40 a.m., the Social Service Director indicated she had previously "did the shopping for the residents, but since my hours have decreased due to school, [name of the Business Office Manager] took it over. When I did the shopping I would itemize the receipt so [name of Business Office Manager] knew what is for each resident. I would mark names on the clothes and I would say the majority of the time the clothes or any other items would get written on the resident's inventory sheet. A review of receipts was conducted with the Social Service Director in regard to</p>		<p>residents and utilizing trust fund monies. The facility has segregated the duties to ensure the business office individual responsible for accounting/record-keeping is no longer the individual who can make purchases on behalf of the resident. Rather, social service, activity employee or other employee designated by the Administrator shall be responsible to shop on behalf of the resident. Upon notification (either by resident, responsible party or individual designated as responsible for resident purchase) that an item should be purchased utilizing a resident's trust fund(s), the following actions shall be taken: · Purchase shall be made as directed on behalf of the resident/responsible party. · Upon return to the facility, the purchased items, the receipt, and any change (if applicable) will be presented to the Business Office Manager or Administrator who will verify the purchase(s) item-by-item and obtain the receipt and any change for account reconciliation. Two signatures will denote the verification of the purchases made on behalf of the resident. · The item(s) will then be taken to the applicable unit and, if non-perishable and will remain onsite as the resident's personal property, the item(s) will be listed on the resident's personal inventory record with the date that</p>				

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	<p>the types of items purchased for specific residents. A receipt dated 02-15-12 at 10:34 a.m., contained the description of "2 totes and 2 handbags - \$43.00 for resident (K)" and "2 handbags" - \$28.00 for resident (L), 2 items described as "SN shape" - \$25.36 for resident (G) and "2 tank tops \$9.76 for resident (A)." "We don't use handbags or tank tops here. She might have bought them as book bags; I just don't know."</p> <p>On 04-18-12 at 10:15 a.m., a request was made to the Business Office Manager for the Inventory sheets for Residents "A", "B", "C" "D", "E", "F" and "G". These were not provided by the time of the daily Exit Conference on 04-18-12, and the Corporate Registered Nurse indicated there must have been a "mix up on who was supposed to get those for you."</p> <p>2. On 04-18-12 at 10:45 a.m., one raffle ticket was purchased for Resident "J's" fund raiser. During observation on 04-18-12 at 10:45 a.m., with the Administrator in attendance, the Business Office Manager counted the money in the envelope designated for the "raffle." The total amount of money was \$83.00. The Administrator offered to open the secured/taped raffle box to count the number of ticket stubs. The box was opened and the Business Office Manager</p>		<p>the item was purchased/added. · The item will then be labeled appropriately for identification as to it being property of the resident. · The item must then be taken to the resident's room for storage/use. <u>RE: Fundraiser/Raffle</u> The facility shall ensure that should a fundraiser/raffle be initiated by the activity department or individual resident, accounting practices will be implemented, including two signatures to verify all deposits made and an, at least, weekly reconciliation to confirm the security of funds collected. <u>RE: Resident Trust Account/Individuals Named on the Bank Account</u> The Administrator shall be responsible to confirm on monthly basis the name(s) of individual(s) listed on the Resident Trust Bank Account to ensure only those authorized are listed and continue to remain in place. <u>RE: Return of Resident Funds Upon Discharge (Resident "I")</u> The Administrator shall be responsible to confirm that resident funds are returned in a timely manner to the resident/responsible party upon discharge or death as per regulatory requirement. IV. As a means of quality assurance, the following shall be reported to the Administrator on a weekly basis and confirmed by corporate personnel on a bi-weekly basis. Continued compliance shall be reported to the Quality Assurance</p>				

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	<p>counted the tickets and then indicated the total number of raffle tickets were 110 tickets. The Business Office Manager indicated "sometimes [resident] sells tickets on-line, maybe [resident] hasn't given me all the money." When interviewed how and who handled this raffle money, how it was safeguarded, and who was responsible for an accounting system for the raffle, the Business Office Manager indicated she handled the money for the resident and the envelope was kept in the facility safe. She further indicated that only the Administrator and herself had access to the safe. The Business Office Manager indicated there was no system to account for the raffle tickets purchased and the money earned for the resident's raffle.</p> <p>The Administrator indicated on 04-18-12 at 11:00 a.m., the resident may have spent some of the money as there was no system for the number of tickets purchased and the money earned.</p> <p>At 9:00 a.m. on 04-20-12 the Administrator, Director of Nurses and Corporate Nurse requested a meeting. During this meeting the Corporate Nurse indicated that a determination was made after the discrepancy to the Resident raffle, that a full accounting needed to be completed of the resident trust fund</p>		<p>Committee on a quarterly basis. <u>RE: Purchases Made on Behalf of Residents Utilizing Resident Trust Account Monies</u> Continued compliance with the aforementioned revised process whereby two signatures are required to confirm appropriate purchases made on behalf of the resident and item(s) provided to the resident for use. <u>RE: Fundraiser/Raffle</u> Should a fundraiser/raffle be in process, continued compliance with the aforementioned process whereby accounting practices are implemented, including two signatures to verify all deposits made and, at least, weekly reconciliation to confirm the security of funds collected. <u>RE: Resident Trust Account/Individuals Named on the Bank Account</u> Monthly confirmation of the name(s) of individual(s) listed on the Resident Trust Bank Account to ensure only those authorized are listed and continue to remain in place. <u>RE: Return of Resident Funds Upon Discharge (Resident "I")</u> Confirmation that resident funds are returned in a timely manner to the resident/responsible party upon discharge or death, as per regulatory requirement.</p>		

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	<p>account. It was further revealed that the Business Office Manager, "conveniently found the difference of \$27.00 in the petty cash."</p> <p>The Administrator indicated he informed the Business Office Manager that the police would need to be called. Upon hearing what the Administrator planned to do, the Business Office Manager requested the police "not be called."</p> <p>The Administrator also indicated that when he went to the bank to obtain the monthly statements, the Bank personnel informed him that his name had been removed from the account. The Administrator indicated he was unaware this had been done, and that he was the one who would place facility staff members' names on the account for access. The Administrator indicated at the time he went to the bank, he was told the only name on the account was the Business Office Manager - employee #1.</p> <p>A document provided by the Administrative staff indicated "On April 18, 2012 the money being held by the business office as proceeds from a charity raffle being conducted by [name of Resident"J"] was counted. The accounting revealed \$83.00 in cash (i.e. three twenty dollar bills, one ten dollar bill, one five dollar bill and eight one dollar bills) and 110 ticket stubs (which</p>			

