

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

PRINTED: 07/16/2015
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 185440	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED R-C 07/16/2015
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NAME OF PROVIDER OR SUPPLIER VILLAGE CARE CENTER	STREET ADDRESS, CITY, STATE, ZIP CODE 2990 RIGGS AVENUE ERLANGER, KY 41018
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(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (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
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{F 000}	INITIAL COMMENTS Based on the facility's acceptable Plan of Correction (POC), the facility is deemed to be in compliance as alleged on 06/12/15.	{F 000}		
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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.

*Acceptable
POC
6/12/15
date*

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NAME OF PROVIDER OR SUPPLIER VILLAGE CARE CENTER			STREET ADDRESS, CITY, STATE, ZIP CODE 2990 RIGGS AVENUE ERLANGER, KY 41018		
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F 000	INITIAL COMMENTS An Abbreviated Survey Investigating KY00023276 and KY00023349 was initiated on 06/08/15 and concluded on 06/11/15. KY00023276 was unsubstantiated with no deficiencies. KY00023349 was unsubstantiated with unrelated deficiencies cited at the highest Scope and Severity of a "D". 483.13(c)(1)(ii)-(iii), (c)(2) - (4) INVESTIGATE/REPORT ALLEGATIONS/INDIVIDUALS The facility must not employ individuals who have been found guilty of abusing, neglecting, or mistreating residents by a court of law; or have had a finding entered into the State nurse aide registry concerning abuse, neglect, mistreatment of residents or misappropriation of their property; and report any knowledge it has of actions by a court of law against an employee, which would indicate unfitness for service as a nurse aide or other facility staff to the State nurse aide registry or licensing authorities. The facility must ensure that all alleged violations involving mistreatment, neglect, or abuse, including injuries of unknown source and misappropriation of resident property are reported immediately to the administrator of the facility and to other officials in accordance with State law through established procedures (including to the State survey and certification agency). The facility must have evidence that all alleged violations are thoroughly investigated, and must prevent further potential abuse while the investigation is in progress.	F 000	Preparation or execution of this plan of correction does not constitute admission or agreement to any alleged deficiencies cited in this document. This plan of correction is prepared and executed, as required by the provision of federal and state law. F 225 SS = D 483.13(c)(1)(ii)-(iii), (c)(2) - (4) INVESTIGATION/REPORT ALLEGATIONS/INDIVIDUALS Baptist Village Care Center has revised our hiring policy (see attachment 1) to assure that all candidates for hire have been properly verified as eligible for hire prior to employment. This eligibility includes satisfactory results from online multi-state background checks, online verification of License/Certification and acceptable results from the online Abuse Registry at KBN.gov. A review of all employee files was conducted to ensure background checks were performed for newly hired staff as well as all current staff including employee's # 1, #5 & #6. This review was performed on June 12, 2015 by Rhonda Bothman, HR Director & Kendra Smith RN, Staff Development Nurse. The resulting information related to background checks was entered into the Electronic HR		
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE <i>[Signature]</i>			TITLE ADMINISTRATOR		(X6) DATE 7/3/15

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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NAME OF PROVIDER OR SUPPLIER VILLAGE CARE CENTER			STREET ADDRESS, CITY, STATE, ZIP CODE 2090 RIGGS AVENUE ERLANGER, KY 41018		
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F 225	<p>Continued From page 1</p> <p>The results of all investigations must be reported to the administrator or his designated representative and to other officials in accordance with State law (including to the State survey and certification agency) within 5 working days of the incident, and if the alleged violation is verified appropriate corrective action must be taken.</p> <p>This REQUIREMENT is not met as evidenced by: Based on interview, personnel record review and review of the facility's policy, it was determined the facility failed to have an effective system in place to ensure background checks were performed for newly hired staff prior to the staff being allowed to provide resident care.</p> <p>Review of personnel files revealed two (2) of five (5) sampled staff were providing care for residents on their own prior to the facility obtaining results of the staff's abuse registry check and criminal background checks.</p> <p>The findings include:</p> <p>Review of the facility's "Abuse Prohibition Policy", undated, under the procedure for screening section revealed the facility would ensure all potential employees were verified through the State's Nurse Aide Abuse Registry, and would sign a release to obtain their criminal record through the State Police and local departments "when they participate".</p> <p>1. Review of Employee #6's personnel file revealed his/her date of hire was 05/18/15; however, the criminal background check was</p>	F 225	<p>record & personnel file for each employee. In addition, each current employee file, including the file of employee #5, was checked to assure whether they were on the state abuse registry. The information related to Abuse Registry check was also entered into the Electronic HR Record of each employee. There is now a system in place that stipulates that any new candidate for hire must satisfactorily pass all required background screening prior to being employed. This process will be completed prior to confirmation of employment to any candidate (See Attachment 1).</p> <p>The Village Care Center QAPI Director also conducted a second check of all Employee Electronic Records and Personnel files to assure that all required pre-employment information is in the appropriate employee personnel file and electronic HR record and she will also check all new hires weekly for 4 weeks and then conduct a minimum sample of at least 5 randomly sampled records at least once every 2 weeks to verify ongoing compliance.</p> <p>Monitoring sheets (attachment 2) will be used as part of the ongoing QA process and will be reviewed at the quarterly QAPI meetings.</p> <p>Completion Date: June 12, 2015 Persons responsible: Human Resources Director, Director of Quality and Reporting</p>		

