

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	X2) MULTIPLE CONSTRUCTION A. BUILDING <u>00</u> B. WING _____	X3) DATE SURVEY COMPLETED 03/26/2015
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NAME OF PROVIDER OR SUPPLIER  VERMILLION PLACE	STREET ADDRESS, CITY, STATE, ZIP CODE 449 MAIN ST ANDERSON, IN 46016
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R 000  Bldg. 00	<p>This visit was for the Investigation of Complaint IN00168308.</p> <p>Complaint IN00168308 - Substantiated. State residential deficiency related to the allegations is cited at R 0116.</p> <p>Survey date: March 26, 2015.</p> <p>Facility number: 011970</p> <p>Survey team: Angela Selleck, RN-TC</p> <p>Census bed type: Residential: 38 Total: 38</p> <p>Census payor type: Other: 38 Total: 38</p> <p>Sample: 3</p> <p>These state findings are cited in accordance with 410 IAC 16.2-.5.</p> <p>Quality review completed on March 30, 2015 by Randy Fry RN.</p>	R 000		
R 116	410 IAC 16.2-5-1.4(a)			

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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Bldg. 00	<p><b>Personnel - Noncompliance</b> (a) Each facility shall have specific procedures written and implemented for the screening of prospective employees. Appropriate inquiries shall be made for prospective employees. The facility shall have a personnel policy that considers references and any convictions in accordance with IC 16-28-13-3. Based on interview and record review, the facility failed to follow their policy and procedure related to an employee with a criminal background of felony battery within the previous five years. (Employee #1).</p> <p>Findings include:</p> <p>1. The employment record of Employee #1 was requested and reviewed on 3/26/15 at 12:06 p.m. The Corporate Facility Plant Manager indicated she was the Maintenance Supervisor for both the facility and the unlicensed sister facility. She provided a "Criminal &amp; Citation Search Results" dated 1/9/15. The criminal background check indicated Employee #1 had numerous citations and criminal charges. It also indicated on May 18, 2011 Employee #1 was charged with a "...Class C Felony 35-42-2-1(a) (8) F/C: Battery Result Pending...."</p> <p>Time sheets for Employee #1 were requested on 3/26/15 at 12:06 p.m. from the Corporate Facility Plant Manager.</p>	R 116	<p>R116: 1.For employee #1, The Criminal &amp; Citation Search noted in the survey is not from the Indiana State Police Repository, which is where the facility normally receives the Criminal Background checks. The Corporate Facility Plant Manager has sent for the Criminal Background check from the Indiana State police Repository. When this report is received, the Corporate Facility Plant Manager and the facility administrator will compare the reports. There is confusion about whether Employee #1 was charged in 2008 or 2011 with the battery charge, and whether he was found guilty of this charge. Until this is clarified, Employee #1 will not work in the licensed facility. Once the reports are compared, the Corporate Facility Plant Manager, facility administrator and C.E.O. of the corporation, or his designee, will meet to discuss how to proceed with Employee #1's employment. 2.All current employees who work at Vermillion Place, whether specifically assigned to Vermillion</p>	04/10/2015
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	<p>She indicated employee #1 began working on 1/8/15 as a part time grounds employee, but she was unable to tell when Employee #1 worked at the licensed facility versus the unlicensed sister facility. She indicated there was no tracking system for the two separate buildings.</p> <p>During an interview on 3/26/15 at 12:06 p.m. with the Corporate Facility Manager and the Administrator (ADM), both had indicated they were not aware of Employee #1's battery charges on his criminal background check. The Administrator indicated Employee # 1 was hired through an unlicensed sister facility. The Administrator indicated there currently was not a set maintenance person for her facility, but they would use the maintenance personnel from the sister facility next door.</p> <p>The Corporate Facility Manager indicated she did not realize Employee #1's criminal background check had even come back and she had put in for another one to be completed at the unlicensed sister facility.</p> <p>The Corporate Facility Manager indicated no criminal background check was completed prior to Employee #1 being hired or beginning his community service.</p> <p>The Corporate Facility Manager indicated</p>		<p>Place or a corporate employee, will have a criminal background check done through the Indiana State Police Repository. Once the criminal background check is completed, it will be reviewed by the CEO or his designee and filed in the personnel file. The policy for review of the criminal background checks is as follows. <i>"If the background check reveals the employee has been convicted of: *Rape *Criminal Deviate Conduct *Exploitation of an endangered adult *Failure to report battery, neglect or exploitation of an endangered adult *Theft, if the conviction for theft occurred less than 5 years before the person's employment application date *Murder *Voluntary or Involuntary manslaughter, if the conviction was within the past 5 years, and as long as the crime was not related to an endangered adult. *Felony battery within the previous 5 years. *Felony offenses related to controlled substances within the previous 5 years.</i></p> <p><i>The facility may choose not to employ the prospective employee. If the prospective employee has already begun employment, they must be dismissed from employment with Vermillion Place. If the employee works at Vermillion Place, a personnel file will be kept at Vermillion Place accessible only to the administrator. A copy of</i></p>				

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	<p>Employee #1 painted empty apartments, changed out smoke detector batteries, and helped clean out dryer vents.</p> <p>2. During an interview on 3/26/15 at 1:45 p.m. with Resident D, she indicated she had seen Employee #1 last week for two days in a row painting in the main dining/great room with other staff. Resident D indicated she felt she had seen Employee #1 in the building especially in the last month.</p> <p>During an interview with LPN #2 on 3/26/15 at 4:30 p.m., with the ADM present she indicated Employee #1 had worked at the facility on 3/26/15 at around 10:00 a.m. with another maintenance assistant. She indicated he helped move a chair from a resident's apartment, which currently was at the hospital to an empty apartment. The ADM indicated she was unaware Employee #1 was in the building.</p> <p>3. During an interview with the ADM on 3/26/15 at 3:37 p.m., she indicated when her facility had a set maintenance person, Employee #1 had helped him in the facility until Employee #1 started to talk about his criminal background and was not hiding it among the staff. She indicated at that time she approached the Corporate Facility Plant Manager about</p>		<p><i>the criminal background check will be kept in this file".</i></p> <p>1. Starting immediately, all new employees of United Faith Housing will have a criminal background check completed and sent into the Indiana State Police Repository within 3 days of employment. The administrative secretary to the C.E.O. will be the person to complete this form and submit it with the appropriate fee. When the background check is returned, the CEO or his designee and the department head will review it for compliance with the above policy. If the employee works at Vermillion Place, the administrator of Vermillion Place will also review the background check, and will keep a copy of it in the VermillionPlace personnel file, which is accessible only to the Vermillion Place administrator.</p> <p>2. The administrator of Vermillion Place will be responsible to monitor personnel files of Vermillion Place for compliance with this policy. The C.E.O. or his designee will be responsible to monitor personnel files of Harter House for compliance with this policy.</p> <p>3. The systemic changes for this policy will be in place by April 10, 2015</p>				

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	<p>Employee #1 who was originally hired to do the outside work and she just wanted the process to be followed related to the criminal background check.</p> <p>4. A review a current policy titled "CRIMINAL HISTORY CHECK" provided by the Administrator on 3/26/15 at 3:56 p.m., indicated the following:</p> <p>"...It is the policy of this facility to do a Criminal History Check with the State of Indiana Police within 3 days of hire on all new employees of Vermillion Place.</p> <p>If the Limited Criminal History Information reveals that the perspective employee has been convicted of:</p> <p>*...Felony battery within the previous five (5) years...</p> <p>...The facility may choose to not employ the prospective employee. If the prospective employee has already begun employment you must dismiss the employee from employment with Vermillion Place."</p>			