

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

PRINTED: 12/18/2023  
FORM APPROVED  
OMB NO. 0938-039

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER  155579		X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING		X3) DATE SURVEY COMPLETED 11/30/2023	
NAME OF PROVIDER OR SUPPLIER  MILLER'S MERRY MANOR				STREET ADDRESS, CITY, STATE, ZIP COD 7440 N COUNTY ROAD 825 E HOPE, IN 47246			
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F 0000  Bldg. 00	<p>This visit was for the Investigation of Complaints IN00422517. This visit included an Covid 19 Infection Control survey.</p> <p>Complaint IN00422517 - Federal/State deficiency related to the allegation is cited at F887.</p> <p>Survey dates: November 29 and 30, 2023.</p> <p>Facility number: 000286 Provider number: 155579 AIM number: 100291000</p> <p>Census Bed Type: SNF/NF: 32 Total: 32</p> <p>Census Payor Type: Medicaid: 20 Other:12 Total: 32</p> <p>This deficiency reflects State Findings cited in accordance with 410 IAC 16.2-3.1.</p> <p>Quality review completed on December 6, 2023.</p>			F 0000			
F 0887 SS=D Bldg. 00	<p>483.80(d)(3)(i)-(vii) COVID-19 Immunization §483.80(d) (3) COVID-19 immunizations. The LTC facility must develop and implement policies and procedures to ensure all the following: (i) When COVID-19 vaccine is available to the facility, each resident and staff member is offered the COVID-19 vaccine unless the immunization is medically contraindicated or</p>						

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

TITLE

(X6) DATE

Erica Bowman

HFA, LPN

12/13/2023

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 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>the resident or staff member has already been immunized;</p> <p>(ii) Before offering COVID-19 vaccine, all staff members are provided with education regarding the benefits and risks and potential side effects associated with the vaccine;</p> <p>(iii) Before offering COVID-19 vaccine, each resident or the resident representative receives education regarding the benefits and risks and potential side effects associated with the COVID-19 vaccine;</p> <p>(iv) In situations where COVID-19 vaccination requires multiple doses, the resident, resident representative, or staff member is provided with current information regarding those additional doses, including any changes in the benefits or risks and potential side effects associated with the COVID-19 vaccine, before requesting consent for administration of any additional doses;</p> <p>(v) The resident, resident representative, or staff member has the opportunity to accept or refuse a COVID-19 vaccine, and change their decision;</p> <p>(vi) The resident's medical record includes documentation that indicates, at a minimum, the following:</p> <p>(A) That the resident or resident representative was provided education regarding the benefits and potential risks associated with COVID-19 vaccine; and</p> <p>(B) Each dose of COVID-19 vaccine administered to the resident; or</p> <p>(C) If the resident did not receive the COVID-19 vaccine due to medical contraindications or refusal; and</p> <p>(vii) The facility maintains documentation related to staff COVID-19 vaccination that includes at a minimum, the following:</p>						

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	<p>(A) That staff were provided education regarding the benefits and potential risks associated with COVID-19 vaccine;</p> <p>(B) Staff were offered the COVID-19 vaccine or information on obtaining COVID-19 vaccine; and</p> <p>(C) The COVID-19 vaccine status of staff and related information as indicated by the Centers for Disease Control and Prevention's National Healthcare Safety Network (NHSN). Based on record review and interview, the facility failed to provide COVID-19 booster immunizations in a timely manner for 3 of 8 residents reviewed for immunizations. (Residents E, F, and H)</p> <p>Findings include:</p> <p>1. The clinical record for Resident E was reviewed on 11/29/23 at 1:42 P.M. The resident was admitted on 09/11/23. An Admission MDS assessment, dated 09/18/23, indicated the resident was cognitively intact. The diagnoses included, but were not limited to, diabetes, heart disease, and rib fractures.</p> <p>The "COVID-19 Vaccination Status, Consent &amp; Information" record, dated 09/11/23, was provided by the Administrator on 11/29/23 at 3:39 P.M. The record indicated the resident had been educated and requested the COVID-19 vaccine be administered. The record was signed by the resident's representative on 09/12/23.</p> <p>The resident had received the following COVID-19 immunizations:</p> <ul style="list-style-type: none"> <li>- dated 02/10/21,</li> <li>- dated 03/05/21,</li> <li>- dated 10/19/21,</li> <li>- dated 05/31/22, and</li> </ul>			F 0887	<p>F- 887 Covid-19 Immunization S/S=D</p> <p>It is the policy of Miller's Merry Manor to administer Covid-19 booster immunizations in a timely manner.</p> <p>1 Immediate action to correct the alleged deficient practice included Resident "E" record reviewed and is current with Covid-19 Comirnaty vaccine as of November 15, 2023. Resident "F" record reviewed responsible party elected to decline the Covid Vaccine Comirnaty on November 15, 2023. Resident "H" record reviewed and is current with Covid-19 Comirnaty vaccine as of November 15, 2023.</p> <p>2 All residents with signed vaccination consent forms have the potential to be affected by the alleged deficient practice. All current residents clinical records were audited to ensure compliance of vaccination administration based on their</p>		12/01/2023

