

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

PRINTED: 08/31/2022

FORM APPROVED

OMB NO. 0938-039

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER  155354		X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING		X3) DATE SURVEY COMPLETED 08/04/2022	
NAME OF PROVIDER OR SUPPLIER  NEWBURGH HEALTH CARE				STREET ADDRESS, CITY, STATE, ZIP CODE 10466 POLLACK AVE NEWBURGH, IN 47630			
(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
F 0000  Bldg. 00	<p>This visit was for the Investigation of Complaint IN00385996.</p> <p>Complaint IN00385996: Substantiated. Federal/state deficiencies related to the allegations are cited at F0623.</p> <p>Survey dates: August 3 &amp; 4, 2022</p> <p>Facility number: 000245 Provider number: 155354 AIM number: 100290800</p> <p>Census bed type: SNF/NF: 55 Total: 55</p> <p>Census payor type: Medicare: 6 Medicaid: 27 Other: 22 Total: 55</p> <p>This deficiency reflects State findings cited in accordance with 410 IAC 16.2-3.1.</p> <p>Quality review completed on August 9, 2022.</p>			F 0000	<p>Preparation and or execution of this plan of</p> <p>Correction general or any other corrective action set forth herein, in particular, does not constitute an admission or agreement by Newburgh Healthcare of the facts alleged or the conclusions set forth in the Statement of Deficiencies. The Plan of Correction and specific corrective actions are prepared and / or executed solely because of provisions of Federal and / or State law.</p>		
F 0623 SS=D Bldg. 00	<p>483.15(c)(3)-(6)(8) Notice Requirements Before Transfer/Discharge §483.15(c)(3) Notice before transfer. Before a facility transfers or discharges a resident, the facility must-</p> <p>(i) Notify the resident and the resident's representative(s) of the transfer or discharge and the reasons for the move in writing and in</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 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 disclosable 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>a language and manner they understand. The facility must send a copy of the notice to a representative of the Office of the State Long-Term Care Ombudsman.</p> <p>(ii) Record the reasons for the transfer or discharge in the resident's medical record in accordance with paragraph (c)(2) of this section; and</p> <p>(iii) Include in the notice the items described in paragraph (c)(5) of this section.</p> <p>§483.15(c)(4) Timing of the notice.</p> <p>(i) Except as specified in paragraphs (c)(4)(ii) and (c)(8) of this section, the notice of transfer or discharge required under this section must be made by the facility at least 30 days before the resident is transferred or discharged.</p> <p>(ii) Notice must be made as soon as practicable before transfer or discharge when-</p> <p>(A) The safety of individuals in the facility would be endangered under paragraph (c)(1)(i)(C) of this section;</p> <p>(B) The health of individuals in the facility would be endangered, under paragraph (c)(1)(i)(D) of this section;</p> <p>(C) The resident's health improves sufficiently to allow a more immediate transfer or discharge, under paragraph (c)(1)(i)(B) of this section;</p> <p>(D) An immediate transfer or discharge is required by the resident's urgent medical needs, under paragraph (c)(1)(i)(A) of this section; or</p> <p>(E) A resident has not resided in the facility for 30 days.</p> <p>§483.15(c)(5) Contents of the notice. The written notice specified in paragraph (c)(3) of this section must include the following:</p>						

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	<p>(i) The reason for transfer or discharge;</p> <p>(ii) The effective date of transfer or discharge;</p> <p>(iii) The location to which the resident is transferred or discharged;</p> <p>(iv) A statement of the resident's appeal rights, including the name, address (mailing and email), and telephone number of the entity which receives such requests; and information on how to obtain an appeal form and assistance in completing the form and submitting the appeal hearing request;</p> <p>(v) The name, address (mailing and email) and telephone number of the Office of the State Long-Term Care Ombudsman;</p> <p>(vi) For nursing facility residents with intellectual and developmental disabilities or related disabilities, the mailing and email address and telephone number of the agency responsible for the protection and advocacy of individuals with developmental disabilities established under Part C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (Pub. L. 106-402, codified at 42 U.S.C. 15001 et seq.); and</p> <p>(vii) For nursing facility residents with a mental disorder or related disabilities, the mailing and email address and telephone number of the agency responsible for the protection and advocacy of individuals with a mental disorder established under the Protection and Advocacy for Mentally Ill Individuals Act.</p> <p>§483.15(c)(6) Changes to the notice. If the information in the notice changes prior to effecting the transfer or discharge, the facility must update the recipients of the notice as soon as practicable once the updated information becomes available.</p>						

