

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

PRINTED: 10/04/2022

FORM APPROVED

OMB NO. 0938-039

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 08/12/2022	
NAME OF PROVIDER OR SUPPLIER  PRIMROSE RETIREMENT COMMUNITY OF KOKOMO				STREET ADDRESS, CITY, STATE, ZIP COD 329 W RAINBOW DR KOKOMO, IN 46901			
(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
R 0000  Bldg. 00	<p>This survey was for the Investigation of Complaint IN00386391.</p> <p>Complaint IN00386391-Substantiated. State deficiencies related to the allegations were cited at R0064.</p> <p>Survey dates: August 11 and 12, 2022</p> <p>Facility number: 011555</p> <p>Residential: 71</p> <p>These deficiencies reflect State findings cited in accordance with 410 IAC 16.2-5.</p> <p>Quality review completed on August 25, 2022.</p>			R 0000			
R 0064  Bldg. 00	<p>410 IAC 16.2-5-1.2(hh) Residents' Rights- Noncompliance (hh) The facility shall exercise reasonable care for the protection of residents ' property from loss and theft. The administrator or his or her designee is responsible for investigating reports of lost or stolen resident property and that the results of the investigation are reported to the resident. Based on observation, interview, and record review, the facility failed to ensure a resident's checkbook was kept safe and secure during her admission for 1 of 3 residents being reviewed for misappropriation of property (Resident B).</p> <p>Finding includes:</p> <p>During an interview with the Executive Director (ED) on 8/11/22 at 3:45 p.m., she indicated she</p>			R 0064	<p>We respectfully request an IDR review of this tag. We have attached the Independent Living Apartment Resident Occupancy Agreement. Resident B signed this agreement on 7/22/22. Page 7, Section 15 states: "Primrose is not responsible for, and does not provide insurance for, the loss of, or damage to, any</p>		09/09/2022

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>received a phone call on 7/26/22, from Resident B's daughter informing her the resident had a check, which cleared over the weekend which was written to and signed on the back of the check, by a person by the name of (Name of Maintenance Assistant 5) (MA 5). The resident's name had been forged onto the check. The ED was not sure how MA 5 took the check from the resident's checkbook. She called the police to report the incident and after the police officer arrived, she called MA 5 to her office to question him regarding the allegation he stole a check from Resident B and cashed it. MA 5 denied having anything to do with Resident B's check. He was terminated and was walked out of the facility by Police Officer 2.</p> <p>During an interview on 8/11/22 at 3:01 p.m., Resident B indicated the check was discovered missing after she went out to lunch with her daughters. She had \$119 in her wallet, and she wanted to treat her daughters to lunch. When she got up to the cashier to pay for their lunches, she did not have any money in her wallet, and she had the \$119 in her wallet when she checked a few days prior to that. When she got home, she checked her two check books to make sure whoever took her cash did not take any checks and then was when she noticed check number 526 was missing from her miscellaneous checkbook but was not written down in her check transaction register.</p> <p>Resident B called her oldest daughter, who took care of her checking accounts, to ask her if she knew what happened to that check. She thought it might have been voided. Her daughter went to the online banking app to view check number 526 to see who it was written to and the amount. Her daughter called her back to ask her if she knew a</p>				<p>personal property belonging to Resident due to fire, theft, disappearance, or any other cause".</p> <p>We feel that Resident B's resident rights were not violated because she admits that she left her doors unlocked. Primrose has provided her with a key to lock her apartment. She admits that she leaves her purses and checkbook on the floor by her TV in her front room.</p> <p>While Primrose discourages residents from leaving their doors unlocked and their valuables within sight, it was Resident B's right to choose to do so.</p> <p><b>R 064 Residents Rights</b></p> <p>1. What Corrective action will be accomplished for those residents found to have been affected by the alleged deficient practice? Resident B has been offered a lock for her financial items.</p> <p>2. How the facility will identify other residents having the potential to be affected by the same alleged deficient practice?</p> <p>All residents have the potential to be affected by the alleged deficient practice.</p> <p>3. What measures will be put</p>		

