

Agency for Health Care Administration

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: AL11963878	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED R 11/21/2019
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NAME OF PROVIDER OR SUPPLIER

STREET ADDRESS, CITY, STATE, ZIP CODE

BRADENTON OAKS

**1015 7TH AVENUE EAST
BRADENTON, FL 34208**

(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) COMPLETE DATE
{A 058} SS=D	429.42() FS; 58A-5.033(3)(a) FAC Pharmacy & Dietary; Uncorrected Deficiencies 429.42 Pharmacy and dietary services.- (1) Any assisted living facility in which the agency has documented a class I or class II deficiency or uncorrected class III deficiencies regarding medicinal drugs or over-the-counter preparations, including their storage, use, delivery, or administration, or dietary services, or both, during a biennial survey or a monitoring visit or an investigation in response to a complaint, shall, in addition to or as an alternative to any penalties imposed under s. 429.19, be required to employ the consultant services of a licensed pharmacist, a licensed registered nurse, or a registered or licensed dietitian, as applicable. The consultant shall, at a minimum, provide onsite quarterly consultation until the inspection team from the agency determines that such consultation services are no longer required. (2) A corrective action plan for deficiencies related to assistance with the self-administration of medication or the administration of medication must be developed and implemented by the facility within 48 hours after notification of such deficiency, or sooner if the deficiency is determined by the agency to be life-threatening. 58A-5.033(3) (3) EMPLOYMENT OF A CONSULTANT. (a) Medication Deficiencies. 1. If a class I, class II, or uncorrected class III deficiency directly relating to facility medication practices as established in Rule 58A-5.0185, F.A.C., is documented by the agency pursuant to an inspection of the facility, the agency must notify the facility in writing that the facility must employ or contract the services of a pharmacist licensed pursuant to Section 465.0125, F.S., or registered nurse as determined by the agency.	{A 058}		

AHCA Form 3020-0001

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

TITLE

(X6) DATE

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{A 058}	Continued From page 1 2. After developing and implementing a corrective action plan in compliance with Section 429.42(2), F.S., the initial on-site consultant visit must take place within 7 working days of the notice of the class I or II deficiency and within 14 working days of the notice of an uncorrected class III deficiency. The facility must have available for review by the agency a copy of the license of the consultant pharmacist or registered nurse and the consultant's signed and dated review of the corrective action plan no later than 10 working days subsequent to the initial on-site consultant visit. 3. The facility must provide the agency with, at a minimum, quarterly on-site corrective action plan updates until the agency determines after written notification by the consultant and facility administrator that deficiencies are corrected and staff has been trained to ensure that proper medication standards are followed and that such consultant services are no longer required. The agency must provide the facility with written notification of such determination. This Statute or Rule is not met as evidenced by: Based on observation, record review, and interview, the Facility failed to ensure class III deficiencies regarding the facility's medications practices. Cross reference A0052 and A0054. Findings Included: Due to the uncorrected Class III deficiencies concerning the facility's medication practices, the facility shall be required to employ the consultation services of a licensed pharmacist or	{A 058}		

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{A 058}	Continued From page 2 a registered nurse. The consultant shall at a minimum, provide onsite quarterly consultation until the inspection team from the agency determines that such consultation services are no longer required. This written statement serves as notification of the above stated requirement. Class III	{A 058}		
{A 000}	Initial Comments A revisit to a complaint investigation (complaint numbers 2019007002 and 2019009608) was conducted at Bradenton Oaks (Assisted Living Facility) on . Deficiencies were identified at the time of the survey.	{A 000}		
{A 052} SS=D	429.256(); 58A-5.0185 (3) Medication - Assistance with Self-Admin 429.256 (3) Assistance with self-administration of medication includes: (a) Taking the medication, in its previously dispensed, properly labeled container, including an syringe that is prefilled with the proper dosage by a pharmacist and an , that is prefilled by the manufacturer, from where it is stored, and bringing it to the resident. (b) In the presence of the resident, reading the label, opening the container, removing a prescribed amount of medication from the container, and closing the container. (c) Placing an oral dosage in the resident 's or placing the dosage in another container and helping the resident by lifting the container to his	{A 052}		