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	<p>§483.15(c)(8) Notice in advance of facility closure</p> <p>In the case of facility closure, the individual who is the administrator of the facility must provide written notification prior to the impending closure to the State Survey Agency, the Office of the State Long-Term Care Ombudsman, residents of the facility, and the resident representatives, as well as the plan for the transfer and adequate relocation of the residents, as required at § 483.70(l).</p> <p>Based on interview and record review, the facility failed to ensure a notice of transfer/discharge was supplied in writing to a resident and/or a resident representative for 2 of 3 residents reviewed for hospitalizations. The facility also failed to ensure the area ombudsman was notified of transfer/discharges for 3 of 3 residents reviewed for hospitalizations. (Resident B, Resident C, Resident D )</p> <p>Findings include:</p> <p>1. During record review on 8/3/22 at 10:30 A.M., an Admission/Discharge Report indicated Resident B was discharged to an acute care hospital on 7/6/22.</p> <p>Resident B's nurse's notes included, but were not limited to, a progress note, dated 7/6/22, "CNA alerted nurse that resident is not acting right... Called [physician] for order to send to hospital and called [family] which instructed to send to [name of hospital]. Called 911. Following papers sent with [resident B], bed hold, profile, [diagnoses], allergies, immunizations, and current orders."</p> <p>During an interview on 8/3/22 at 1:27 P.M., the</p>			F 0623	<p>table class="Table TableStaticStyles Ltr TableWordWrap SCXW20654436 BCX0" border="1" data-table data-tablelook="1696" aria-rowcount="1" &gt;div &gt; p class="Paragraph SCXW20654436 BCX0" xml:lang="EN-US" paraid="2005965285" paraeid="{0a05469a-33c1-4a37-b7 4f-a09f41a008a5}"&gt;</p> <p>p class="Paragraph SCXW20654436 BCX0" xml:lang="EN-US" paraid="886757352" paraeid="{fd354d7c-0da3-473d-adf 1-0abbd0e1fbbd}"&gt;- What corrective action(s) will be accomplished for those residents found to have been affected by the deficient practice;</p>		09/01/2022

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	<p>social service director indicated the staff nurse usually sends a notice of transfer/discharge with the resident at the time of discharge.</p> <p>No records indicated Resident B or Resident B's representative received a written notice of transfer/discharge.</p> <p>During an interview on 8/4/22 at 9:15 A.M., the Social Service Director indicated they were told they no longer were required to send transfer/discharge information to the area on ombudsman when resident discharge to the hospital.</p> <p>2. During record review on 8/3/22 at 10:30 A.M., an Admission/Discharge Report indicated Resident C was discharged to an acute care hospital on 7/20/22.</p> <p>Resident C's nurse's notes included, but were not limited to, a progress note, dated 7/20/22, "[Spouse] notified of condition change and [vital signs]. She requested he be sent to [Name of Hospital]."</p> <p>Hospital records indicated Resident C arrived to the Emergency Department on 7/20/22. On 7/21/22, Resident C had been admitted to the hospital.</p> <p>No records indicated Resident C or Resident C's representative received a written notice of transfer/discharge.</p> <p>During an interview on 8/4/22 at 9:15 A.M., the Social Service Director indicated they were told they no longer were required to send transfer/discharge information to the area on ombudsman when resident discharge to the hospital.</p>				<p>The facility's Social Service Director has revised the process for notifying the State Ombudsman of Discharges/Transfers. The Social Services director has submitted all of July's discharges/transfers.</p> <p>- How other residents having the potential to be affected by the same deficient practice will be identified and what corrective action(s) will be taken;</p> <p>The facility's Social Service Director has revised the process for notifying the State Ombudsman of Discharges/Transfers. The Social Services director will submit all of August's discharges/transfer at the end of the month.</p> <p>- What measures will be put into place and what systemic changes will be made to ensure that the deficient practice does not recur;</p> <p>The facility's Social Service Director has revised the process for notifying the State Ombudsman of</p>		

