

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

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTIONS		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:		(X2) MULTIPLE CONSTRUCTION A. BUILDING B. WING		(X3) DATE SURVEY COMPLETED 06/14/2024	
NAME OF PROVIDER OR SUPPLIER HERITAGE ASSISTED LIVING OF YORKTOWN		STREET ADDRESS, CITY, STATE, ZIP CODE 1400 S PATRIOT DRIVE, YORKTOWN, , 47396					
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES...	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION...			(X5) COMPLETION DATE	
R 0000	INITIAL COMMENTS his visit was for the Investigation of Complaints IN00432070 and IN00436620. Complaint IN00432070 - State deficiencies related to the allegations are cited at R0116. Complaint IN00436620 - No State Residential Findings related to the allegations were cited. Survey date: June 14, 2024 Facility number: 014281 Residential Census: 28 This State Residential Finding is cited in accordance with 410 IAC 16.2-5. Quality review completed June 17, 2024	R 0000					
R 0116	Personnel - Noncompliance 410 IAC 16.2-5-1.4(a)	R 0116	No resident's effected by cited deficiency, but all resident's have potential to be effected.			07/26/2024	

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

(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 ensure criminal history background checks for 7 out of 7 employees were performed in accordance with state regulation requirements. This deficient practice resulted in the employment of an unlicensed dietary employee with a felony conviction. (Cook 1, Dietary Aide 2, QMA 3, QMA 4, CNA 5, CNA 6 and QMA 7)

Findings include:

Review of the employee records on 6/14/24, indicated criminal history background checks did not include all 92 counties the state of Indiana. Review of the Employee Records indicated the following:

- a. Cook 1 hired 1/23/24; Pending felony charges; Record lacked review of all 92 counties.
- b. Dietary Aide 2 hired 4/17/24. Record lacked review of all 92 counties.
- c. QMA 3 hired 4/30/24. Record

No resident's effected by cited deficiency, but all resident's have potential to be effected.

New screening back ground check has been developed to include all 92 counties of Indiana.

Training has been conducted on new screening for back ground checks for new hires. For current employees new screen back ground check for all 92 counties of Indiana are being conducted.

Will perform regular audits for the next 6 months.

weekly for the first month

bi weekly for the following 2 months

then monthly for the next three month.

Will discuss the results of these audits in monthly QA meetings for ongoing monitoring to ensure compliance.

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

lacked review of all 92 counties.

d. QMA 4 hired 3/20/24. Record lacked review of all 92 counties.

e. CNA 5 hired 5/21/24. Record lacked review of all 92 counties.

f. CNA 6 hired 3/12/24. Record lacked review of all 92 counties.

g. QMA 7 hired 3/12/24. Record lacked review of all 92 counties.

Review of the employee record for Cook 1 indicated a pending felony charge for dealing a controlled substance. The offense date was 6/25/21 and charges were filed on 6/30/21. A trial date was set for 2/1/24. The record had no other information related to the outcome of this scheduled trial.

The court records for Employee 1 were reviewed on "MyCase.IN.gov". The records indicated a conviction for dealing a controlled substance was made on 6/12/24.

During an interview on 6/14/24 at 12:30 p.m., the Administrative Assistant indicated she did not know which databases the company contracted to do criminal history background checks used. The Administrative Assistant indicated she would look into it and get back with the surveyor. No other information was provided.

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

During an interview on 6/14/24 at 4:09 p.m., the Administrator, DON and Regional Director of Clinical Services, indicated they had not been aware of Cook 1's pending charges. They also indicated they had not been aware of the criminal history background checks had not met state regulatory mandates. They indicated Cook 1 would be terminated.

This State tag relates to Complaint IN00432070.

Based on interview and record review the facility failed to ensure criminal history background checks for 7 out of 7 employees were performed in accordance with state regulation requirements. This deficient practice resulted in the employment of an unlicensed dietary employee with a felony conviction. (Cook 1, Dietary Aide 2, QMA 3, QMA 4, CNA 5, CNA 6 and QMA 7)

Findings include:

Review of the employee records on 6/14/24, indicated criminal history background checks did not include all 92 counties the state of Indiana. Review of the Employee Records indicated the following:

a. Cook 1 hired 1/23/24;
Pending felony charges; Record lacked review of all 92 counties.

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

b. Dietary Aide 2 hired 4/17/24. Record lacked review of all 92 counties.

c. QMA 3 hired 4/30/24. Record lacked review of all 92 counties.

d. QMA 4 hired 3/20/24. Record lacked review of all 92 counties.

e. CNA 5 hired 5/21/24. Record lacked review of all 92 counties.

f. CNA 6 hired 3/12/24. Record lacked review of all 92 counties.

g. QMA 7 hired 3/12/24. Record lacked review of all 92 counties.

Review of the employee record for Cook 1 indicated a pending felony charge for dealing a controlled substance. The offense date was 6/25/21 and charges were filed on 6/30/21. A trial date was set for 2/1/24. The record had no other information related to the outcome of this scheduled trial.

The court records for Employee 1 were reviewed on "MyCase.IN.gov". The records indicated a conviction for dealing a controlled substance was made on 6/12/24.

During an interview on 6/14/24 at 12:30 p.m., the Administrative Assistant indicated she did not know which databases the company contracted to do criminal history background checks used. The Administrative

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

Assistant indicated she would look into it and get back with the surveyor. No other information was provided.

During an interview on 6/14/24 at 4:09 p.m., the Administrator, DON and Regional Director of Clinical Services, indicated they had not been aware of Cook 1's pending charges. They also indicated they had not been aware of the criminal history background checks had not met state regulatory mandates. They indicated Cook 1 would be terminated.

This State tag relates to Complaint IN00432070.

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting provided it is determined that other safeguards provide sufficient protection to the patients. (See instructions.)

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

TITLE

(X6) DATE