

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 15G297	X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING _____	X3) DATE SURVEY COMPLETED 02/12/2021
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NAME OF PROVIDER OR SUPPLIER ADEC INC	STREET ADDRESS, CITY, STATE, ZIP CODE 1823 ASHLEY CT GOSHEN, IN 46526
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W 0000 Bldg. 00	<p>This visit was for the investigation of complaint #IN00326587.</p> <p>Complaint #IN00326587: SUBSTANTIATED, Federal and State deficiency related to the allegation(s) was cited at W149.</p> <p>This visit was in conjunction with the pre-determined full recertification and state licensure survey. This visit included the Covid-19 focused infection control survey.</p> <p>Dates of survey: 2/8, 2/9, 2/10, 2/11, and 2/12/2021.</p> <p>Provider Number: 15G297 AIM Number: 100243710 Facility Number: 000816</p> <p>This federal deficiency also reflects state findings in accordance with 460 IAC 9. Quality Review of this report completed by #15068 and #27547 on 2/23/21.</p>	W 0000		
W 0149 Bldg. 00	<p>483.420(d)(1) STAFF TREATMENT OF CLIENTS</p> <p>The facility must develop and implement written policies and procedures that prohibit mistreatment, neglect or abuse of the client. Based on record review and interview, for 4 of 5 BDDS (Bureau of Developmental Disabilities Services) reports regarding allegations of abuse, neglect, and/or mistreatment reviewed (clients A, B, D, and E), the facility failed to implement the agency's abuse, neglect, and/or mistreatment policy and procedure to prohibit abuse, neglect, and/or mistreatment and to immediately report</p>	W 0149	Facility staff will be re-trained on the policy for prevention on abuse/neglect/exploitation. They will be trained on the requirement to report any suspected abuse/neglect/exploitation within 24 hours. Failure to comply will result in disciplinary action. QIDP	03/12/2021

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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	<p>the allegations of abuse, neglect, and/or mistreatment to the administrator and to BDDS in accordance to State Law.</p> <p>Findings include:</p> <p>On 2/8/2021 at 1:15pm and on 2/9/2021 at 9:00am, the facility's BDDS (Bureau of Developmental Disabilities Services) reports and investigations were reviewed and indicated the following regarding allegations of abuse, neglect, and/or mistreatment for clients A, B, D, and E:</p> <p>1. A 5/1/2020 BDDS report for client B's allegation of abuse, neglect, and/or mistreatment indicated on 5/1/2020 at 7:00am client B "reported that the overnight staff knew he had soiled himself and had not changed him. Staff also alleged to have not given [client B] his medications but signed that they were given. It is unknown how long [client B] was soiled."</p> <p>-The 5/4/2020 "Investigative Report" indicated "It was reported that [DSP (Direct Support Professional) #11] knew [client B] was soiled and did not assist with personal care nor tell oncoming staff that [client B] was soiled. [Client B] reported this to staff." The investigation indicated DSP #11 was immediately suspended. The investigation indicated the following:</p> <p>The HM's (House Manager's) witness statement indicated "Received report and confirmed details. [HM] confirmed the overnight repositioning schedule was signed off that [client B] was checked on every 2 hours."</p> <p>DSP #11's witness statement indicated "Can you tell me about your overnight shift last night? I had questions about [client B's] oxygen (for</p>		<p>will make random weekly visits to observe for any signs of abuse/neglect/exploitation. Person responsible: QIDP</p>	

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	<p>breathing). He said he wasn't suppose to have it on, so I wasn't sure. I forgot to ask someone this morning about that. Do you do scheduled checks through the night on [client B]? Yes... Before I gave his meds. (medications) and when his food was finished (G-tube feeding). I checked on him and he was wet, so I cleaned him. What was the time? I don't remember. When you checked on him to give morning meds, what time was that? About 5:30am. Did he have a bowel movement at that time? He wasn't wet. When did you check on him again after 5:30am? It was close to 7:30am then, the next time I went in. Did you know if he had a bowel movement then? I knew he did, he told me. I was trying to give meds and the computer wasn't responding. Then another client got up and wanted breakfast. I was feeling overwhelmed. Then it was close to 8:00 and I clocked out... Do you go through verbal updates on the guys during staff changes? I usually do, but this morning I forgot... The medications for [client B] were signed as given and closed out, did you give them? Yes, I did. I gave him his meds, but I left the tube there. When he's done with his meds, I turn off the machine usually. This morning I didn't take the tube off, it was still connected... Did you give him his breathing treatment? No, I didn't have time for that. Did you sign that it was given? I don't think so." A second interview was conducted with DSP #11. DSP #11's second interview indicated "Did you give the breathing treatment? No. It was signed off that you gave it and all his meds. Did you give them? No. Did you fall asleep, because it seems like you were scrambling around to get things done? Yes, I fell asleep. I turned off [client B's] food about 3:30am and then fell asleep. I woke up about 5:30am. [Client D] was already up. That put me behind quite a bit."</p>			