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	<p>man by the name of (Name of Maintenance Assistant 5). She told her daughter he was the new maintenance man the facility had hired two weeks ago, but she had not written a check to him for anything. That particular checkbook, which the check was taken from was the checkbook the resident used to pay her small bills and she wrote a check for \$125 twice a month to one of her daughters, for helping her around her apartment.</p> <p>At that time, the resident provided her check transaction register for the account that check was written on. The check transaction register was observed with several check numbers written in succession and between check numbers 525 and 527 was check number 526 written in the number section with 7/22/22, for the date when it was written. The words "Stolen" was written in the transaction description section and \$125 was written in the payment fee section. She thought he had written the check for \$125 because he saw she wrote a check for that amount to one of her daughters twice a month and if he wrote the check for that amount no one would be suspicious about him cashing it. She indicated she did not know why he only targeted her to "steal" money and a check from. She indicated he had taken her to some appointments, and he must have thought by the way she dressed that she had lots of money, so he was able to steal money and a check off her without her noticing it, but he was wrong because she kept a close eye on her finances. She indicated no one else had anything stolen, so he must have only targeted her.</p> <p>Resident B pointed to three purses she left on the floor by her TV while indicating she always kept her wallet and two checkbooks in one of those purses. She kept her apartment door and the patio door unlocked during the day and had never had</p>				<p>into place or what systemic changes the facility will make to ensure that the alleged deficient practice does not recur? All residents have been offered the option to lock up their financial items. This was discussed at Resident Council, an email with the offer was sent to families and residents, and a note was placed at all residents' doors with the offer to assist with locking up their financial items. Staff will continue to encourage residents not to leave their financial items unattended. If staff notice that a resident's financial items are unattended, they will report it to their supervisor or the Executive Director. Staff have been re-educated on the use of a Concern Form. It is located at the front of the community and at the nurses' station. If they feel that a resident has left financial items unattended, they are encouraged to fill out a Concern Form. Residents have been re-educated on the use of a Concern Form. If they feel that an item is missing from their apartment, they are encouraged to utilize the form to report the issue. The Form is then to be given to the Director of Nursing or the Executive Director. The Director of Nursing or the Executive Director will then follow up and investigate the concern.</p>		

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	<p>anything "stolen" in the three years she lived in this apartment. Resident B indicated MA 5 was the person the check was made out to, and he also signed the back of the check. He had keys to all the residents' apartments, so even if she locked her apartment when she left, he could have gotten into her apartment with the key to steal the money and the check.</p> <p>A report titled, "Indiana State Department Health Survey Report System," undated, provided by the Executive Director (ED) on 8/11/22 at 4:22 p.m., indicated on 7/26/22 at approximately 11:01 a.m., Resident B's daughter called the ED and notified her the resident was missing a check from her checkbook. The missing check cleared the bank over the weekend and was made out to MA 5. The police were called, and Police Officer 2 came to the facility, who then called Resident B's daughter to verify the information regarding the missing check. MA 5 was called to the ED's office, with Police Officer 2 present, the ED terminated him, and the police officer walked him out of the facility.</p> <p>During a phone interview on 8/11/22 at 4:24 p.m., Resident B's daughter indicated after her mother called her asking about check number 526, she went onto (Name of bank) online app to see who she wrote the check out to. She discovered someone had written the check to (Name of MA 5). She knew the resident did not write the check out to MA 5 because she had a distinct handwriting, especially her signature. She did not write in cursive, she printed everything she wrote, and her signature was like a printed cursive, which was hard to copy.</p> <p>During a phone interview on 8/11/22 at 4:35 p.m., MA 5 indicated one of the residents' checks were</p>		<p>4. How the corrective action will be monitored to ensure the alleged deficient practice with not recur, i.e. what quality assurance program will be put into place?</p> <p>Residents' concerns will be discussed at the quality assurance meetings. Any issues related to unattended financial items will be addressed by the Executive Director.</p> <p>Concern forms will be reviewed monthly at the quality assurance meetings. A 100% rate is acceptable for follow up and investigation of concerns.</p> <p>5. By what date the systemic changes will be completed? September 9, 2022</p>				