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	<p>had sold for \$1.00 each). This would appear to 'indicated' a potential shortage of \$27.00. Thus an investigation was initiated. The Business Office Manager reconciled the facility petty cash fund (which is normally reconciled on a weekly basis on Friday) and identified a \$32.00 overage. One should note that bills were found in the raffle fund (although the tickets had been sold for \$1.00 each) and the petty cash fund had multiple \$1.00 bills. This strongly suggests that at some point large bills from petty cash were exchanged for \$1.00 bills in the raffle fund and money was inadvertently left/remained in the petty cash fund which, in fact, belonged in the raffle fund. It was determined that ongoing reconciliation with each transaction/deposit of money had not occurred, thus, the error had not yet been detected; however, would have been detected during normal 'weekly' petty cash reconciliation. ... The discrepancy in accounting practice/commingling of funds was identified and corrective action initiated on 04-18-12...." This document was signed by the Administrator but undated.</p> <p>During the meeting on 4-20-12 at 9:00 a.m., the Corporate Nurse indicated the corporation's "account receivable" staff member arrived at the facility on</p>			

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	<p>04-19-12 and found many concerns related to the resident accounts, and accounting practices of the facility. The Administrator indicated the Business Office Manager would be suspended pending investigation. The Administrator indicated he "felt betrayed" by the Business Office Manager, after the corporate staff came to the facility and found other concerns with the residents' accounts. The Administrator indicated "Where was I? I didn't know any of this was going on."</p> <p>3a. The record/account for resident "D" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, cerebral palsy, and spastic quadriplegia. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 10:20 a.m., this dependent adult male resident was observed seated in an adaptive wheelchair. The resident wore sweat pants, a tee shirt and tennis shoes. During an additional observation on 04-20-12 at 2:30 p.m., the resident had a large screen television attached to the wall adjacent to the bed.</p>				

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	<p>Review of a receipt provided on 04-18-12, and dated 03-13-12, indicated the following items were purchased for this resident. "2 bath towels [\$14.00], 1 dress crop [\$14.88], a belted cowl neck top [\$11.88], and a belted top [\$9.88]."</p> <p>An undated receipt with items identified for this resident and initialed by the Business Office Manager included "panty [\$8.48], blk [black] slp [slip] [\$9.24]."</p> <p>A receipt dated 01-20-12, indicated "Be my valentine" [\$10.00] and an undated receipt for 5 pairs of shorts which totaled \$44.49 was also "initialed" by the Business Office Manager for this resident. During interview on 04-20-12 at 9:00 a.m. the Social Service Director indicated she had never seen this resident wear shorts.</p> <p>An additional receipt undated provided by the Business Office manager on 04-18-12 at 9:30 a.m. indicated additional items were purchased for this resident and charged against the trust fund account included: "tank top (2) \$9.76, hat \$5.00, scarf \$5.00, gloves \$12.00, crest whitening strips \$39.94, Bumbo [baby] seat \$39.97.</p>						

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	<p>Furthermore an additional resident's name was listed on this receipt [Resident "O"] which included "ski gloves \$6.77, bra's (2) \$19.88, panties (4) \$14.24."</p> <p>The total to this receipt was \$1096.20 for both residents. The entire amount was charged against the account of Resident "D."</p> <p>Further review of the "Resident Inquiry" report for resident "D" indicated "11-23-11 bedding/clothing/pillow at \$284.29," "12-06-11 gift for family \$222.82," "12-27-11 TV/DVD/Radio \$1039.88," "02-13-12 Radio/CD's/DVD's pajamas \$237.55," "02-20-12 TV/DVD/Radio \$137.00."</p> <p>Review of the "Clothing after Admission," [inventory sheet] on 04-20-12 at 10:00 a.m. indicated on 04-26-11, one 19 inch TV with a DVD player was purchased, and 02-20-12 a DVD player was purchased.</p> <p>Other items purchased in the name of the resident and charged to the account had not been inventoried.</p> <p>The record lacked documentation as to the whereabouts of the other electronic equipment previously purchased for this</p>			

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NAME OF PROVIDER OR SUPPLIER ESPECIALLY KIDZ HEALTH & REHAB				STREET ADDRESS, CITY, STATE, ZIP CODE 2325 S MILLER ST SHELBYVILLE, IN 46176			
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	<p>resident.</p> <p>3b. The record/account for resident "F" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, cerebral palsy, and seizure disorder. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 10:15 a.m. this dependent resident was observed seated in an adaptive wheelchair. The resident wore sweat pants a tee shirt and socks.</p> <p>Review of a receipt, provided on 04-18-12, and dated 04-10-12, indicated the following items were purchased for this resident. "J/M Drsy related" - two [\$43.99] and dresses [\$15.99], and an additional receipt dated 04-02-12 indicated Gain [laundry detergent] 150 oz. [ounces] \$15.47, and Downy [fabric softener] \$9.97.</p> <p>Review of the "Clothing after Admission," indicated shoes were purchased for the resident on 04-02-12, and two pair of pants and a dress were purchased on 04-10-12. The pants were</p>						

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	<p>not indicated on the receipt for this resident.</p> <p>3c. The record/account for resident "G" was reviewed 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, cerebral palsy, seizure disorder, and autism. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 10:25 a.m., the resident was observed kneeling on the bed, with sweat pants and a striped shirt on. The resident did not wear socks.</p> <p>Review of the Resident Inquiry account summary, as provided by the Business Office Manager employee #1 on 04-18-12 at 10:00 a.m., indicated items purchased for the resident, dated 07-10-11, included TV/DVD Radio at \$258.21, 10-11-11 clothes at \$13.77, 10-27-11 clothes at \$185.00, 11-14-11 clothes at \$116.32, 01-31-12 clothes at \$88.26, 02-09-12 clothes at \$11.63, 02-20-12 clothes at \$45.28, 03-06-12 clothes at \$57.56 and 04-12-12 clothes at \$23.54. Although requested, receipts were not provided for these items.</p>						