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{A 052}	Continued From page 3 or her (d) Applying medications. (e) Returning the medication container to proper storage. (f) Keeping a record of when a resident receives assistance with self-administration under this section. (g) Assisting with the use of a, including removing the cap of a, opening the unit dose of solution, and pouring the prescribed premeasured dose of medication into the dispensing cup of the (h) Using a to perform level checks. (i) Assisting with putting on and taking off stockings. (j) Assisting with applying and removing an but not with titrating the prescribed settings. (k) Assisting with the use of a continuous positive airway pressure device but not with titrating the prescribed setting of the device. (l) Assisting with measuring vital signs. (m) Assisting with bags. (4) Assistance with self-administration does not include: (a) Mixing,, converting, or medication doses, except for measuring a prescribed amount of liquid medication or breaking a scored tablet or crushing a tablet as prescribed. (b) The preparation of syringes for injection or the administration of medications by any injectable route. (c) Administration of medications by way of a tube inserted in a of the body. (d) Administration of preparations. (e) Irrigations or debriding agents used in the	{A 052}		

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{A 052}	Continued From page 4 treatment of a skin condition. (f) _____, or _____ preparations. (g) Medications ordered by the physician or health care professional with prescriptive authority to be given "as needed," unless the order is written with specific parameters that preclude independent judgment on the part of the unlicensed person, and at the request of a competent resident. (h) Medications for which the time of administration, the amount, the strength of dosage, the method of administration, or the reason for administration requires judgment or discretion on the part of the unlicensed person. 58A-5.0185 (3) ASSISTANCE WITH SELF-ADMINISTRATION. (a) Any unlicensed person providing assistance with self-administration of medication must be _____ or older, trained to assist with self-administered medication pursuant to the training requirements of rule 58A-5.0191, F.A.C., and must be available to assist residents with self-administered medications in accordance with procedures described in section 429.256, F.S. and this rule. (b) In addition to the specifications of section 429.256(3), F.S., assistance with self-administration of medication includes, in the presence of the resident, reading the medication label aloud and verbally prompting a resident to take medications as prescribed. (c) In order to facilitate assistance with self-administration, trained staff may prepare and make available such items as water, juice, cups, and spoons. Trained staff may also return unused doses to the medication container. Medication, which appears to have been contaminated, must	{A 052}		

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{A 052}	Continued From page 5 not be returned to the container. (d) Trained staff must observe the resident take the medication. Any concerns about the resident's reaction to the medication or suspected noncompliance must be reported to the resident's health care provider and documented in the resident's record. (e) When a resident who receives assistance with medication is away from the facility and from facility staff, the following options are available to enable the resident to take medication as prescribed: 1. The health care provider may prescribe a medication schedule that coincides with the resident's presence in the facility. 2. The medication container may be given to the resident, a friend, or family member upon leaving the facility, with this fact noted in the resident's medication record. 3. The medication may be transferred to a pill organizer pursuant to the requirements of subsection (2), and given to the resident, a friend, or family member upon leaving the facility, with this fact noted in the resident's medication record, or 4. Medications may be separately prescribed and dispensed in an easier to use form, such as unit dose packaging. (f) Assistance with self-administration of medication does not include the activities detailed in section 429.256(4), F.S. 1. As used in section 429.256(4)(g), F.S., the term "competent resident" means that the resident is cognizant of when a medication is required and understands the purpose for taking the medication. 2. As used in section 429.256(4)(h), F.S., the terms "judgment" and "discretion" mean interpreting vital signs and evaluating or	{A 052}			

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{A 052}	Continued From page 6 assessing a resident's condition. (g) All trained staff must adhere to the facility's control policy and procedures when assisting with the self-administration of medication. This Statute or Rule is not met as evidenced by: Based on observation, record review and interview, the facility failed to ensure that the proper procedures were followed when assisting with self-administration of medications for three (Residents #5, #6, and #12) of three sampled residents Findings Included: A medication observation was conducted at 11:58 a. m. on with Staff E, Medication Technician (Med Tech). Staff E gathered Resident # 17's medication (med), removed one pill from the medication card at the medication cart and put one pill in the medication cup. Staff E put the med card in the draw, then Resident # 17 walked up to the med cart and the Med Tech handed Resident # 17 the medication in the med cup with some water. Resident # 17 took the medication at the medication cart. On at 1:15 p. m. an interview was conducted with Staff E, a Medication Technician (Med Tech). Staff E stated, "I just recently started this past weekend after taking the course and passing this past Friday. I want to let you know I forgot some steps of med pass while you were watching I was really nervous it was my 2nd day working the med cart alone. I was taught to let the resident look at the med card and tell him what pill he was taking, instead I put the med card in the draw and relocked the med cart, but I told him what he is taking by looking at the MOR as I signed off the medication."	{A 052}		

