

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 09/26/2023

FORM APPROVED

OMB NO. 0938-039

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 155362	X2) MULTIPLE CONSTRUCTION A. BUILDING -- _____ B. WING _____	X3) DATE SURVEY COMPLETED 08/30/2023
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NAME OF PROVIDER OR SUPPLIER BRICKYARD HEALTHCARE - MERRILLVILLE CARE CENTER	STREET ADDRESS, CITY, STATE, ZIP COD 8800 VIRGINIA PLACE MERRILLVILLE, IN 46410
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E 0000 Bldg. --	<p>An Emergency Preparedness Survey was conducted by the Indiana Department of Health in accordance with 42 CFR 483.73.</p> <p>Survey Date: 08/30/23</p> <p>Facility Number: 000253 Provider Number: 155362 AIM Number: 100266660</p> <p>At this Emergency Preparedness survey, Brickyard Healthcare - Merrillville Care Center was found in compliance with Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers, 42 CFR 483.73.</p> <p>The facility has 164 certified beds. At the time of the survey, the census was 134.</p> <p>Quality Review completed on 09/07/23</p>	E 0000		
K 0000 Bldg. 01	<p>A Life Safety Code Recertification and State Licensure Survey was conducted by the Indiana Department of Health in accordance with 42 CFR 483.90(a).</p> <p>Survey Date: 08/30/23</p> <p>Facility Number: 000253 Provider Number: 155362 AIM Number: 100266660</p> <p>At this Life Safety Code survey, Brickyard</p>	K 0000		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
Jacqueline	Carpenter-Heard	09/20/2023

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined other safeguards provide sufficient protection to the patients. (see instructions.) Except for nursing homes, the findings stated above are disclosable 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 disclosed 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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K 0100 SS=E Bldg. 01	<p>Healthcare - Merrillville Care Center was found not in compliance with Requirements for Participation in Medicare/Medicaid, 42 CFR Subpart 483.90(a), Life Safety from Fire and the 2012 edition of the National Fire Protection Association (NFPA) 101, Life Safety Code (LSC), Chapter 19, Existing Health Care Occupancies and 410 IAC 16.2.</p> <p>This one story facility was determined to be of Type V (111) construction and was fully sprinklered. The facility has a fire alarm system with hard wired smoke detection in the corridors and spaces open to the corridors. Resident rooms are provided with battery powered smoked detectors. The facility is partially protected by a 85 kW Natural Gas generator. The facility has the capacity for 164 and had a census of 134 at the time of this survey.</p> <p>Quality Review completed on 09/07/23</p> <p>NFPA 101 General Requirements - Other General Requirements - Other List in the REMARKS section any LSC Section 18.1 and 19.1 General Requirements that are not addressed by the provided K-tags, but are deficient. This information, along with the applicable Life Safety Code or NFPA standard citation, should be included on Form CMS-2567.</p> <p>Based on observation and interview, the facility failed to maintain latching hardware on 1 of 1 smoke barrier doors in the C-Wing. LSC 4.6.12.3 requires existing life safety features obvious to the public if not required by the Code, shall be either maintained or removed. This deficient practice could affect approximately 20 staff and residents in C-wing.</p>	K 0100	K 100 the set of smoke barrier doors to the C-Wing near the physical therapy gym were provided with latching hardware but failed to latch when tested were repaired to properly close and latch. All residents in the adjacent	09/21/2023