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	<p>During the observation on 04-20-12 at 10:25 a.m., the resident had a twin size bed.</p> <p>A receipt provided by the Business Office Manager on 04-18-12 at 11:00 a.m., and dated 11-23-11, indicated a bed skirt and pillow shams \$36.94 were purchased for this resident, in addition to a bottle of Oil of Olay \$10.00 and Better Homes and Gardens pillows and Queen size sheet set \$46.88.</p> <p>The total of this receipt was \$416.64 and indicated that \$284.29 was charged against this resident's account in addition to a \$50.00 gift card.</p> <p>A subsequent receipt dated 01-31-12 indicated "new born brown boys pants (2), \$7.76" were purchased for this adult female resident.</p> <p>A receipt dated 02-15-12 indicated "SN shape" (2) \$25.36 and a 50/50 video \$12.96 was purchased for this resident.</p> <p>During interview on 04-20-12 at 2:30 p.m., the Activity Director indicated this was an "R" rated video.</p> <p>Review of a receipt dated 03-06-12 indicated the clothing purchased for this resident included tank top \$4.88, pantyhose (2) \$11.00, panties (2) \$15.68.</p>			

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	<p>During a confidential interview on 04-20-12, employee #4 indicated "our residents don't wear tank tops, pantyhose or panties. They wear briefs."</p> <p>Review of the "Personal Belongings on Admission/Discharge and Clothing after Admission" included the following: 07-19-11 a 22 inch TV and TV wall mount, 11-14-11 panties (4 pair), and 03-06-12 tank top.</p> <p>3d. The record/account for resident "C" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, cerebral palsy, contractures of all extremities and quadriplegia. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 12:00 p.m., the resident was observed in an adaptive wheelchair with pants and a tee shirt and tennis shoes. The resident had previously been at school.</p> <p>Review of a "Resident Trust Withdrawal Authorization," dated 02-17-12, indicated an amount of \$40.00 withdrawn from the resident's account. The notation indicated</p>			

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	<p>the resident money went to "[name of a local work program]."</p> <p>During interview on 04-20-12 at 9:00 a.m., the Social Service Director indicated "[name of the local work program]" is a "work program and [name of resident "C"] does not go there but attends school."</p> <p>Review of a receipt as provided by the Business Office Manager employee #1 on 04-18-12 and dated 03-06-12, indicated the following items purchased for the resident "nestle water \$7.36, tank top \$4.88, Adele CD \$11.88." These items were charged against the resident's trust fund account. During interview on 04-20-12 at 9:00 a.m., the Social Service Director indicated "we buy socks in bulk for the residents; everyone wears the same type of socks."</p> <p>Review of a receipt dated 03-19-12, indicated 3 baby rompers \$16.88 were purchased for this adult male resident.</p> <p>Review of the "Resident Inquiry" account indicated clothes were purchased on 01-19-12 \$42.69, again on 02-17-12 \$40.00, 03-08-12 \$52.30, 03-21-12 \$227.77, and on 03-06-12 clothes, in addition to a CD player \$296.00.</p>			

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	<p>The inventory sheet lacked itemization of these items but did indicate on 02-17-11 "t-shirts" were listed and purchased from Goodwill.</p> <p>3e. The record/account for resident "E" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, contractures and scoliosis. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 10:00 a.m. this dependent resident was observed lying in bed with contractures to arms and legs. The resident had a gastrostomy feeding tube and a tracheostomy.</p> <p>During interview, CNA [certified nurses aide employee #8] on 04-20-12 at 10:00 a.m. indicated "we don't use body spray for the residents at this facility, and this resident does not wear dresses, usually sweat pants and tops."</p> <p>Review of the "Clothing after Admission" list dated 02-22-12, indicated a black and white tank top. Although requested, a receipt was not provided for this item.</p>			

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	<p>A receipt, as provided by the Business Office Manager employee #1 and dated 12-20-11, indicated a 4 pack of baby onesies \$7.94 were purchased for this adult female resident. In addition, 4 other items were purchased and identified for resident "A." However, the total amount was charged against the account of resident "E."</p> <p>A receipt dated 03-28-12, indicated facial moist \$9.47, body spray \$3.97 and hair styling product \$2.74, razor \$7.94 and Quattro \$10.94 were purchased for this resident.</p> <p>A receipt dated 04-11-12, indicated Dinty Moore Beef Stew \$4.55, as well as cottage cheese \$2.45 were purchased and charged against the account for Resident "A."</p> <p>Review of the "Resident Inquiry" report of the resident account indicated on 12-21-11, HBA products \$108.41, 01-19-12 HBA products \$16.18, 02-24-12 Body soaps/lounge pants \$109.89, 03-08-12 HBA products \$68.26, and 03-28-12 HBA products \$65.01.</p> <p>During a confidential interview on 04-18-12 at 9:45 a.m. employee #4, indicated HBA was a store for hair products.</p>			

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	<p>3f. The record/account for resident "B" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, microcephaly mental retardation, cerebral palsy, and seizure disorder. These diagnoses remained current at the time of the record review.</p> <p>The facility did not have family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 11:00 a.m., this dependent resident was observed in an adaptive wheelchair, wearing sweat pants, tennis shoes and a gown as the resident had just received a haircut.</p> <p>A review of the "Resident Inquiry" report for the resident indicated charges against the account, dated 12-28-11, for clothes \$85.00, 02-09-12 TV/DVD/DVD's \$1278.25, 02-10-12 clothes \$196.01, and 04-12-12 Clothes, Shoes, Razor \$404.41.</p> <p>However, a receipt dated 02-10-12 indicated a total amount spent for the resident totaled \$196.01 and did not include clothes. The receipt had a handwritten notation which indicated the total amount of \$589.62 with \$196.01 for this resident and \$393.61 for another resident [Resident"Q"]. The receipt</p>						

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	<p>included "Itunes at \$25.00, Stationery \$10.00 2 TV wall mounts \$49.96 and \$89.86 and a 32 inch LCD-HDTV [high definition television set].</p> <p>3g. The record/account for Resident "N" was reviewed on 04-20-12 at 1:00 p.m. and indicated diagnoses which included cerebral palsy, mental retardation, failure to thrive and attention deficit disorder. These diagnoses remained current at the time of review.</p> <p>A receipt for resident "N," undated, indicated the purchase which totaled \$131.33 and the following items which included ocean pacific shorts - \$5.00, ocean pacific top - \$12.00, ocean pacific tank top - \$3.88, ocean pacific bottom - \$12.00, 5 panties - \$15.64, 4 bras - \$30.82. During an interview on 04-20-12 at 2:30 p.m., the Activity Director indicated this resident does not wear these types of items.</p> <p>A receipt dated 11-30-11 indicated crest paste \$4.97 and a lava lamp \$12.97 were purchased and charged against the account for Resident "N."</p> <p>3h. A receipt for resident "M" dated 03-08-12 indicated "swim trunks \$8.47." During an interview on 04-20-12 at 2:30 p.m. the Activity Director indicated</p>			