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	<p>RN (Registered Nurse) #2's witness statement indicated "Discussed details about the med. pass, tube flushes, and breathing treatment. [RN #2] stated that with the medications and feeding, [client B's] feeding tube should have been flushed at least 3 times after his feeding. It was reported there was still food in the tube at 8:30am when day staff looked in on [client B]. Breathing treatment could not have been done as there was a new pack to be started this morning, which did not happen. Breathing treatment is scheduled to be given at 7:00am."</p> <p>The investigation indicated "Based on all the information reviewed for this investigation, I have determined that [client B's] incident is Substantiated. [DSP #11] admitted to falling asleep on the overnight shift. Medications were signed as given, however, with food still being in [client B's] tube, it is not possible as a flush would have occurred. [DSP #11] knew [client B] was laying (sic) in soiled bedding and declined to tell oncoming staff. Due to [DSP #11] stating she fell asleep, it is unclear how long [client B] actually laid in his soiled bedding... Recommend disciplinary action according to ADEC policy for: a. falling asleep in a 24-hour site. b. Falsification of documentation. c. Neglect. Failure to assist a client in personal care and failure to tell oncoming staff that a client was laying in soiled bedding due to his high risk for skin breakdown."</p> <p>2. A 5/11/2020 BDDS report for client A indicated on 5/2/2020 at 3:00pm "Date of Knowledge: 5/11/2020." The report indicated "It was reported to the ADEC Protective Services on 5/11/2020 that on 5/2/20, an ADEC DSP (Direct Support Professional) yelled at [client A]. Reporting staff state (sic) it has happened on</p>			

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	<p>more than once occasion. ADEC staff has been suspended pending investigation."</p> <p>3. A 5/11/2020 BDDS report for client D indicated on 5/2/2020 at 3:00pm "Date of Knowledge: 5/11/2020." The report indicated "It was reported to the ADEC Protective Services on 5/11/2020 that on 5/2/20, an ADEC DSP (Direct Support Professional) yelled at [client E]. Reporting staff state (sic) it has happened on more than once occasion. ADEC staff has been suspended pending investigation."</p> <p>4. A 5/11/2020 BDDS report for client E indicated on 5/2/2020 at 3:00pm "Date of Knowledge: 5/11/2020." The report indicated "It was reported to the ADEC Protective Services on 5/11/2020 that on 5/2/20, an ADEC DSP (Direct Support Professional) yelled at [client E]. Reporting staff state (sic) it has happened on more than once occasion. ADEC staff has been suspended pending investigation."</p> <p>-The 5/12/2020 "Investigative Report" indicated it was completed for clients A, D, and E's allegations of abuse, neglect, and/or mistreatment and used the same investigation to determine the results. The investigation indicated "Nature of report: Date and time (of the allegation): 4/17/2020 and 5/2/2020. Allegations include yelling at clients and provoking one particular client... [DSP #7] was immediately suspended." The investigation indicated the following:</p> <p>DSP #8's witness statement indicated "Can you clarify from your report who does [DSP #7] specifically yell at or target? [Clients A and D]... She doesn't like [client D]. She tends to pick on him a lot. [Client D] says that they stop by [DSP</p>			

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	<p>#7's] boyfriend's house a lot and she gets a drink of alcohol when they go there. This has been reported to the house manager multiple times [client D] says... Have other staff heard her yell at clients? Yes, [DSP #9 and DSP #10] have heard [DSP #7]. I have been there when she has done it in front of them. One time we were at the [name of day program] for the day and [client E] was having a hard time understanding why we had to be there. Every time [client E] calmed down, [DSP #7] would say or do something to provoke him. She would stare at him, say she was going to take his crayons or yell at him then he would have another behavior."</p> <p>Client D's witness statement indicated "Do staff yell at you? Mostly [DSP #7]. She drinks alcohol when her boyfriend comes to the group home. Sometimes I can smell it on the bus when she picks up up or on her breath. When she yells, what does she say? Lots of different things. How does that make you feel? Makes me feel like I did something wrong. I don't like being yelled at. She comes in at 2 and the manager comes in around 2 or 4."</p> <p>HR (Human Resource) #1 and HR #2's witness statement indicated "Based on [HR #1 and HR #2's] interviews with staff on another matter, it was disclosed that [DSP #7] doesn't like when (sic) [client A] talks a certain way, and she tells him that if he doesn't stop she will make him do an hour on the exercise bike without a break. [DSP #7] also states to [client A] that if he does take a break or doesn't complete the hour, [DSP #7] will increase his time by 5 minutes."</p> <p>DSP #9's witness statement indicated "Have you hear [DSP #7] yell at any of the guys (clients)? Oh yes, she yells at [client A], [client D] not that</p>			