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	<p>- dated 10/28/22, prior to admission.</p> <p>The clinical record lacked documentation the resident had received a COVID-19 booster since 10/28/22 or following admission on 09/11/23. The booster was not administered until 11/15/23.</p> <p>The Infection Surveillance Data Collection Form log was provided by the DON on 11/29/23 at 11:07 A.M. The record indicated the resident tested positive for COVID-19 ON 11/16/23.</p> <p>The Progress Notes, from 09/01/23 to present, lacked documentation the resident had been offered a COVID-19 booster prior to 11/15/23.</p> <p>The current, completed, and discontinued physician's orders, from 09/01/23 to present, lacked orders for a COVID-19 booster vaccine prior to 11/15/23.</p> <p>2. The clinical record for Resident F was reviewed on 11/29/23 at 1:48 P.M. The resident was admitted on 08/01/23. A Quarterly MDS assessment, dated 11/08/23, indicated the resident was cognitively intact. The diagnoses included, but were not limited to, Parkinson's disease and respiratory failure.</p> <p>The "COVID-19 Vaccination Status, Consent &amp; Information" record, dated 08/01/23, was provided by the Administrator on 11/29/23 at 3:39 P.M. The record indicated the resident had been educated and requested the COVID-19 vaccine be administered. The record was signed by the resident's representative on 08/01/23.</p> <p>The resident had received the following COVID-19 immunizations:</p>				<p>consents. No findings noted during auditing process.</p> <p>3 To ensure the alleged deficient practice does not recur all Licensed Nurses were in-serviced on "Resident SARS-CoV-2 (Covid) Vaccine and Post Vaccination Care" (Attachment A).</p> <p>4 To monitor the corrective actions and ensure the alleged deficient practice will not recur, the DON/Designee will complete the QA Tool titled, "Covid Vaccines", (Attachment B). This tool will be completed daily (M-F) for (2) weeks, followed by weekly for (4) weeks, then monthly for (5) months, and quarterly thereafter. At the completion of this it will be reviewed, in one year, by the Quality Assurance (QA) team to determine the frequency of the audit. Any concerns will be addressed immediately and have a Quality Assurance and Quality Improvement Action Plan completed. The action plan will be reviewed at the monthly QAPI meeting with changes made as appropriate.</p> <p>5 All systemic changes will be completed on or before Friday December 01, 2023.</p>		

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	<p>- dated 01/20/21, - dated 02/17/21, - dated 01/20/22, and - dated 07/06/22, prior to admission.</p> <p>The clinical record lacked documentation the resident had received a COVID-19 booster since 07/06/22 or following admission on 08/01/23.</p> <p>The Infection Surveillance Data Collection Form log was provided by the DON on 11/29/23 at 11:07 A.M. The record indicated the resident tested positive for COVID-19 ON 11/20/23.</p> <p>The Progress Notes, from 09/01/23 to present, lacked documentation the resident had been offered a COVID-19 booster.</p> <p>The current, completed, and discontinued physician's orders, from 09/01/23 to present, lacked orders for a COVID-19 booster shot.</p> <p>3. The clinical record for Resident H was reviewed on 11/29/23 at 3:28 P.M. The resident was admitted on 09/29/23. An Admission MDS assessment, dated 10/06/23, indicated the resident was moderately cognitively impaired. The diagnoses included, but were not limited to, coronary artery disease and chronic obstructive pulmonary disease.</p> <p>The "COVID-19 Vaccination Status, Consent &amp; Information" record, dated 09/29/23, was provided by the Administrator on 11/30/23 at 12:25 P.M. The record indicated the resident had been educated and requested the COVID-19 vaccine be administered. The record was signed by the resident on 09/29/23.</p> <p>The resident had received the following COVID-19</p>						