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	<p>resident "M" was a "vent [ventilator] patient, and does not wear swim trunks."</p> <p>3i. A receipt dated 11-03-11 indicated Febreeze candles (3) \$12.00 and mousse \$3.48 was charged against the trust account for Resident "P." This resident had diagnoses which included seizure disorder, cerebral palsy and depression.</p> <p>3j. A review of the listing of Discharged Residents on 04-18-12 at 9:15 a.m. indicated Resident "I" was discharged from the facility on 02-17-12 to a foster home. The resident trust account indicated the resident still had a balance in the Resident Trust Account in the amount of \$44.00.</p> <p>During an interview on 04-18-12 at 10:00 a.m. the Business Office Manager indicated she didn't have time to return the amount for the resident. "I've been meaning to do that."</p> <p>4. Review of facility policy on 04-20-12 at 11:50 a.m., titled "Management of Personal Funds," undated, indicated, "This facility will observe the resident's right to manage his/her financial affairs. However, upon written authorization of a resident, the facility will hold, safeguard, manage and account for the personal funds of the resident deposited with the</p>				

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	<p>facility."</p> <p>"4.) The facility shall maintain a system of accounting by which no personal funds are commingled with facility funds or with the funds of any person other than the resident."</p> <p>"9.) An individual ledger card, sheet, or equivalent shall be utilized for each resident to record transactions relative to personal funds."</p> <p>"14.) Should any misappropriation of funds be noted, Administration shall be notified and an investigation conducted accordingly."</p> <p>5. Review of the job description for "Secretary-Receptionist" Administrative <sic> staff, and signed by the Business Office Manager on 01-03-2006 indicated: "To provide appropriate office support necessary to an effective, smooth-running operation. This support may include basic secretarial duties, clerical duties, receptionist duties, and primary office record keeping."</p> <p>"Essential Responsibilities - 9.) Assist in maintaining all facility records in accordance with the policies of the facility, to include payroll, personnel files, accounts payable, patient records or other</p>			

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	<p>files as assigned by the Administrator."</p> <p>"12.) Responsible for petty cash funds, including all record keeping, balancing, and requesting replenishing funds, disbursing according to procedure."</p> <p>"13.) Responsible for patients personal funds, including following pertinent regulations, all record keeping, balancing of accounts, and disbursing according to Company procedures."</p> <p>This Federal tag relates to complaint IN00105496.</p> <p>3.1-6(b) 3.1-6(e)</p>				

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F0224 SS=E	<p>483.13(c) PROHIBIT MISTREATMENT/NEGLECT/MISAPPROPRI ATN The facility must develop and implement written policies and procedures that prohibit mistreatment, neglect, and abuse of residents and misappropriation of resident property.</p> <p>Based on observation, record review and interview, the facility failed to implement their policy in regard to misappropriation of resident property, in that when the residents had their personal funds handled by the facility, the Administrator and Business Office Manager failed to safeguard the monies against misappropriation.</p> <p>The misappropriation and exploitation of resident property/funds continued and this deficient practice affected 7 of 7 sampled and 6 of 10 supplemental sampled residents who the facility handled the resident trust fund accounts.</p> <p>[Residents "A", "B", "C", "D", "E", "F", "G", "J", "M", "N", "O", "P" and "Q".]</p> <p>Review of the resident listing for the facility trust accounts included 90 residents of 126 residents in the facility.</p> <p>Findings include:</p> <p>1. During a confidential interview on</p>	F0224	<p>F224 I. Residents "A", "B", "C", "D", "E", "F", "G", "I", "J", "M", "N", "O", "P" and "Q" were affected. The corrective actions listed below were taken for these and <u>all other</u> residents of the facility. Thus, all items listed within the 2567 which were not purchased for use by the resident were reimbursed by the facility.</p> <p>II. As all residents of the facility could have been affected by the deficient practice, the following corrective actions were taken for the 14 identified residents, as well as <u>all residents</u> of the facility:</p> <ul style="list-style-type: none"> ·The misappropriation of resident funds was directly related to the Business Office Manager assuming responsibility of purchasing items for the residents utilizing trust funds in lieu of the Social Service Designee, effective July of 2011. It was at this time that there was no system of checks and balances to provide protection of the monies deposited and utilized from the resident trust account. ·All receipts of any purchase(s) made with monies from resident trust accounts since July 2011 were identified and listed, per 	05/04/2012	

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	<p>04-18-12 at 8:50 a.m., the person indicated she had concerns related to the handling of the resident trust fund accounts by the Business Office Manager [employee #1]. "She [in regard to employee #1] goes to Wal-mart and supposedly buys things for the residents with their money, but not all the items are appropriate, and some items don't even make it to the residents. Take a look at [names of Resident "D" and Resident "G"]."</p> <p>During confidential interview on 04-18-12 at 9:00 a.m., employee #5 indicated she was aware the Business Office Manager [employee #1] "buys things supposedly in a resident's name and then only some of the items show up. She bought a dress for [name of Resident "F"] - our residents don't wear clothes like that or tops with spaghetti straps. I have seen her [in regard to employee #1] shred copies of the bank statements and tear up copies of the carbon copy from the check book and throw them in the trash can."</p> <p>During confidential interview on 04-18-12 at 9:45 a.m., employee #4 indicated the facility had a resident ["J"] who made a model gun. The resident sold raffle tickets and then was going to send the money made from the raffle to the Indians in South Dakota. I know</p>		<p>resident. The individual list of purchases made since July 2011 was then taken to the applicable resident's room. If the item listed <u>could not be confirmed as present in the resident's room</u>, the item was denoted as to be reimbursed to the resident for whom the charge was made.</p> <p>The sum of unconfirmed charges/purchases was returned to the applicable resident account. If the resident was discharged or deceased, the sum of unconfirmed charges/purchases was refunded to responsible party.</p> <p><u>RE: Fundraiser/Raffle</u> The facility reconciled the resident-sponsored charity raffle to ensure the amount was present as per number of tickets sold. <u>RE: Resident Trust Account/Individuals Named on the Bank Account</u> The Business Office Manager is no longer an employee of the facility. The Administrator is again listed on the account. <u>RE: Return of Resident Funds Upon Discharge (Resident "I")</u> Funds due to be returned to Resident "I" following discharge have been reimbursed. An audit was conducted to confirm all residents with a refund due has received the applicable refund. _ III. In an effort to ensure ongoing compliance with ensuring the protection of the monies deposited in the resident trust account, the facility initiated immediate revision in practice of</p>				