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K 0222 SS=E Bldg. 01	<p>Findings include:</p> <p>Based on observation with the Maintenance Director and Executive Director on 08/30/23 between 12:57 p.m. and 3:15 p.m., the set of smoke barrier doors to the C-Wing near the physical therapy gym were provided with latching hardware but failed to latch when tested. Based on interview at the time of observation, the Maintenance Director agreed the smoke barrier doors were equipped with latching devices, but the doors did not properly latching when tested after testing three times.</p> <p>The finding was reviewed with the Executive Director and Maintenance Director during the exit conference.</p> <p>3.1-19(b)</p> <p>NFPA 101 Egress Doors Egress Doors</p> <p>Doors in a required means of egress shall not be equipped with a latch or a lock that requires the use of a tool or key from the egress side unless using one of the following special locking arrangements: CLINICAL NEEDS OR SECURITY THREAT LOCKING</p> <p>Where special locking arrangements for the clinical security needs of the patient are used, only one locking device shall be permitted on each door and provisions shall be made for the rapid removal of occupants by: remote control of locks; keying of all locks or keys carried by staff at all times; or other such reliable means available to the staff at all times.</p>		<p>smoke compartments have potential to be affected by this alleged deficiency.</p> <p>All smoke/fire doors were audited to ensure proper closing and latching.</p> <p>All smoke/fire doors will be inspected annually and documented in the TELS system which automatically generates the task to be done annually.</p> <p>Results of these life safety corrections will be reviewed in QAPI times 6 months and the QAPI committee will determine the need for further auditing.</p> <p>Date of Compliance for all 9/21/2023</p>	

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	<p>18.2.2.2.5.1, 18.2.2.2.6, 19.2.2.2.5.1, 19.2.2.2.6 SPECIAL NEEDS LOCKING ARRANGEMENTS Where special locking arrangements for the safety needs of the patient are used, all of the Clinical or Security Locking requirements are being met. In addition, the locks must be electrical locks that fail safely so as to release upon loss of power to the device; the building is protected by a supervised automatic sprinkler system and the locked space is protected by a complete smoke detection system (or is constantly monitored at an attended location within the locked space); and both the sprinkler and detection systems are arranged to unlock the doors upon activation.</p> <p>18.2.2.2.5.2, 19.2.2.2.5.2, TIA 12-4 DELAYED-EGRESS LOCKING ARRANGEMENTS Approved, listed delayed-egress locking systems installed in accordance with 7.2.1.6.1 shall be permitted on door assemblies serving low and ordinary hazard contents in buildings protected throughout by an approved, supervised automatic fire detection system or an approved, supervised automatic sprinkler system.</p> <p>18.2.2.2.4, 19.2.2.2.4 ACCESS-CONTROLLED EGRESS LOCKING ARRANGEMENTS Access-Controlled Egress Door assemblies installed in accordance with 7.2.1.6.2 shall be permitted.</p> <p>18.2.2.2.4, 19.2.2.2.4 ELEVATOR LOBBY EXIT ACCESS LOCKING ARRANGEMENTS Elevator lobby exit access door locking in accordance with 7.2.1.6.3 shall be permitted</p>			

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	<p>on door assemblies in buildings protected throughout by an approved, supervised automatic fire detection system and an approved, supervised automatic sprinkler system.</p> <p>18.2.2.2.4, 19.2.2.2.4</p> <p>Based on observation and interview, the facility failed to ensure 1 of 3 delayed egress locking arrangements were installed in accordance with LSC 7.2.1.6.1(3) which states an irreversible process shall release the lock in the direction of egress within 15 seconds, or 30 seconds where approved by the authority having jurisdiction, upon application of a force to the release device required in 7.2.1.5.10 under all of the following conditions:</p> <p>(a) The force shall not be required to exceed 15 lbf (67 N).</p> <p>(b) The force shall not be required to be continuously applied for more than 3 seconds.</p> <p>(c) The initiation of the release process shall activate an audible signal in the vicinity of the door opening.</p> <p>(d) Once the lock has been released by the application of force to the releasing device, relocking shall be by manual means only. This deficient practice could affect approximately 12 residents and staff.</p> <p>Findings include:</p> <p>Based on observation during a tour of the facility with the Maintenance Director and Executive Director on 08/30/23 between 12:57 p.m. and 3:15 p.m., the emergency exit doors next to resident room 205 were equipped with 15 second delayed egress. When the exit doors were tested the irreversible process to release the lock was not initiated. Based on interview at the time of observation, the Maintenance Director and</p>	K 0222	<p>K222</p> <p>the emergency exit doors next to resident room 205 were equipped with 15 second delayed egress was repaired to function properly. All residents near this exit have potential to be affected by this alleged deficiency. All emergency exit doors were audited to ensure where applicable the 15 second egress functions properly or that the exit code is posted. All emergency exit doors will be checked daily and monitored in the TELS system which generates a task automatically and a log to record the results. Results of these life safety corrections will be reviewed in QAPI times 6 months and the QAPI committee will determine the need for further auditing.</p> <p>Date of Compliance for all 9/21/2023</p>	09/21/2023

