

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

PRINTED: 01/08/2020

FORM APPROVED

OMB NO. 0938-039

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 15G136		X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING		X3) DATE SURVEY COMPLETED 12/04/2019	
NAME OF PROVIDER OR SUPPLIER RES CARE COMMUNITY ALTERNATIVES SE IN				STREET ADDRESS, CITY, STATE, ZIP CODE 427 W LONGEST ST PAOLI, IN 47454			
(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
W 0000 Bldg. 00	<p>This visit was for a focused fundamental recertification and state licensure survey.</p> <p>Dates of Survey: December 3 and 4, 2019.</p> <p>Facility Number: 000673 AIM Number: 100248740 Provider Number: 15G136</p> <p>This deficiency reflects state findings in accordance with 460 IAC 9. Quality Review of this report completed by #15068 on 12/10/19.</p>			W 0000			
W 0149 Bldg. 00	<p>483.420(d)(1) STAFF TREATMENT OF CLIENTS The facility must develop and implement written policies and procedures that prohibit mistreatment, neglect or abuse of the client.</p> <p>Based on record review and interview for 1 additional client (#5), for 1 of 3 investigations of alleged abuse/neglect/mistreatment/exploitation reviewed, the facility failed to ensure the facility's policy prohibiting abuse/neglect/mistreatment/exploitation of clients was implemented in regards to staff to client physical abuse.</p> <p>Findings include:</p> <p>The facility's Bureau of Developmental Disabilities Services/BDDS reports, incident reports and investigations were reviewed on 12/03/19 at 6:40 PM and on 12/04/19 at 12:30 PM and indicated the following:</p>			W 0149	<p>Immediate Resolution: Staff was suspended, investigated and terminated.</p> <p>Program Manager held an all-home retraining on the ANE policy on 12-18-19. (See attached training record).</p> <p>Moving forward ResCare will continue to implement their policy for ANE and the procedures as follows:</p> <p>1.) Any staff person who is suspected of abuse, neglect, exploitation, mistreatment or violation of an Individual's rights</p>		12/18/2019

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 disclosed 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>An Investigation dated 3/16-25/19 by Quality Assurance Manager/QAM #1 indicated an allegation made by client #9 that she witnessed former AATP (facility operated habilitation program) staff #10 "smack [client #5] on her arms during a behavior at the AATP day program." Client #9 reported the incident to her house manager/HM #2 on 3/16/19. HM #2 went to the day program to suspend staff #10 pending an investigation. "An attempt to place [former staff #10] on administrative leave was made at which time [former staff #10] stated she was quitting and stated she did smack [client #5] on the arm."</p> <p>The allegation was investigated and substantiated. Staff #10 was terminated.</p> <p>Interview was conducted with Quality Assurance Manager staff #1 on 12/03/19 at 2:20 PM and indicated there was a substantiated staff to client abuse allegation. The interview indicated the agency prohibited staff to client abuse per policy.</p> <p>The agency's revised policy dated 9/17/17 was reviewed on 12/04/19 at 3:10 PM and indicated, in part, the following:</p> <p>"Operation Standard Reporting and Investigating Abuse, Neglect, Exploitation, Mistreatment or Violation of an Individual's Rights</p> <p>ResCare staff actively advocate for the rights and safety of all individuals. All allegations or occurrences of abuse, neglect, exploitation, mistreatment or violation of an Individual's rights shall be reported to the appropriate authorities through the appropriate supervisory channels and will be thoroughly investigated under the policies of ResCare, local, state and federal guidelines...</p>				<p>toward an individual will be immediately suspended until the allegation can be fully investigated. After the investigation, if the allegation is not substantiated, the employee will be paid for missed scheduled hours...</p> <p>2.) After investigation, any allegations that are substantiated as abuse, neglect, exploitation, mistreatment or violation of an Individual's rights will be reported to ResCare's Critical Incident line by a member of the investigative team. A Critical Incident Report form will be filled out and sent to the Resource Center and the Regional office.</p> <p>3.) If the allegation is substantiated, the staff person accused will follow progressive corrective action up to and including termination...</p> <p>4.) Any individual who has been a victim of substantiated abuse, neglect, exploitation, mistreatment or violation of an Individual's rights will be offered formal or informal counseling, as determined to be appropriate for the individual by the Interdisciplinary Team.</p> <p>This will be on going. Date of inservice: December 18, 2019 for all home staff Date completed: December 18,</p>		

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	<p>ResCare strictly prohibits abuse, neglect, exploitation, mistreatment or violation of an Individual's rights. These include and are defined as any of the following: corporal punishment i.e. forced physical activity, hitting, pinching, the application of pain or noxious stimuli, the use of electric shock, the infliction of physical pain, seclusion in an area which exit is prohibited, verbal abuse including screaming, swearing, name-calling, belittling, damaging an individual's self-respect or dignity, failure to follow physician's orders, denial of sleep, shelter, food, drink, physical movement for prolonged periods of time, Medical treatment or care or use of bathroom facilities.</p> <p>Program Implementation/Intervention: Failure to provide goods and/or services necessary for the individual to avoid physical harm and /or intentional failure to implement a support plan, inappropriate application of intervention, etc. which may result in jeopardy without qualified person notification/review....</p> <p>All employees receive training upon hire regarding definitions/causes of different types of, how to identify, prevent, document, remedial action to be taken, timely debriefing following the incident and how to report abuse, neglect, exploitation, mistreatment or violation of an Individual's rights, as well as what to expect from an investigation. All employees receive this training upon hire and annually, thereafter.</p> <p>Procedures:</p> <p>3. Any staff person who is suspected of abuse, neglect, exploitation, mistreatment or violation of an Individual's rights toward an individual will be immediately suspended until the allegation can be fully investigated. After the investigation, if the allegation is not substantiated, the employee will be paid for missed scheduled hours...</p>				<p>2019.</p> <p>Persons Responsible: Program Manager, Quality Assurance, Associate Executive Director</p>		

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	<p>6. After investigation, any allegations that are substantiated as abuse, neglect, exploitation, mistreatment or violation of an Individual's rights will be reported to ResCare's Critical Incident line by a member of the investigative team. A Critical Incident Report form will be filled out and sent to the Resource Center and the Regional office.</p> <p>7. If the allegation is substantiated, the staff person accused will follow progressive corrective action up to and including termination...</p> <p>9. Any individual who has been a victim of substantiated abuse, neglect, exploitation, mistreatment or violation of an Individual's rights will be offered formal or informal counseling, as determined to be appropriate for the individual by the Interdisciplinary Team.</p> <p>An interview was conducted with House Manager #1, Area Director #1, QIDP/Qualified Intellectual Disability Professional #1, and the LPN on 12/04/19 at 3:20 PM. The interview indicated former staff #10 had been terminated for substantiated physical abuse towards client #5.</p> <p>9-3-2(a)</p>						