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	<p>[resident] asked [name of employee #5] how much money had been raised and was told about \$110.00. I don't think that much is there now."</p> <p>Interview on 04-18-12 at 10:30 a.m. with the Assistant Director of Nurses indicated he had concerns when he went "shopping" with the Business Office Manager. "We went shopping - DVD's were purchased, but she [in reference to the Business Office Manager] was buying clothes for the kids too. I reported it to [name of the Administrator] and told him I wasn't accusing anyone but I thought he should know."</p> <p>During interview on 04-18-12 at 10:40 a.m., Resident "J" indicated a model gun had been made and the proceeds were to be sent to the Lagoda Indians in South Dakota. When interviewed if the resident was aware the amount of money already raised, the Resident responded "about \$100.00."</p> <p>During an interview on 04-20-12 at 8:40 a.m., the Social Service Director indicated she had previously "did the shopping for the residents, but since my hours have decreased due to school, [name of the Business Office Manager] took it over. When I did the shopping I would itemize the receipt so [name of Business Office</p>		<p>purchasing items on behalf of residents and utilizing trust fund monies. The facility has segregated the duties to ensure the business office individual responsible for accounting/record-keeping is no longer the individual who can make purchases on behalf of the resident. Rather, social service, activity employee or other employee designated by the Administrator shall be responsible to shop on behalf of the resident. Upon notification (either by resident, responsible party or individual designated as responsible for resident purchase) that an item should be purchased utilizing a resident's trust fund(s), the following actions shall be taken: · Purchase shall be made as directed on behalf of the resident/responsible party. · Upon return to the facility, the purchased items, the receipt, and any change (if applicable) will be presented to the Business Office Manager or Administrator who will verify the purchase(s) item-by-item and obtain the receipt and any change for account reconciliation. Two signatures will denote the verification of the purchases made on behalf of the resident. · The item(s) will then be taken to the applicable unit and, if non-perishable and will remain onsite as the resident's personal property, the item(s) will be listed on the resident's personal</p>				

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	<p>Manager] knew what is for each resident. I would mark names on the clothes and I would say the majority of the time the clothes or any other items would get written on the resident's inventory sheet. A review of receipts was conducted with the Social Service Director in regard to the types of items purchased for specific residents. A receipt dated 02-15-12 at 10:34 a.m., contained the description of "2 totes and 2 handbags - \$43.00 for resident (K)" and "2 handbags" - \$28.00 for resident (L), 2 items described as "SN shape" - \$25.36 for resident (G) and "2 tank tops \$9.76 for resident (A)." "We don't use handbags or tank tops here. She might have bought them as book bags; I just don't know."</p> <p>On 04-18-12 at 10:15 a.m., a request was made to the Business Office Manager for the Inventory sheets for Residents "A", "B", "C" "D", "E", "F" and "G". These were not provided by the time of the daily Exit Conference on 04-18-12, and the Corporate Registered Nurse indicated there must have been a "mix up on who was supposed to get those for you."</p> <p>2. On 04-18-12 at 10:45 a.m., one raffle ticket was purchased for Resident "J's" fund raiser. During observation on 04-18-12 at 10:45 a.m., with the Administrator in attendance, the Business</p>		<p>inventory record with the date that the item was purchased/added.</p> <ul style="list-style-type: none"> The item will then be labeled appropriately for identification as to it being property of the resident. The item must then be taken to the resident's room for storage/use. <u>RE: Fundraiser/Raffle</u> The facility shall ensure that should a fundraiser/raffle be initiated by the activity department or individual resident, accounting practices will be implemented, including two signatures to verify all deposits made and an, at least, weekly reconciliation to confirm the security of funds collected. <u>RE: Resident Trust Account/Individuals Named on the Bank Account</u> The Administrator shall be responsible to confirm on a monthly basis the name(s) of individual(s) listed on the Resident Trust Bank Account to ensure only those authorized are listed and continue to remain in place. <u>RE: Return of Resident Funds Upon Discharge (Resident "I")</u> The Administrator shall be responsible to confirm that resident funds are returned in a timely manner to the resident/responsible party upon discharge or death as per regulatory requirement. <u>RE: Activity Account</u> The facility shall ensure that an activity account shall be maintained with accounting practices implemented, including two signatures to verify all 		

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	<p>Office Manager counted the money in the envelope designated for the "raffle." The total amount of money was \$83.00. The Administrator offered to open the secured/taped raffle box to count the number of ticket stubs. The box was opened and the Business Office Manager counted the tickets and then indicated the total number of raffle tickets were 110 tickets. The Business Office Manager indicated "sometimes [resident] sells tickets on-line, maybe [resident] hasn't given me all the money." When interviewed how and who handled this raffle money, how it was safeguarded, and who was responsible for an accounting system for the raffle, the Business Office Manager indicated she handled the money for the resident and the envelope was kept in the facility safe. She further indicated that only the Administrator and herself had access to the safe. The Business Office Manager indicated there was no system to account for the raffle tickets purchased and the money earned for the resident's raffle.</p> <p>The Administrator indicated on 04-18-12 at 11:00 a.m., the resident may have spent some of the money as there was no system for the number of tickets purchased and the money earned.</p> <p>At 9:00 a.m. on 04-20-12 the</p>		<p>deposits/withdrawals and purchases made and an, at least, weekly reconciliation to confirm the security of the account. _ IV. As a means of quality assurance, the following shall be reported to the Administrator on a weekly basis and confirmed by corporate personnel on a bi-weekly basis. Continued compliance shall be reported to the Quality Assurance Committee on a quarterly basis. <u>RE: Purchases Made on Behalf of Residents Utilizing Resident Trust Account Monies</u> Continued compliance with the aforementioned revised process whereby two signatures are required to confirm appropriate purchases made on behalf of the resident and item(s) provided to the resident for use. _ <u>RE: Fundraiser/Raffle</u> Should a fundraiser/raffle be in process, continued compliance with the aforementioned process whereby accounting practices are implemented, including two signatures to verify all deposits made and, at least, weekly reconciliation to confirm the security of funds collected. _ <u>RE: Resident Trust Account/Individuals Named on the Bank Account</u> Monthly confirmation of the name(s) of individual(s) listed on the Resident Trust Bank Account to ensure only those authorized are listed and continue to remain in place. _ <u>RE: Return of Resident</u></p>				