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K 0291 SS=F Bldg. 01	<p>surveyor tried four times to activate the delay egress and stated the delayed egress is not activating.</p> <p>The findings were reviewed with the Maintenance Director and the Executive Director during the exit conference.</p> <p>3.1-19(b)</p> <p>NFPA 101 Emergency Lighting Emergency Lighting Emergency lighting of at least 1-1/2-hour duration is provided automatically in accordance with 7.9. 18.2.9.1, 19.2.9.1</p> <p>Based on records review and interview, the facility failed to maintain itemized records of the inspections and tests for 24 of 24 battery backup lights. Section 7.9.3.1.1 (1) requires functional testing shall be conducted monthly, with a minimum of 3 weeks and a maximum of 5 weeks between tests, for not less than 30 seconds, (3) Functional testing shall be conducted annually for a minimum of 1 1/2 hours if the emergency lighting system is battery powered and (5) Written records of visual inspections and tests shall be kept by the owner for inspection by the authority having jurisdiction. This deficient practice could affect all residents in the facility.</p> <p>Findings include:</p> <p>Based on records review with the Maintenance Director and Executive Director on 08/30/23 between 09:35 a.m. and 12:54 p.m., the "Functional Test: Emergency Lighting, Battery Operated" form indicated the battery operated lights were tested monthly and annually but the form was not</p>	K 0291	<p>K291</p> <p>All emergency lights will be listed individually in all inspections going forward.</p> <p>All residents have potential to be affected by this alleged deficiency. An audit of all emergency lights was conducted and documented individually.</p> <p>A log was added to TELS with all locations to be tested for 30 seconds monthly and 90 minutes annually.</p> <p>Results of these life safety corrections will be reviewed in QAPI times 6 months and the QAPI committee will determine the need for further auditing.</p> <p>Date of Compliance for all 9/21/2023</p>	09/21/2023

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K 0351 SS=E Bldg. 01	<p>itized to show that each emergency light in the facility was tested nor showed that the lights either passed or failed and only indicated that the task was "closed". Based on an interview at the time of record review, the Maintenance Director indicated there are twenty four battery powered lights in the facility and stated that the facility had switched to a new reporting program and stated that the company needed to be contacted to add all of the locations of the lights to the testing form. The Maintenance Director further agreed that the testing documentation was not itemized nor was deemed as a "pass/fail" status.</p> <p>This finding was reviewed with the Executive Director and Maintenance Director at the exit conference.</p> <p>3.1-19(b)</p> <p>NFPA 101 Sprinkler System - Installation Spinkler System - Installation 2012 EXISTING Nursing homes, and hospitals where required by construction type, are protected throughout by an approved automatic sprinkler system in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems. In Type I and II construction, alternative protection measures are permitted to be substituted for sprinkler protection in specific areas where state or local regulations prohibit sprinklers. In hospitals, sprinklers are not required in clothes closets of patient sleeping rooms where the area of the closet does not exceed 6 square feet and sprinkler coverage covers the closet footprint as required by NFPA 13,</p>			