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	<p>missing. The police officer who talked to him, told him the check was cashed at the bank between 1 and 2 p.m., on Friday 7/22/22, using an Indiana driver's license as a form of identification (ID). He indicated he could not have been the person who "stole" Resident B's check and cashed it because he did not have an Indiana driver's license, he had an Illinois driver's license, the facility had cameras everywhere and if the ED looked back at the video, she would have seen whoever went into Resident B's apartment and "stole" the check and the money and seen it was not him. During the time frame from 1 to 2 p.m., when Police Officer 2 indicated the check was cashed at the bank, he was at the facility eating his lunch. The maintenance men always took their lunch with the housekeepers at the facility between 1 and 2 p.m. He did not have any work orders for her apartment the entire two weeks he worked at the facility, so he had no reason to be in her apartment. He was walked out of the facility on 7/26/22 by Police Officer 2.</p> <p>During an interview on 8/12/22 at 1:14 p.m., with an unidentified bank teller at (Name of Bank), the unidentified teller indicated a person who did not have an account with that particular bank, who was requesting to cash a check and draw money off another customer's account would have had to show his or her state issued identification (ID) whether it be a driver's license or a regular ID. Most people who cash a check will take that particular check to their own bank and either deposit it directly into their account or draw the cash off that check at their own bank.</p> <p>A document titled "Kokomo Police Department [KPD] Incident Report" dated 7/26/22, provided by KPD Clerk 6 on 8/12/22 at 2:40 p.m., indicated on 7/26/22 at 11:10 a.m., the incident occurred at</p>						

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	<p>the facility of forgery. The value for the loss of the property was \$125. There was no suspect or offender listed on the incident report.</p> <p>During a phone interview on 8/12/22 at 2:53 p.m., Police Officer 2 indicated he was sent on a call to the facility on 7/26/22. When he arrived, the ED informed him Maintenance Assistant 5 (MA 5) had "stolen" a check from Resident B's apartment. The ED called MA 5 to her office and asked him about the check, which had been cashed with his name signed on the back of the check and he denied taking and cashing the check. The ED terminated him at that time. He was escorted out of the building by Police Officer 2.</p> <p>After Police Officer 2 left the facility, he went to (Name of Bank) where Resident B's checking account was and spoke to the manager of the bank regarding the cashed check. The manager refused to give him any information regarding the check or give him a copy of the check or allow him to view the video of the person cashing the check due to legality reasons because of a break in bank policy when the check was cashed. He indicated the manger told him the teller who cashed the check for MA 5, should not have done that because that teller went against the bank's policy and procedures. A check cannot be cashed without calling the owner of the checking account, if the check was written to a person, who was not on the account as a signer of the checking account and/or the person the check was written to did not have a personal or business bank account with the bank. Prior to cashing check number 526, the bank teller should have called Resident B and asked her if she wrote that check to MA 5. He indicated he asked the resident's daughter for a copy of the check, and she sent him one. When asked about the incident</p>						

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	<p>report he typed up on 7/26/22, lacking a suspect or offender, he indicated he had not completed the incident form as of yet. Even though MA 5 denied taking the check and cashing it his signature was on the back of the check and his name was on the front of the check, and he was charging him with Forgery. When his report was complete the suspect's name on the report would be MA 5.</p> <p>On 8/12/22 at 3:15 p.m., a copy of check number 526 from (Name of Bank) was provided by Police Officer 2. The copy of the front of check number 526 had the date of being written as 7/22/22, the person who the check was written to was MA 5, the memo line indicated "Cleaning work" and the signature line indicated Resident B's signature in cursive writing. The copy of the back of check 526 indicated MA 5's signature was under the section "Indorse here." The check posted to the resident's bank account on 7/25/22.</p> <p>On 8/12/22 at 3:55 p.m., MA 5's employee record was reviewed. He was hired at the facility on 7/8/22 and terminated on 7/26/22. While reviewing his record, the signature on the back of the copy of check number 526 was compared to MA 5's signature on a document titled "Motor Vehicle Report Request Form," which looked like the same signatures on both documents. On the front of the copy of check number 526 compared to the front of the document titled "Motor Vehicle Report Request Form" MA 5 filled out, the small e's were printed in the same distinct manner, which were not the typical way the letter e was typically printed by most people.</p> <p>During a phone interview on 8/12/22 at 4:26 p.m., Bank Manager 1 was called and informed the check information would not be needed as it was provided by the police officer working on the</p>						

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	<p>case. She indicated the check was cashed at (Name of Bank) west branch. The bank teller who cashed the check should have called Resident B and asked her if she wrote check number 526 to MA 5. Their bank policy was if someone who was not a signer on a checking account and did not have a bank account with them, then the bank teller was to call the owner of the account and verify if he or she wrote that check.</p> <p>A current policy titled "Resident's Rights and Responsibilities" dated 5/13/2020, provided by the ED on 8/11/22 at 3:12 p.m., indicated...Indiana Resident Rights...(hh) The facility shall exercise reasonable care for the protection of residents' property from loss and theft. The administrator or his or her designee is responsible for investigating reports of lost or stolen resident property and that the results of the investigation are reported to the resident...."</p> <p>This State Residential tag relates to Complaint IN00386391.</p>						