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	<p>Administrator, Director of Nurses and Corporate Nurse requested a meeting. During this meeting the Corporate Nurse indicated that a determination was made after the discrepancy to the Resident raffle, that a full accounting needed to be completed of the resident trust fund account. It was further revealed that the Business Office Manager, "conveniently found the difference of \$27.00 in the petty cash."</p> <p>The Administrator indicated he informed the Business Office Manager that the police would need to be called. Upon hearing what the Administrator planned to do, the Business Office Manager requested the police "not be called."</p> <p>The Administrator also indicated that when he went to the bank to obtain the monthly statements, the Bank personnel informed him that his name had been removed from the account. The Administrator indicated he was unaware this had been done, and that he was the one who would place facility staff members' names on the account for access. The Administrator indicated at the time he went to the bank, he was told the only name on the account was the Business Office Manager - employee #1.</p> <p>A document provided by the Administrative staff indicated "On April 18, 2012 the money being held by the</p>		<p><u>Funds Upon Discharge (Resident "1")</u> Confirmation that resident funds are returned in a timely manner to the resident/responsible party upon discharge or death, as per regulatory requirement. <u>RE: Activity Account</u> Confirmation that the activity account is maintained with accounting practices implemented, including two signatures to verify all deposits/withdrawals and purchases made and an, at least, weekly reconciliation to confirm the security of the account. Completion Date: 5/4/12</p>				

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	business office as proceeds from a charity raffle being conducted by [name of Resident"J"] was counted. The accounting revealed \$83.00 in cash (i.e. three twenty dollar bills, one ten dollar bill, one five dollar bill and eight one dollar bills) and 110 ticket stubs (which had sold for \$1.00 each). This would appear to 'indicated' a potential shortage of \$27.00. Thus an investigation was initiated. The Business Office Manager reconciled the facility petty cash fund (which is normally reconciled on a weekly basis on Friday) and identified a \$32.00 overage. One should note that bills were found in the raffle fund (although the tickets had been sold for \$1.00 each) and the petty cash fund had multiple \$1.00 bills. This strongly suggests that at some point large bills from petty cash were exchanged for \$1.00 bills in the raffle fund and money was inadvertently left/remained in the petty cash fund which, in fact, belonged in the raffle fund. It was determined that ongoing reconciliation with each transaction/deposit of money had not occurred, thus, the error had not yet been detected; however, would have been detected during normal 'weekly' petty cash reconciliation. ... The discrepancy in accounting practice/commingling of funds was identified and corrective action initiated on 04-18-12...." This document			

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	<p>was signed by the Administrator but undated.</p> <p>During the meeting on 4-20-12 at 9:00 a.m., the Corporate Nurse indicated the corporation's "account receivable" staff member arrived at the facility on 04-19-12 and found many concerns related to the resident accounts, and accounting practices of the facility. The Administrator indicated the Business Office Manager would be suspended pending investigation. The Administrator indicated he "felt betrayed" by the Business Office Manager, after the corporate staff came to the facility and found other concerns with the residents' accounts. The Administrator indicated "Where was I? I didn't know any of this was going on."</p> <p>3a. The record/account for resident "D" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, cerebral palsy, and spastic quadriplegia. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 10:20 a.m., this dependent adult male</p>						

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	<p>resident was observed seated in an adaptive wheelchair. The resident wore sweat pants, a tee shirt and tennis shoes. During an additional observation on 04-20-12 at 2:30 p.m., the resident had a large screen television attached to the wall adjacent to the bed.</p> <p>Review of a receipt provided on 04-18-12, and dated 03-13-12, indicated the following items were purchased for this resident. "2 bath towels [\$14.00], 1 dress crop [\$14.88], a belted cowl neck top [\$11.88], and a belted top [\$9.88]."</p> <p>An undated receipt with items identified for this resident and initialed by the Business Office Manager included "panty [\$8.48], blk [black] slp [slip] [\$9.24]."</p> <p>A receipt dated 01-20-12, indicated "Be my valentine" [\$10.00] and an undated receipt for 5 pairs of shorts which totaled \$44.49 was also "initialed" by the Business Office Manager for this resident. During interview on 04-20-12 at 9:00 a.m. the Social Service Director indicated she had never seen this resident wear shorts.</p> <p>An additional receipt undated provided by the Business Office manager on 04-18-12 at 9:30 a.m. indicated additional items</p>			

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	<p>were purchased for this resident and charged against the trust fund account included: "tank top (2) \$9.76, hat \$5.00, scarf \$5.00, gloves \$12.00, crest whitening strips \$39.94, Bumbo [baby] seat \$39.97.</p> <p>Furthermore an additional resident's name was listed on this receipt [Resident "O"] which included "ski gloves \$6.77, bra's (2) \$19.88, panties (4) \$14.24."</p> <p>The total to this receipt was \$1096.20 for both residents. The entire amount was charged against the account of Resident "D."</p> <p>Further review of the "Resident Inquiry" report for resident "D" indicated "11-23-11 bedding/clothing/pillow at \$284.29," "12-06-11 gift for family \$222.82," "12-27-11 TV/DVD/Radio \$1039.88," "02-13-12 Radio/CD's/DVD's pajamas \$237.55," "02-20-12 TV/DVD/Radio \$137.00."</p> <p>Review of the "Clothing after Admission," [inventory sheet] on 04-20-12 at 10:00 a.m. indicated on 04-26-11, one 19 inch TV with a DVD player was purchased, and 02-20-12 a DVD player was purchased.</p>						

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	<p>Other items purchased in the name of the resident and charged to the account had not been inventoried.</p> <p>The record lacked documentation as to the whereabouts of the other electronic equipment previously purchased for this resident.</p> <p>3b. The record/account for resident "F" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, cerebral palsy, and seizure disorder. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 10:15 a.m. this dependent resident was observed seated in an adaptive wheelchair. The resident wore sweat pants a tee shirt and socks.</p> <p>Review of a receipt, provided on 04-18-12, and dated 04-10-12, indicated the following items were purchased for this resident. "J/M Drsy related" - two [\$43.99] and dresses [\$15.99], and an additional receipt dated 04-02-12 indicated Gain [laundry detergent] 150 oz. [ounces] \$15.47, and</p>			