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	<p>3. During record review on 8/3/22 at 10:30 A.M., an Admission/Discharge Report indicated Resident D was discharged to an acute care hospital on 7/6/22.</p> <p>Hospital records indicated Resident D was admitted to the hospital on 7/6/22 and discharged 7/22/22.</p> <p>During an interview on 8/4/22 at 9:15 A.M., the Social Service Director indicated they were told they no longer were required to send transfer/discharge information to the area on ombudsman when resident discharge to the hospital.</p> <p>State Ombudsman provided a copy of the Provider letter dated April 8, 2021 instructed the providers to notify the State LTC Ombudsman and the local Ombudsman of the acute emergency transfer on a monthly bases.</p> <p>This Federal tag relates to Complaint IN00385996.</p> <p>3.1-12(a)(6)(A)(i) 3.1-12(a)(6)(A)(ii) 3.1-12(a)(6)(A)(iv)</p>				<p>Discharges/Transfers. The Social Services director will submit all of the discharges/transfer at the end of the month, each month.</p> <p>- How the corrective action(s) will be monitored to ensure the deficient practice will not recur, i.e., what quality assurance program will be put into place; and</p> <p>The facility's Social Service Director has revised the process for notifying the State Ombudsman of Discharges/Transfers. The Social Services director will submit all of the discharges/transfer at the end of the month, each month. The Social Services Director will bring the binder of "Notice of Discharge/Transfer to Ombudsman" to the monthly QAPI meetings for the next 5 months and as needed thereafter.</p> <p>- by what date the systemic changes for each deficiency will be completed.</p> <p>9/1/2022</p>		

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			<p>- What corrective action(s) will be accomplished for those residents found to have been affected by the deficient practice;</p> <p>Nurses have been re-educated on the requirements to provide a resident or resident's representative with a bed hold notice when a resident is transferred to a hospital. Packets have been assembled and placed at each nurse's station to provide nurses with easier access to the Bed-hold policy and other required paperwork when discharging/transferring residents. At the time of admission, facility bed hold policy will be verbally explained to resident's representative and first notice of bed hold policy will be signed. At the time of actual transfer, the resident/resident's representative will be notified of bed hold policy again. These forms will be sent with the resident on transfer and a copy will be made to be kept in the resident's medical record.</p>		

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			<p>- How other residents having the potential to be affected by the same deficient practice will be identified and what corrective action(s) will be taken;</p> <p>Nurses have been re-educated on the requirements to provide a resident or resident's representative with a bed hold notice when a resident is transferred to a hospital. Packets have been assembled and placed at each nurse's station to provide nurses with easier access to the Bed-hold policy and other required paperwork when discharging/transferring residents. At the time of admission, facility bed hold policy will be verbally explained to resident's representative and first notice of bed hold policy will be signed. At the time of actual transfer, the resident/resident's representative will be notified of bed hold policy again. These forms will be sent with the resident on transfer and a copy will be made to be kept in</p>		



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			<p>the resident's medical record.</p> <p>- What measures will be put into place and what systemic changes will be made to ensure that the deficient practice does not recur;</p> <p>Nurses have been re-educated on the requirements to provide a resident or resident's representative with a bed hold notice when a resident is transferred to a hospital. Packets have been assembled and placed at each nurse's station to provide nurses with easier access to the Bed-hold policy and other required paperwork when discharging/transferring residents. At the time of admission, the facility bed hold policy will be verbally explained to resident's representative and first notice of bed hold policy will be signed. At the time of actual transfer, the resident/resident's representative will be notified of bed hold policy again. These forms will be sent with the resident on transfer and a copy will be made to be kept in the resident's medical record.</p> <p>ADON and Medical Records Coordinator will monitor</p>		

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			<p>on a daily basis for 60 (sixty) days. The Medical Records Coordinator will continue to monitor on an ongoing basis.</p> <p>- How the corrective action(s) will be monitored to ensure the deficient practice will not recur, i.e., what quality assurance program will be put into place; and</p> <p>Nurses have been educated on the requirements to provide a resident or resident's representative with a bed hold notice when a resident is transferred to a hospital. Packets have been assembled and placed at each nurse's station to provide nurses with easier access to the Bed-hold policy and other required paperwork when discharging/transferring residents. At the time of admission, the facility bed hold policy will be verbally explained to resident's representative and first notice of bed hold policy will be signed. At the time of actual transfer, the resident/resident's representative will be notified of bed hold policy again. These forms will be sent with the resident on transfer and a copy will be made to be kept in</p>		

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					<p>the resident's medical record.</p> <p>The ADON and Medical Records Coordinator will monitor on a daily basis for 60 (sixty) days and then weekly for 6 (six) weeks. Any findings from ADON or Medical Records will be reviewed at the Monthly QAPI meeting.</p> <p>- By what date will the systemic changes for each be</p> <p>9/01/2022</p>		