

CERTIFIED MAIL

CITATION

In Re Citation No. 2019-22

**Classification of Violation
Pursuant to Connecticut
General Statutes Section 19a-527**

Date: April 23, 2019

Class: B
Bed Capacity: 35
License Number: 2429

Licensee: CT Watermark East Hill, LLC
Facility Name: The Springs at Watermark East Hill
Facility Address: 611 East Hill Road
Southbury, CT 06488

The following citation is issued pursuant to Sections 19a-524 through 19a-528, inclusive of the Connecticut General Statutes:

A. Nature and Scope of Violations:

1. An inspection of this facility concluded on April 11, 2019 revealed the following:
 - a. Resident #79's diagnoses included dementia with behavioral disturbance, mood affective disorder, disorder of bone density and structure, a right below the knee amputation, and morbid obesity.

The annual MDS dated 12/17/18 identified Resident #79 had short and long term memory problems, severely impaired cognition, required extensive assistance of 2 for bed mobility, transfers, dressing, hygiene, required total assistance for toilet use and did not walk.

The care plan dated 12/27/18 identified Resident #79 was at risk for falls and had a self-care deficit. Interventions included to utilize floor mats on both sides of the bed, ¼ side rails to bed, and ensure the over bed table is on the right side of the bed.

A reportable event form dated 3/15/19 at 10:15 PM identified Resident #79 rolled out of bed onto the floor. The report indicated Resident #79's physical status before the fall identified the resident required a hoist lift with the assistance of 2 staff for transfers, and the assistance of 2 staff for bed mobility. An assessment at the time of the fall identified

Resident #79 had left hip pain upon touch and movement.

A nurse's note dated 3/15/19 at 11:15 PM identified Resident #79 had a fall out of bed at 10:15 PM with NA #4 at the bedside giving bedtime care. Resident #79 rolled and the fall was broken by NA #4 who protected the residents head. Vital Signs taken and stable at the time. Resident #79 noted to have facial grimacing and tenderness to touch upon palpation to the left hip and leg. Resident #79 was not moved from the floor, EMS was called and the resident was transferred to the hospital.

The hospital discharge summary dated 3/19/19 identified Resident #79 was admitted for a traumatic closed displaced intertrochanteric fracture of the left femur.

Interview with NA #4 on 4/11/19 at 8:56 AM identified he was alone providing incontinent care to Resident #79 and had removed the floor mats and raised the bed to the highest level so he didn't have to bend over. After providing care, NA #4 indicated he had turned away from Resident #79 to obtain an incontinent pad from a cabinet in the resident's room, when Resident #79 began to cascade off the bed and although he wasn't able to prevent the resident from falling, NA #4 was able to protect the resident's head during the fall out of bed.

Interview and review of the clinical record with the DNS on 4/11/19 at 10:41 AM identified prior to care, NA #4 should have obtained all needed supplies. Additionally, the DNS indicated NA #4 should have put Resident #79's bed in the lowest position, and restored the floor mats to the side of the bed before he went to the cabinet to get incontinent supplies.

Although facility documentation identified Resident #79 required the assistance of 2 staff for bed mobility, the facility failed to protect Resident #79 from injury when NA #4 performed incontinent care alone, with the bed in the highest position, without the benefit of floor mats, and stepped away from the resident to go to a cabinet to get supplies. Subsequently, Resident #79, rolled off the bed onto the floor and sustained a traumatic closed displaced intertrochanteric fracture of the left femur.

B. Statutes and/or Regulations Violated:

Regulation of Connecticut State Agencies (Public Health Code) violated is, Section 19-13-D8t (m)(2).

C. Classification of Violations

Class B in accordance with Section 19a-527-1 (b)(8) of the Regulations of Connecticut State Agencies.

- D. Amount of Civil Penalty to be imposed in accordance with Connecticut General Statutes Sections 19a-527 and 19a-528: \$ 6,120.00.

NOTIFICATION OF ELECTION TO CONTEST CITATION

If the licensee wishes to contest this Citation, the administrator or his designee must within five days, excluding Saturdays, Sundays and holidays, of receipt of the Citation by the licensee, shall **verbally** notify the Supervising Nurse Consultant who signed the citation by contacting the Facility Licensing and Investigations Section (FLIS), Department of Public Health, 410 Capitol Avenue, MS#12 HSR, P.O. Box 340308, Hartford, Connecticut 06134-0308, telephone number (860) 509-7400 or any Supervising Nurse Consultant within FLIS (same address, same telephone number). Verbal contact must be made with a Supervising Nurse Consultant when electing to contest a citation.

ELECTION NOT TO CONTEST CITATION

Should the licensee not wish to contest this Citation and pay the civil penalty, check or money order should be made payable to: Treasurer, State of Connecticut, attention Donna Ortelle, PHSM and sent to the above identified address.

IF THE ADMINISTRATOR FAILS TO SO NOTIFY THE DEPARTMENT, THE CITATION SHALL BE DEEMED A FINAL ORDER OF THE COMMISSIONER OF PUBLIC HEALTH, EFFECTIVE UPON THE EXPIRATION OF THE FIVE DAY PERIOD REFERENCED ABOVE. CONNECTICUT GENERAL STATUTES SECTION 19a-525(a).

INFORMAL CONFERENCE

If the administrator has notified the Department in accordance with the procedure set forth above, an informal conference will be conducted as required by Section 19a-525(b) between the licensee and the Commissioner or his designee. The facility may wish to be represented by an attorney.

POSTING REQUIREMENT

Each Class A or Class B Citation shall be prominently posted in the nursing home cited so as to be visible to any resident, including those in wheelchairs and to any employee or visitor of the nursing home until the violation has been corrected to the satisfaction of the Commissioner of Public Health or the Citation has been vacated by the Commissioner. Failure to comply with this requirement constitutes a violation of Connecticut General Statutes Section 19a-540.

Signature: Norma Schubeth/CEH/

Date: 4-23-19

NS:jf

cc: Kristia Wagner, Administrator
Donna Ortelle, Section Chief
Cheryl Davis, Public Health Services Manager
Norma Schubeth, Supervising Nurse Consultant
Terri McNeil, Nurse Consultant
Laronda Therrien, Office Assistant