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	<p>Downy [fabric softener] \$9.97.</p> <p>Review of the "Clothing after Admission," indicated shoes were purchased for the resident on 04-02-12, and two pair of pants and a dress were purchased on 04-10-12. The pants were not indicated on the receipt for this resident.</p> <p>3c. The record/account for resident "G" was reviewed 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, cerebral palsy, seizure disorder, and autism. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 10:25 a.m., the resident was observed kneeling on the bed, with sweat pants and a striped shirt on. The resident did not wear socks.</p> <p>Review of the Resident Inquiry account summary, as provided by the Business Office Manager employee #1 on 04-18-12 at 10:00 a.m., indicated items purchased for the resident, dated 07-10-11, included TV/DVD Radio at \$258.21, 10-11-11 clothes at \$13.77, 10-27-11 clothes at</p>						

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	<p>\$185.00, 11-14-11 clothes at \$116.32, 01-31-12 clothes at \$88.26, 02-09-12 clothes at \$11.63, 02-20-12 clothes at \$45.28, 03-06-12 clothes at \$57.56 and 04-12-12 clothes at \$23.54. Although requested, receipts were not provided for these items.</p> <p>During the observation on 04-20-12 at 10:25 a.m., the resident had a twin size bed.</p> <p>A receipt provided by the Business Office Manager on 04-18-12 at 11:00 a.m., and dated 11-23-11, indicated a bed skirt and pillow shams \$36.94 were purchased for this resident, in addition to a bottle of Oil of Olay \$10.00 and Better Homes and Gardens pillows and Queen size sheet set \$46.88.</p> <p>The total of this receipt was \$416.64 and indicated that \$284.29 was charged against this resident's account in addition to a \$50.00 gift card.</p> <p>A subsequent receipt dated 01-31-12 indicated "new born brown boys pants (2), \$7.76" were purchased for this adult female resident.</p> <p>A receipt dated 02-15-12 indicated "SN shape" (2) \$25.36 and a 50/50 video \$12.96 was purchased for this resident.</p> <p>During interview on 04-20-12 at 2:30</p>			

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	<p>p.m., the Activity Director indicated this was an "R" rated video.</p> <p>Review of a receipt dated 03-06-12 indicated the clothing purchased for this resident included tank top \$4.88, pantyhose (2) \$11.00, panties (2) \$15.68.</p> <p>During a confidential interview on 04-20-12, employee #4 indicated "our residents don't wear tank tops, pantyhose or panties. They wear briefs."</p> <p>Review of the "Personal Belongings on Admission/Discharge and Clothing after Admission" included the following: 07-19-11 a 22 inch TV and TV wall mount, 11-14-11 panties (4 pair), and 03-06-12 tank top.</p> <p>3d. The record/account for resident "C" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, cerebral palsy, contractures of all extremities and quadriplegia. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 12:00 p.m., the resident was observed in an adaptive wheelchair with pants and a</p>			

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	<p>tee shirt and tennis shoes. The resident had previously been at school.</p> <p>Review of a "Resident Trust Withdrawal Authorization," dated 02-17-12, indicated an amount of \$40.00 withdrawn from the resident's account. The notation indicated the resident money went to "[name of a local work program]."</p> <p>During interview on 04-20-12 at 9:00 a.m., the Social Service Director indicated "[name of the local work program]" is a "work program and [name of resident "C"] does not go there but attends school."</p> <p>Review of a receipt as provided by the Business Office Manager employee #1 on 04-18-12 and dated 03-06-12, indicated the following items purchased for the resident "nestle water \$7.36, tank top \$4.88, Adele CD \$11.88." These items were charged against the resident's trust fund account. During interview on 04-20-12 at 9:00 a.m., the Social Service Director indicated "we buy socks in bulk for the residents; everyone wears the same type of socks."</p> <p>Review of a receipt dated 03-19-12, indicated 3 baby rompers \$16.88 were purchased for this adult male resident.</p>			

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	<p>Review of the "Resident Inquiry" account indicated clothes were purchased on 01-19-12 \$42.69, again on 02-17-12 \$40.00, 03-08-12 \$52.30, 03-21-12 \$227.77, and on 03-06-12 clothes, in addition to a CD player \$296.00.</p> <p>The inventory sheet lacked itemization of these items but did indicate on 02-17-11 "t-shirts" were listed and purchased from Goodwill.</p> <p>3e. The record/account for resident "E" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, mental retardation, contractures and scoliosis. These diagnoses remained current at the time of the record review.</p> <p>The facility had family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 10:00 a.m. this dependent resident was observed lying in bed with contractures to arms and legs. The resident had a gastrostomy feeding tube and a tracheostomy.</p> <p>During interview, CNA [certified nurses aide employee #8] on 04-20-12 at 10:00 a.m. indicated "we don't use body spray for the residents at this facility, and this resident does not wear dresses, usually</p>						

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	<p>sweat pants and tops."</p> <p>Review of the "Clothing after Admission" list dated 02-22-12, indicated a black and white tank top. Although requested, a receipt was not provided for this item.</p> <p>A receipt, as provided by the Business Office Manager employee #1 and dated 12-20-11, indicated a 4 pack of baby onesies \$7.94 were purchased for this adult female resident. In addition, 4 other items were purchased and identified for resident "A." However, the total amount was charged against the account of resident "E."</p> <p>A receipt dated 03-28-12, indicated facial moist \$9.47, body spray \$3.97 and hair styling product \$2.74, razor \$7.94 and Quattro \$10.94 were purchased for this resident.</p> <p>A receipt dated 04-11-12, indicated Dinty Moore Beef Stew \$4.55, as well as cottage cheese \$2.45 were purchased and charged against the account for Resident "A."</p> <p>Review of the "Resident Inquiry" report of the resident account indicated on 12-21-11, HBA products \$108.41, 01-19-12 HBA products \$16.18, 02-24-12 Body soaps/lounge pants \$109.89,</p>				

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	<p>03-08-12 HBA products \$68.26, and 03-28-12 HBA products \$65.01.</p> <p>During a confidential interview on 04-18-12 at 9:45 a.m. employee #4, indicated HBA was a store for hair products.</p> <p>3f. The record/account for resident "B" was reviewed on 04-20-12 at 1:00 p.m. Diagnoses included, but were not limited to, microcephaly mental retardation, cerebral palsy, and seizure disorder. These diagnoses remained current at the time of the record review.</p> <p>The facility did not have family permission to access the resident account.</p> <p>During an observation on 04-20-12 at 11:00 a.m., this dependent resident was observed in an adaptive wheelchair, wearing sweat pants, tennis shoes and a gown as the resident had just received a haircut.</p> <p>A review of the "Resident Inquiry" report for the resident indicated charges against the account, dated 12-28-11, for clothes \$85.00, 02-09-12 TV/DVD/DVD's \$1278.25, 02-10-12 clothes \$196.01, and 04-12-12 Clothes, Shoes, Razor \$404.41.</p> <p>However, a receipt dated 02-10-12</p>			