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	<p>much. Except last week she yelled at him when he didn't want to exercise. He was very upset with her. I told him he could calm down, he would be ok." DSP #9 was interviewed a second time. "Have you ever heard a staff person tell [client A] that if he doesn't stop a particular behavior that they would make him get on the exercise bike and extend his time if he stopped? Yes. I have hear [DSP #7] tell him that and seen (sic) her do it. She says that to him when he had some pictures or when he has a different voice. Yes. I have seen her do that and I tell her that is not ok."</p> <p>DSP #10's witness statement indicated "Have you ever hear staff tell [client A] that if he didn't stop doing something they would make him get on the exercise bike for an hour? No."</p> <p>DSP #7's witness statement indicated "Can you tell me about what happened with [client D] last Friday? It wasn't Friday. It was Thursday. I reported it to [the name of house manager] on Friday. I came to work and told him hi then asked him about his exercise. He said no. I asked him to do it so he wouldn't have to do it later. He ignored me. I asked him again a few minutes later and he said no. I told him it was for his goal but he didn't have to. He said he was going to make sure I didn't drive anymore. Anytime he gets upset he tells staff he can get us in trouble. He went outside then after 4pm his friend called. I went and gave him the phone. He was happy that his friend had called. I walked away and came back a few minutes later and he was telling his friend on the phone that I go to my boyfriends to get alcohol... On 4/17/2020 the guys had to go to the [name of day program] building for the day. How was [client E] that day? I had to step in front of him a few times because I</p>			

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	<p>was afraid he was going to hit clients. He had hit 2 clients that day and hit all the staff. I kept telling him we were leaving soon. He was flipping tables and I eventually left the table turned over so he wouldn't do it anymore. Was he throwing items? Yes, he was throwing crayons. Did it seem to increase his agitation when you asked him to pick up the items? I finally said ok you don't have to pick them up... Do you threaten [client A] with exercise if he doesn't stop a certain behavior? No, I mean we have him exercise a bit longer if his blood sugar is high. He gets off when he wants to. The report was told to [DSP #7] at this time. Is there anything you want me to add to your statement? No, I am just a loud person."</p> <p>The investigation indicated "Investigation findings: Based on All the information reviewed for this investigation. I have determined that [clients A, D, and E's] incidents is (sic): Substantiated. [Client E's] incident is Substantiated for verbal abuse; causing the person to react in a negative manner... 2 staff confirmed that [DSP #7] threatens [client A] with exercise and forces him to go longer if he takes a break... [Client A's] incident is substantiated for using an aversive technique of contingent exercise... [Client A's] incident is substantiated for verbal abuse; causing the individual to experience emotional distress... Staff and client statements confirm that [DSP #7] has raised her voice to [client D]. [Client D's] incident is substantiated for verbal abuse; causing the individual to experience emotional distress... Recommend ANE (Abuse, Neglect, and Exploitation) refresher (training) for reporting staff from interviews because the staff failed to immediately report the allegations to the administrator."</p>			

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	<p>On 2/8/2021 at 1:35pm, an interview was conducted with the Vice President of Operations (VPO). The VPO indicated the facility followed the BDDS reporting and investigation guidelines and the facility's reporting and investigation policy and procedures to immediately report allegations of abuse, neglect, and mistreatment. The VPO indicated the agency prohibited abuse, neglect, and/or mistreatment by clients, staff, and visitors.</p> <p>On 2/10/2021 at 10:50am, an interview was conducted with the VPO. The VPO stated clients A, D, and E's allegations of abuse, neglect, and/or mistreatment "was substantiated staff abuse." The VPO indicated the agency took immediate action once the agency was aware of the incident and stated "the agency was not notified until after the second incident on 5/11/2020." The VPO stated the administrator was not immediately notified "of the first incident until we were investigating the second allegation." The VPO stated "that staff was wrong (for not reporting allegations immediately to the administrator and wrong when the staff mistreated clients). She doesn't work here anymore." The VPO stated "there is no question about [client B's] allegation of staff neglect. This is so sad that it even happened. Shame on the staff." The VPO indicated client B's allegation of staff to client neglect was substantiated. The VPO stated client B reported the allegation, "not the staff." The VPO indicated the facility staff failed to immediately report clients A, B, D, and E allegations of abuse, neglect, and/or mistreatment immediately to the administrator and in accordance with State Law.</p> <p>On 2/8/2021 at 1:35pm, the facility's 5/14/2019 "Incident Reporting and Management Policy" was</p>			

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	<p>reviewed. The policy indicated "ADEC Inc. is committed to ensuring the safety, dignity, and protection of persons served. To ensure that physical, mental, sexual abuse, neglect, or exploitation of persons served by staff members, other persons served, or others will not be tolerated; incidents will be immediately reported and thoroughly investigated as outlined in this policy...."</p> <p>On 2/8/2021 at 1:35pm, the 10/2005 "Bureau of Developmental Disability Services Policy and Guidelines." The BDDS policy and procedure indicated "... Abuse, Neglect, and Mistreatment of Individuals... it is the policy of the company to ensure that individuals are not subjected to physical, verbal, sexual, or psychological abuse by anyone including but not limited to: facility staff... Other individuals, or themselves." The policy indicated "Neglect, the failure to supply an individual's nutritional, emotional, physical, or health needs although sources of such support are available and offered and such failure results in physical or psychological harm to the individual." The policy and procedure indicated "... Neglect, includes failure to provide appropriate care, food, medical care, or supervision...."</p> <p>This federal tag relates to complaint #IN00326587.</p> <p>9-3-2(a)</p>			