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{A 052}	Continued From page 7 During an observation of a medication pass at 12:30pm on Staff B (Med Tech) pushed the pill from the bubble pack into her . . . then placed the pill into a souffle cup and handed the cup to the Resident #5. Staff B failed to read the label of the medication to Resident #5. Further observation revealed, Staff B removed Resident #5's inhaler from the cart and told Resident #5 it was time for her inhaler. Staff B handed the inhaler to the resident and stated take two puffs. Staff B failed to read the instructions to Resident #5 which stated to take one puff wait 1 minute and take the second puff. Resident #5 removed the piece on the inhaler and pointed out the residue that had built up and told the Staff B that the piece should be rinsed and cleaned. Staff B told Resident #5 she would take care of it but put the inhaler . . . in the plastic bag and into the cart. During an observation of a medication pass at 12:45pm on Staff B found Resident #12 in the dining room. Staff B opened the medication observation record (MOR) gave Resident #12 his inhaler (Vetoing the label read 2 puff by . . . 4 times a day. Take one puff wait 1 minute and take the second puff. Rinse your . . . after use). Staff B handed Resident #12 the medication told him take 2 puffs. Surveyor pointed out to Staff B that she was not checking the label against the MOR or she would see the instructions are not just take two puffs. After reading the label Staff B changed the instruction to take 1 puff and wait 1 minute then take the second puff. The resident rinsed his . . . with his coffee but swallowed it. During an interview with Staff B conducted on at 12:50pm, Staff B confirmed that she had not read the label to the residents.	{A 052}		

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{A 052}	Continued From page 8 Class III	{A 052}		
{A 054} SS=D	58A-5.0185(5) FAC Medication - Records (5) MEDICATION RECORDS. (a) For residents who use a pill organizer managed in subsection (2), the facility must keep either the original labeled medication container; or a medication listing with the prescription number, the name and address of the issuing pharmacy, the health care provider's name, the resident's name, the date dispensed, the name and strength of the drug, and the directions for use. (b) The facility must maintain a daily medication observation record for each resident who receives assistance with self-administration of medications or medication administration. A medication observation record must be immediately updated each time the medication is offered or administered and include: 1. The name of the resident and any known _____ the resident may have; 2. The name of the resident's health care provider and the health care provider's telephone number; 3. The name, strength, and directions for use of each medication; and, 4. A chart for recording each time the medication is taken, any missed dosages, refusals to take medication as prescribed, or medication errors. (c) For medications that serve as chemical _____, the facility must, pursuant to section 429.41, F.S., maintain a record of the prescribing physician's annual evaluation of the use of the medication. This Statute or Rule is not met as evidenced by:	{A 054}		

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{A 054}	Continued From page 9 Based on record review and interview, the Facility failed to maintain Medication Observation Records (MORs) free from omissions for two residents (#8 and #9) of two sampled residents that required assistance with self-administration of medications. Findings Included: A review of Medication Observation Record (MOR) on _____ revealed Resident #8 and Resident #9 revealed there were holes in the residents MORs. During an interview with the Director of Nursing on _____ at 3:00PM, she stated that the medication technicians had been instructed to enter a reason on the _____ of the medication observation record. Class III	{A 054}		
A 056 SS=D	58A-5.0185(7) FAC Medication - Labeling and Orders (7) MEDICATION LABELING AND ORDERS. (a) The facility may not store prescription drugs for self-administration, assistance with self-administration, or administration unless they are properly labeled and dispensed in accordance with chapters 465 and 499, F.S., and rule 64B16-28.108, F.A.C. If a customized patient medication package is prepared for a resident, and separated into individual medicinal drug containers, then the following information must be recorded on each individual container: 1. The resident's name; and, 2. The identification of each medicinal drug in the container.	A 056		