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F 225	Continued From page 2 dated 05/27/15, nine (9) days after hire. Interview with Employee #6, on 06/11/15 at 11:05 AM, revealed he/she was performing assigned duties in various residents' rooms with no preceptor present at times, on the third day of employment with the facility. Per interview, the employee had a preceptor who he/she worked with all the time prior to the third day of employment. 2. Review of Employee #5's personnel record revealed a date of hire of 07/29/13; however, the Nurse Aide Abuse Registry check was dated 08/27/13, twenty-nine (29) days after hire. Continued review of Employee #5's personnel file revealed the criminal background check was dated 08/02/13, four (4) days after hire. 3. Review of Employee #1's personnel record revealed a date of hire of 05/11/15; however, the criminal background check was dated 05/20/15, nine (9) days after hire. Interview with the Human Resources (HR) Manager on 06/11/15 at 10:05 AM, revealed the facility's process for new employees was for the employee to come in to work on the first day of orientation when paper work was completed, including signing the release for the facility to obtain a criminal record check. Per interview, it usually took three (3) days for the background checks to come back and after it came back the employee had completed orientation at that time. The HR Manager revealed it should not take nine (9) to ten (10) days before a background check came back. Continued interview revealed new staff should not be working on the floor with residents until the criminal check was completed.	F 225			

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F 225	<p>Continued From page 3</p> <p>She stated this was the process she had been taught upon hire two and a half years ago. Further interview revealed, now that this issue had been brought to the facility's attention, the best practice would be to have the abuse and criminal records check prior to an employee starting work at the facility.</p> <p>Interview with the Staff Development Nurse (SDN), on 06/11/15 at 9:45 AM, revealed all newly hired staff went through orientation. Per interview, the first day of hire staff completed the necessary paperwork, and on the second day, if the staff were not nurses or Certified Nursing Assistants (CNA's) they went to the department where they were assigned. Continued interview revealed on the third day after hire, nurses and CNA's went to the floor to work with their preceptors. She stated she could not be sure the preceptor never left the newly hired staff's side when they were working on the floor. According to the SDN, "I think it would be best to have a background check" completed before the staff went to the floor.</p> <p>Interview with the Director of Nursing (DON) on 06/11/15 at 4:30 PM, revealed to be one hundred percent (100%) sure about hiring a potential employee, the facility needed to have the background check results back. Per interview, otherwise, if they were already hired, the facility couldn't be sure about the employee's criminal record until the background check came back. According to the DON, newly hired staff should not be alone with residents without a completed criminal background check. Further interview revealed without having a background check, it could potentially place residents in a "abusive or unsafe situation" and there could be a potential</p>	F 225		

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F 225	Continued From page 4 for harm to residents as a result. Interview with the Administrator on 06/11/15 at 4:45 PM, revealed the facility's process for employment included an interview with the potential employee, a reference check and other information reviewed. Per interview, realistically the problem was getting and keeping staff, and the facility didn't was to "waste time". The Administrator revealed once the employee was hired, they sent off for the criminal background check. Continued interview revealed staff were not left alone at first, and by the time they were ready to work on the floor the criminal background check had came back. Per the Administrator, staff were not supposed to work the floor in resident areas without their background check results having been returned to the facility. Further interview revealed there was a potential for everything from no harm to staff taking advantage of residents if an abuse check or criminal background check had not been received and the employee was allowed to work the floor.	F 225			
F 226 SS=D	483.13(c) DEVELOP/IMPLMENT ABUSE/NEGLECT, ETC POLICIES The facility must develop and implement written policies and procedures that prohibit mistreatment, neglect, and abuse of residents and misappropriation of resident property. This REQUIREMENT is not met as evidenced by: Based on interview, personnel record review and review of the facility's policy, it was determined	F 226	Preparation or execution of this plan of correction does not constitute admission or agreement to any alleged deficiencies cites in this document. This plan of correction is prepared and executed, as required by the provision of federal and state law. F 226 SS = D 483.13(c) DEVELOP/IMPLEMENT ABUSE/NEGLECT, ETC POLICIES		

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F 226 Continued From page 5
the facility failed to have an effective system in place to operationalize the policies and procedures for screening potential employees for abuse as evidence by failure to complete an abuse registry check in a timely manner for one (1) of five (5) sampled personnel files.