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K 0363 SS=E Bldg. 01	<p>Standard for Installation of Sprinkler Systems. 19.3.5.1, 19.3.5.2, 19.3.5.3, 19.3.5.4, 19.3.5.5, 19.4.2, 19.3.5.10, 9.7, 9.7.1.1(1) Based on observation and interview, the facility failed to maintain the ceiling construction in 1 of 14 smoke compartments in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems. NFPA 13, 2010 edition, Section 6.2.7.1 states plates, escutcheons, or other devices used to cover the annular space around a sprinkler shall be metallic, or shall be listed for use around a sprinkler. This deficient practice could affect approximately 20 residents and staff in one smoke compartment.</p> <p>Findings include:</p> <p>Based on observations during a tour of the facility with the Maintenance Director and Executive Director on 08/30/23 between 12:57 p.m. and 3:15 p.m., the sprinkler head located within the emergency exit corridor next to resident room 316 was missing an escutcheon plate that did not completely cover the hole around the sprinkler which left an approximately two inch gap between the sprinkler head and the ceiling. Based on interview at the time of observation, the Maintenance Director agreed the aforementioned area had a dislodged escutcheon plate and left a gap within the ceiling.</p> <p>Findings were discussed with the Maintenance Director and Executive Director at exit conference.</p> <p>3.1-19(b)</p> <p>NFPA 101 Corridor - Doors Corridor - Doors</p>	K 0351	<p>K351 the sprinkler head which was located within the emergency exit corridor next to resident room 316 was missing an escutcheon plate that did not completely cover the hole around the sprinkler which left an approximately two-inch gap between the sprinkler head and the ceiling escutcheon plate was replaced. A visual audit of the entire facility was conducted to ensure all escutcheons were in place. All residents in the vicinity of 316 have potential to be affected by this alleged deficient practice. A monthly fire sprinkler system in-house inspection will be documented in TELS verifying escutcheon plates are in place which is an automatically generated task. Results of these life safety corrections will be reviewed in QAPI times 6 months and the QAPI committee will determine the need for further auditing.</p> <p>Date of Compliance for all 9/21/2023</p>	09/21/2023
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	<p>Doors protecting corridor openings in other than required enclosures of vertical openings, exits, or hazardous areas resist the passage of smoke and are made of 1 3/4 inch solid-bonded core wood or other material capable of resisting fire for at least 20 minutes. Doors in fully sprinklered smoke compartments are only required to resist the passage of smoke. Corridor doors and doors to rooms containing flammable or combustible materials have positive latching hardware. Roller latches are prohibited by CMS regulation. These requirements do not apply to auxiliary spaces that do not contain flammable or combustible material.</p> <p>Clearance between bottom of door and floor covering is not exceeding 1 inch. Powered doors complying with 7.2.1.9 are permissible if provided with a device capable of keeping the door closed when a force of 5 lbf is applied. There is no impediment to the closing of the doors. Hold open devices that release when the door is pushed or pulled are permitted. Nonrated protective plates of unlimited height are permitted. Dutch doors meeting 19.3.6.3.6 are permitted. Door frames shall be labeled and made of steel or other materials in compliance with 8.3, unless the smoke compartment is sprinklered. Fixed fire window assemblies are allowed per 8.3. In sprinklered compartments there are no restrictions in area or fire resistance of glass or frames in window assemblies.</p> <p>19.3.6.3, 42 CFR Parts 403, 418, 460, 482, 483, and 485</p> <p>Show in REMARKS details of doors such as fire protection ratings, automatics closing devices, etc.</p>			

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K 0920 SS=E Bldg. 01	<p>Based on observation and interview, the facility failed to ensure 1 of 1 housekeeping storage door was provided with a means suitable for keeping the door closed, had no impediment to closing, latching and would resist the passage of smoke. This deficient practice could affect approximately 12 staff and residents.</p> <p>Findings include:</p> <p>Based on observation with the Maintenance Director and Executive Director on 08/30/23 between 12:57 p.m. and 3:15 p.m., the corridor door to the housekeeping storage closet in the Long Term Care wing did not latch into the frame when tested due to a latex glove being shoved into the crash plate which prevented the door handle mechanism from latching into place. Based on interview at the time of observation, the Maintenance Director stated the corridor door would not latch into the door frame due to the aforementioned issue and stated he was unaware why a glove was put into the latching plate. The glove was removed upon observation.</p> <p>The finding was reviewed with the Executive Director and the Maintenance Director during the exit conference.</p> <p>3.1-19(b)</p> <p>NFPA 101 Electrical Equipment - Power Cords and Extens Electrical Equipment - Power Cords and Extension Cords Power strips in a patient care vicinity are only used for components of movable patient-care-related electrical equipment (PCREE) assemblies that have been</p>	K 0363	<p>K363 the corridor door to the housekeeping storage closet in the Long-Term Care wing did not latch into the frame when tested due to a latex glove being shoved into the crash plate which prevented the door handle mechanism from latching into place was immediately fixed by removing the glove. All residents in the area have potential to be affected by this alleged deficient practice. An all-staff training was conducted to educate on not impeding, blocking, or preventing a door from closing and latching. Nursing will conduct an audit weekly for 4 weeks and monthly thereafter until substantial compliance is verified. Results of these life safety corrections will be reviewed in QAPI times 6 months and the QAPI committee will determine the need for further auditing.</p> <p>Date of Compliance for all 9/21/2023</p>	09/21/2023