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A 056	Continued From page 10 (b) Except with respect to the use of pill organizers as described in subsection (2), no individual other than a pharmacist may transfer medications from one storage container to another. (c) If the directions for use are "as needed" or "as directed," the health care provider must be contacted and requested to provide revised instructions. For an "as needed" prescription, the circumstances under which it would be appropriate for the resident to request the medication and any limitations must be specified; for example, "as needed for , . . . , not to exceed 4 tablets per day." The revised instructions, including the date they were obtained from the health care provider and the signature of the staff who obtained them, must be noted in the medication record, or a revised label must be obtained from the pharmacist. (d) Any change in directions for use of a medication that the facility is administering or providing assistance with self-administration must be accompanied by a written, faxes, or electronic copy of a medication order issued and signed by the resident's health care provider. The new directions must promptly be recorded in the resident's medication observation record. The facility may then obtain a revised label from the pharmacist or place an "alert" label on the medication container that directs staff to examine the revised directions for use in the medication observation record. (e) A nurse may take a medication order by telephone. Such order must be promptly documented in the resident's medication observation record. The facility must obtain a written medication order from the health care provider within 10 working days. A faxed or electronic copy of a signed order is acceptable.	A 056		

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A 056	Continued From page 11 (f) The facility must make every reasonable effort to ensure that prescriptions for residents who receive assistance with self-administration of medication or medication administration are filled or refilled in a timely manner. (g) Pursuant to section 465.0276(5), F.S., and rule 61N-1.006, F.A.C., sample or complimentary prescription drugs that are dispensed by a health care provider, must be kept in their original manufacturer's packaging, which must include the practitioner's name, the resident's name for whom they were dispensed, and the date they were dispensed. If the sample or complimentary prescription drugs are not dispensed in the manufacturer's labeled package, they must be kept in a container that bears a label containing the following: 1. Practitioner's name, 2. Resident's name, 3. Date dispensed, 4. Name and strength of the drug, 5. Directions for use; and, 6. Expiration date. (h) Pursuant to section 465.0276(2)(c), F.S., before dispensing any sample or complimentary prescription drug, the resident's health care provider must provide the resident with a written prescription, or a faxed or electronic copy of such order. This Statute or Rule is not met as evidenced by: Based on observations, record reviews, and interviews, the Facility failed to ensure medications were refilled in a timely manner and failed to provide and dispense prescription medications and follow medication orders by a Health Care Provider for two Residents (# 18 and # 19) of two sampled resident that required assistance with self-administration of medications.	A 056		

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A 056	Continued From page 12 Findings Included: During an observation of the medication pass, conducted on _____ at 12:30 p. m., Staff G, an unlicensed Medication Technician, had finished giving Resident # 18 one (1) tablet of _____ - 5- 325 every six (6) hours as needed for _____. Resident # 18 requested something to help with her _____ (Milk of Magnesia (MOM). Staff G then quickly removed a teal bottle from the medication cart signed the medication on the Medication Observation Record (MOR) and gave Resident # 18 thirty (30) milliliters (ml) of a white substance. AHCA checked the medication label to the MOR, it revealed that Staff G gave Resident # 18, _____ thirty (30) ml by _____ twice day before meals at 8:00 a. m. and 4:00 p. m. with meals instead of MOM 30 ml by _____ every three (3) days as needed for _____. An interview conducted on _____ at 12:35 p.m. with Staff G. Staff G stated, "I was distracted by Resident # 18's continuous talking and being watched during the med pass. Resident # 18 is out of MOM I need to get that reordered and I will let my supervisor know of the issues during med pass." During an observation of the medication pass, conducted _____ at 2:14 p. m. with Staff E, an unlicensed Medication Technician, Resident # 19 was ordered Deep Sea 0.65% _____ Spray 0.65% use two (2) sprays in each nostril every four (4) hours, "Family Provides," Novopharm label only. Staff E opened the medication cart the top draw where all the _____ sprays, _____, and _____ inhalers are stored, Staff E, went through the top draw twice and was unable to find	A 056			

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**1015 7TH AVENUE EAST
BRADENTON, FL 34208**

(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) COMPLETE DATE
A 056	Continued From page 13 Resident # 19's ... spray. Staff E went to Resident # 19 and told her she was out of the ... spray and it needed to be reordered. Resident # 19 replied "Ok". Staff E documented not given in the MOR, then went downstairs and reported to the supervisor that the ... spray needed to be reordered. An interview conducted on ... at 2:20 p.m. with Staff E. Staff E stated, "I am new at the cart and this didn't happened while I was working with someone, I will go to my supervisor to report Resident # 19 is out of the ... spray needs get it reordered and see how I need to chart that in the MOR the right way." Class III	A 056		