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	<p>indicated a total amount spent for the resident totaled \$196.01 and did not include clothes. The receipt had a handwritten notation which indicated the total amount of \$589.62 with \$196.01 for this resident and \$393.61 for another resident [Resident"Q"]. The receipt included "Itunes at \$25.00, Stationery \$10.00 2 TV wall mounts \$49.96 and \$89.86 and a 32 inch LCD-HDTV [high definition television set].</p> <p>3g. The record/account for Resident "N" was reviewed on 04-20-12 at 1:00 p.m. and indicated diagnoses which included cerebral palsy, mental retardation, failure to thrive and attention deficit disorder. These diagnoses remained current at the time of review.</p> <p>A receipt for resident "N," undated, indicated the purchase which totaled \$131.33 and the following items which included ocean pacific shorts - \$5.00, ocean pacific top - \$12.00, ocean pacific tank top - \$3.88, ocean pacific bottom - \$12.00, 5 panties - \$15.64, 4 bras - \$30.82. During an interview on 04-20-12 at 2:30 p.m., the Activity Director indicated this resident does not wear these types of items.</p> <p>A receipt dated 11-30-11 indicated crest paste \$4.97 and a lava lamp \$12.97 were</p>						

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	<p>purchased and charged against the account for Resident "N."</p> <p>3h. A receipt for resident "M" dated 03-08-12 indicated "swim trunks \$8.47." During an interview on 04-20-12 at 2:30 p.m. the Activity Director indicated resident "M" was a "vent [ventilator] patient, and does not wear swim trunks."</p> <p>3i. A receipt dated 11-03-11 indicated Febreeze candles (3) \$12.00 and mousse \$3.48 was charged against the trust account for Resident "P." This resident had diagnoses which included seizure disorder, cerebral palsy and depression.</p> <p>4. A review of the Activity Account Balance as provided by the Business Office Manager indicated a current balance on 04-10-12 of \$1731.57.</p> <p>During interview on 04-18-12 at 9:45 a.m. the Activity Director indicated that at the beginning of each month the Business Office Manager would tell her what the beginning balance was. The Activity Director indicated she became concerned when the beginning balance was different from the previous month's ending balance, as provided by the Business Office Manager.</p> <p>A review of the Activity accounting</p>			

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	<p>system, provided by the Activity Director indicated the following:</p> <p>"01-01-12 Starting balance \$1762.00 - ending balance \$1713.45."</p> <p>"02-01-10 Starting balance \$1707.00 (a difference of \$6.45) - ending balance \$1663.31."</p> <p>"03-01-12 Starting balance \$1565.00 (a difference of \$98.31) - ending balance \$1669.78."</p> <p>"04-02-12 Starting balance \$1669.78."</p> <p>Review of a receipt dated 11-09-11, indicated "end table and coffee table purchased by the Business Office Manager for the snoozen room." During observation on 04-20-12 at 2:30 p.m., the table were not observed in the room.</p> <p>A meeting on 04-20-12 at 10:55 a.m., included the Administrator, Director of Nurses, Corporate Registered Nurse and the Activity Director. During this meeting the Activity Director expressed her concerns related to the handling of the Activity money by the Business Office Manager. The Activity Director also indicated an observation where a staff member asked the Business Office Manager for gas money. The Activity</p>			

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	<p>Director indicated the Business Office Manager went to the safe and took out money and handed it to the staff member.</p> <p>5. Review of facility policy on 04-20-12 at 11:50 a.m., titled "Management of Personal Funds," undated, indicated "This facility will observe the resident's right to manage his/her financial affairs. However, upon written authorization of a resident, the facility will hold, safeguard, manage and account for the personal funds of the resident deposited with the facility."</p> <p>"4.) The facility shall maintain a system of accounting by which no personal funds are commingled with facility funds or with the funds of any person other than the resident."</p> <p>"7.) The facility shall assure that all personal funds of residents deposited with the facility are secure."</p> <p>"9.) An individual ledger card, sheet, or equivalent shall be utilized for each resident to record transactions relative to personal funds."</p> <p>"14.) Should any misappropriation of funds be noted, Administration shall be notified and an investigation conducted accordingly."</p>			

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	<p>6. Review of the facility policy titled "Resident Trust Fund Policy [undated]," on 04-20-12 at 2:00 p.m. indicated the following:</p> <p>"It is the policy of Especially Kidz Health & Rehabilitation to maintain a balanced resident trust account on each individual resident. The bookkeeper will be responsible for posting debits and credits to the accounts in a timely manner. In the event of an overdrawn account, the Nursing Facility will take the necessary steps to correct the balance immediately."</p> <p>7. The facility included the "Indiana State Department of Health - Division of Long Term Care, Reportable Unusual Occurrences," as a part of their Abuse Policy. Review of the Department policy defined "Misappropriation of Residents Funds or Property," as follows:</p> <p>"Misappropriation of resident property is defined as the patterned or deliberate misplacement, exploitation, or wrongful, temporary or permanent use of a resident's belongings or money without the resident's consent."</p> <p>8. Review of the job description for "Secretary-Receptionist" Administrative <sic> staff, and signed by the Business</p>			

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	<p>Office Manager on 01-03-2006 indicated: "To provide appropriate office support necessary to an effective, smooth-running operation. This support may include basic secretarial duties, clerical duties, receptionist duties, and primary office record keeping."</p> <p>"Essential Responsibilities - 9.) Assist in maintaining all facility records in accordance with the policies of the facility, to include payroll, personnel files, accounts payable, patient records or other files as assigned by the Administrator."</p> <p>"12.) Responsible for petty cash funds, including all record keeping, balancing, and requesting replenishing funds, disbursing according to procedure."</p> <p>"13.) Responsible for patients personal funds, including following pertinent regulations, all record keeping, balancing of accounts, and disbursing according to Company procedures."</p> <p>This Federal tag relates to complaint IN00105496.</p> <p>3.1-28(a) 3.1-28(c)</p>				