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	<p>assembled by qualified personnel and meet the conditions of 10.2.3.6. Power strips in the patient care vicinity may not be used for non-PCREE (e.g., personal electronics), except in long-term care resident rooms that do not use PCREE. Power strips for PCREE meet UL 1363A or UL 60601-1. Power strips for non-PCREE in the patient care rooms (outside of vicinity) meet UL 1363. In non-patient care rooms, power strips meet other UL standards. All power strips are used with general precautions. Extension cords are not used as a substitute for fixed wiring of a structure. Extension cords used temporarily are removed immediately upon completion of the purpose for which it was installed and meets the conditions of 10.2.4.10.2.3.6 (NFPA 99), 10.2.4 (NFPA 99), 400-8 (NFPA 70), 590.3(D) (NFPA 70), TIA 12-5</p> <p>Based on observation and interview, the facility failed to ensure 1 of 1 flexible cords were installed properly and used in a safe manor. NFPA 99, Section 10.2.4.2 states adapters and extension cords meeting the requirements of 10.2.4.2.1 through 10.2.4.2.3 shall be permitted. Section 10.2.4.2.3 states the cabling shall comply with 10.2.3. Section 10.2.3.5.1 states cord strain relief shall be provided at the attachment of the power cord to the appliance so that mechanical stress, either pull, twist, or bend, is not transmitted to internal connections. This deficient practice could affect approximately 2 staff and an unknown number of residents.</p> <p>Findings include:</p> <p>Based on observation with the Maintenance Director and Executive Director on 08/30/23 between 12:57 p.m. and 3:15 p.m., in the C-wing med room, a power strip used to power equipment,</p>	K 0920	<p>K920</p> <p>C-wing med room, a power strip used to power equipment that was not secured and was dangling from the outlet on the wall was fixed.</p> <p>All residents in the vicinity have potential to be affected by this alleged deficient practice.</p> <p>A full facility audit was conducted to ensure this condition was not present elsewhere.</p> <p>A task was added to TELS to quarterly visually inspect for proper use of PCREE, power cords, and extension cords.</p> <p>Results of these life safety corrections will be reviewed in QAPI times 6 months and the QAPI committee will determine the need for further auditing.</p>	09/21/2023

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CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 09/26/2023
FORM APPROVED
OMB NO. 0938-039

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 155362	X2) MULTIPLE CONSTRUCTION A. BUILDING 01 B. WING _____		X3) DATE SURVEY COMPLETED 08/30/2023
NAME OF PROVIDER OR SUPPLIER BRICKYARD HEALTHCARE - MERRILLVILLE CARE CENTER			STREET ADDRESS, CITY, STATE, ZIP CODE 8800 VIRGINIA PLACE MERRILLVILLE, IN 46410		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCY (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>was not secured, and was dangling from the outlet on the wall. This condition could put stress on the power cord causing damage to the power cord. Based on interview at the time of observations, the Maintenance Director agreed the power strip was dangling, not secured, and stated the power strip will need to be secured.</p> <p>This finding was reviewed with the Maintenance Director and Administrator during the exit conference.</p> <p>3.1-19(b)</p>		Date of Compliance for all 9/21/2023		