The findings include:

Review of the facility's, "Abuse Prohibition Policy", undated, revealed part of the screening procedure included all potential employees were to be verified through the Nurse Aide Abuse Registry. Continued review revealed licensing boards and registries were contacted to verify a potential employee's standing and current licensure status before hire.

Review of Employee #5's personnel file revealed the employee was a Licensed Practical Nurse (LPN) with a date of hire of 07/29/13. Continued review of the personnel file revealed Employee #5's orientation period ended 08/10/13. However, review of the online license validation and Nurse Aide Abuse Registry results revealed they were dated 8/27/13, twenty-nine (29) days after hire and twelve (12) days after completion of the orientation period.

Interview, on 06/11/15 at 4:30 PM, with the Director of Nursing (DON), revealed a nurse should not be working in the facility without verification of his/her nursing license and abuse registry check results. Per interview, residents could be at risk if the nurse had committed a crime or abuse. Further interview revealed the LPN (Employee #5) should not have been allowed to function as a nurse passing residents' medications without the verification of his/her

F 226 Baptist Village Care Center has revised our hiring policy (see attachment 1) to assure that all candidates for hire have been properly verified as eligible for hire prior to employment. This eligibility includes satisfactory results from online multi-state background checks, online verification of License/Certification and acceptable results from the online Abuse Registry at KBN.gov.

In addition to the "Abuse Prohibition Policy" that was in place at the time of the survey there is now a written policy titled "Criminal Background and Abuse Registry Checks for New Employees" effective June 12, 2015 (see Attachment 1). These checks that are now in place for all licensed personnel require verification of licensure prior to the start of employment (see attachment 1). This check will be completed by the Human Resources Director or her designee. No nurse will be permitted to work until this check is complete and validated.

A printed copy of the verification will be placed in the employee's personnel file and also recorded in their electronic HR record. The Quality Assurance Director will double check this information on all newly hired staff and will also perform QA checks on at least 5 licensed professionals every 2 weeks.

Completion Date: June 12, 2015
Persons responsible: Human Resources Director, Director of Quality and Reporting

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F 226	<p>Continued From page 6 license and abuse registry results.</p> <p>Interview, on 06/11/15 at 4:45 PM, with the Administrator revealed the LPN (Employee #5) should not have been allowed to work in the facility without the facility knowing whether the nurse had a current license and abuse registry results. Per interview, there was potential for harm to residents if a licensed nurse was allowed to provide direct care of residents with no license verification or abuse registry validation. The Administrator revealed the expectation was for Human Resources to verify nurses licenses and ensure abuse registry checks were obtained, and ensure it was kept up with.</p>	F 226		

*Attachment
1*

CRIMINAL BACKGROUND & ABUSE REGISTRY CHECKS ON NEW EMPLOYEES

When a candidate is approved for hire, an instant online multistate background check will be completed by HR director or her designee prior to confirmation of employment. To initiate this check please complete the following steps:

- Go to www.backgroundbureau.com
- Login in with facility login and password
- Check "multi-state search" box
- Supply requested information with no abbreviations
- Hit submit
- Retrieve and print results
- Verify that the results are acceptable

Additionally, a check of the Abuse Registry @ kbn.gov must also be completed. Both of these checks must be completed prior to confirmation of employment with Baptist Life Communities. No employee will be permitted to work until this instant background check and Abuse Registry Check are complete and the results are satisfactory. If the employee is found to have a conviction on the instant multistate check or is not listed on the Abuse Registry they will not be employed. The employee will also sign an authorization form during their pre-employment process approving a Kentucky State Background check which authorizes the facility to conduct a KY State Police background check. This form will be mailed the date it is signed.

All information related to the background check and Abuse Registry check will be filed in the employees personnel file and logged into Smartlinx software which is the Electronic HR record for employee information.

Note:

The BLC pre-employment process involves a drug screen, Instant Online Multi-State Criminal Background check & Abuse Registry verification and confirmation of appropriate, current license and/or certification information. . All of which must be successfully completed prior to hire.

Effective
June 12, 2015