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	<p>immunizations:</p> <ul style="list-style-type: none"> <li>- dated 01/26/21,</li> <li>- dated 02/24/21, and</li> <li>- dated 01/13/23, prior to admission.</li> </ul> <p>The clinical record lacked documentation the resident had received a COVID-19 booster since 01/13/23 or following admission on 09/29/23. The booster was not administered until 11/15/23.</p> <p>The Progress Notes, from 09/01/23 to present, lacked documentation the resident had been offered a COVID-19 booster prior to 11/15/23.</p> <p>The current, completed, and discontinued physician's orders, from 09/01/23 to present, lacked orders for a COVID-19 booster shot prior to 11/15/23.</p> <p>During an interview on 11/29/23 at 11:30 A.M., the DON indicated residents' consents for vaccines were in their admission agreements and on their paper hard charts.</p> <p>During an interview on 11/29/23 at 11:11 A.M., the Administrator indicated no residents had been sent out to the hospital for COVID-19 during this recent outbreak.</p> <p>During an interview on 11/29/23 at 3:35 P.M., the DON indicated when a resident was admitted and desired to have immunizations the facility would review their CHIRP (Children &amp; Hoosiers Immunization Registry Program) and see what immunizations they had and discuss with the resident or family what immunizations were currently available and needed at that time. The staff contacted the MD and would get the order for whatever vaccines that specific resident</p>						

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	<p>needed, contact the pharmacy, and order them. It usually took about 24 hours if the pharmacy had the vaccines in stock. They had not had any trouble getting vaccines. Once the vaccines were received in house, usually the next day, they were administered as ordered.</p> <p>During an interview on 11/29/23 at 3:58 P.M., the DON indicated she had been in her current position since August 2023. She had ordered a "house stock" of the new COVID-19 vaccines on 11/13/23 and provided a copy of the order receipt. She indicated she had not ordered any COVID-19 vaccines prior to 11/13/23. She did not think their pharmacy had the boosters available until 11/01/23.</p> <p>During an interview on 11/29/23 at 4:20 P.M., the Consultant Pharmacist indicated the pharmacy did not have the vaccines available until November 1, 2023, and they had sent correspondence to the facilities letting them know they were available. On November 6,2023, the pharmacy received the order for the vaccines. There was a delay because the vaccines were routed to the wrong queue. The facility brought it to their attention on 11/13/23 and the vaccines were sent out that night. When the pharmacy received an order, it was usually sent out in 24 to 48 hours.</p> <p>During an interview on 11/30/23 at 11:25 A.M., the Nurse Consultant indicated if a medicine or vaccine was not available from their pharmacy, they would have a backup plan with their pharmacy or use a local retail pharmacy. If it was something their pharmacy was not able to get, they would go through a local retail pharmacy.</p> <p>A CDC (Centers for Disease Control) press release, dated 09/12/23, indicated, "... Updated</p>						

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	<p>COVID-19 vaccines from Pfizer-BioNTech and Moderna will be available later this week. Vaccination remains the best protection against COVID-19-related hospitalization and death. Vaccination also reduces your chance of suffering the effects of Long COVID, which can develop during or following acute infection and last for an extended duration. If you have not received a COVID-19 vaccine in the past 2 months, get an updated COVID-19 vaccine to protect yourself this fall and winter..."</p> <p>The current "Prevention and Containment of Coronavirus (COVID-19)" policy dated 09/08/23, was provided by the Administrator on 11/30/23 at 1:27 P.M. The policy indicated, "...Policy...To follow the guidelines and recommendations set forth by the Indiana State Department of Health, CDC,...and other experts in the field of infection control and prevention and epidemiology in prevent the transmission and containment of COVID-19...The corporate COVID-19 committee...will review all resource updates, guidance and recommendations and will revise or create policies and procedures dealing with COVID-19 as deemed necessary...COVID vaccination is encouraged and promoted for staff, residents and visitors. Vaccination is offered to all staff and residents...COVID vaccine...Must have a physician order and consent...Encourage staff and residents to stay up-to-date on COVID-19 vaccine..."</p> <p>This citation relates to Complaint IN00422517.</p> <p>3.1-18(b)(1)</p>						