

Agency for Health Care Administration

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: AL11968566	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 12/11/2019
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NAME OF PROVIDER OR SUPPLIER

STREET ADDRESS, CITY, STATE, ZIP CODE

CANDY'S HOUSE INC

**405 ROSEDALE DRIVE
SATELLITE BEACH, FL 32937**

(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 000	Initial Comments A re-licensure survey with Limited Nursing Service (LNS) and Limited Mental Health (LMH) and Complaint Investigation #2019018789 was conducted at Candy's House Inc on Deficiencies were identified at the time of the survey.	A 000		
A 030 SS-J	59A-36.007(6) FAC; 429.28() FS 429.27 Resident Care - Rights & Facility Procedures 59A-36.007 (6) RESIDENT RIGHTS AND FACILITY PROCEDURES. (a) A copy of the Resident Bill of Rights as described in section 429.28, F.S., or a summary provided by the Long-Term Care Ombudsman Program must be posted in full view in a freely accessible resident area, and included in the admission package provided pursuant to rule 59A-36.006, F.A.C. (b) In accordance with section 429.28, F.S., the facility must have a written grievance procedure for receiving and responding to resident complaints and a written procedure to allow residents to recommend changes to facility policies and procedures. The facility must be able to demonstrate that such procedure is implemented upon receipt of a complaint. (c) The telephone number for lodging complaints against a facility or facility staff must be posted in full view in a common area accessible to all residents. The telephone numbers are: the Long-Term Care Ombudsman Program, 1(888)831-0404; Rights Florida, 1(800)342-0823; the Agency Consumer Hotline 1(888)419-3456, and the statewide toll-free telephone number of the Florida Hotline, 1(800)96- or 1(800)962-2873. The telephone numbers must be posted in close	A 030		

AHCA Form 3020-0001

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

TITLE

(X6) DATE

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A 030	Continued From page 1 proximity to a telephone accessible by residents and the text must be a minimum of 14-point font. (d) The facility must have a written statement of its house rules and procedures that must be included in the admission package provided pursuant to rule 59A-36.006, F.A.C. The rules and procedures must at a minimum address the facility's policies regarding: 1. Resident responsibilities; 2. and tobacco use; 3. Medication storage; 4. Resident elopement; 5. Reporting resident , neglect, and ; 6. Administrative and housekeeping schedules and requirements; 7. control, sanitation, and universal precautions; and, 8. The requirements for coordinating the delivery of services to residents by third party providers. (e) Residents may not be required to perform any work in the facility without compensation. Residents may be required to clean their own sleeping areas or apartments if the facility rules or the facility contract includes such a requirement. If a resident is employed by the facility, the resident must be compensated in compliance with state and federal wage laws. (f) The facility must provide residents with convenient access to a telephone to facilitate the resident's right to unrestricted and private communication, pursuant to section 429.28(1)(d), F.S. The facility must allow unidentified telephone calls to residents. For facilities with a licensed capacity of 17 or more residents in which residents do not have private telephones, there must be, at a minimum, a readily accessible telephone on each floor of each building where residents reside.	A 030			

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A 030	Continued From page 2 (g) In addition to the requirements of section 429.41(1)(k), F.S., the use of physical by a facility on a resident must be reviewed by the resident's physician annually. Any device, including half-bed rails, which the resident chooses to use and can remove or avoid without assistance, is not considered a physical 429.28 Resident bill of rights.- (1) No resident of a facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to: (a) Live in a safe and decent living environment, free from and neglect. (b) Be treated with consideration and respect and with due recognition of personal dignity, individuality, and the need for privacy. (c) Retain and use his or her own clothes and other personal property in his or her immediate living quarters, so as to maintain individuality and personal dignity, except when the facility can demonstrate that such would be unsafe, impractical, or an infringement upon the rights of other residents. (d) Unrestricted private communication, including receiving and sending unopened correspondence, access to a telephone, and visiting with any person of his or her choice, at any time between the hours of 9 a.m. and 9 p.m. at a minimum. Upon request, the facility shall make provisions to extend visiting hours for caregivers and out-of-town guests, and in other similar situations. (e) Freedom to participate in and benefit from community services and activities and to pursue the highest possible level of independence,	A 030		

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A 030	Continued From page 3 autonomy, and interaction within the community. (f) Manage his or her financial affairs unless the resident or, if applicable, the resident's representative, designee, surrogate, guardian, or attorney in fact authorizes the administrator of the facility to provide safekeeping for funds as provided in s. 429.27. (g) Share a room with his or her spouse if both are residents of the facility. (h) Reasonable opportunity for regular exercise several times a week and to be outdoors at regular and frequent intervals except when prevented by inclement weather. (i) Exercise civil and religious liberties, including the right to independent personal decisions. No religious beliefs or practices, nor any attendance at religious services, shall be imposed upon any resident. (j) Assistance with obtaining access to adequate and appropriate health care. For purposes of this paragraph, the term "adequate and appropriate health care" means the management of medications, assistance in making _____ for health care services, the provision of or arrangement of transportation to health care _____, and the performance of health care services in accordance with s. 429.255 which are consistent with established and recognized standards within the community. (k) At least 45 days' notice of relocation or termination of residency from the facility unless, for medical reasons, the resident is certified by a physician to require an emergency relocation to a facility providing a more skilled level of care or the resident engages in a pattern of conduct that is harmful or offensive to other residents. In the case of a resident who has been adjudicated mentally _____, the guardian shall be given at least 45 days' notice of a nonemergency	A 030			

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A 030	Continued From page 4 relocation or residency termination. Reasons for relocation shall be set forth in writing. In order for a facility to terminate the residency of an individual without notice as provided herein, the facility shall show good cause in a court of competent jurisdiction. (1) Present grievances and recommend changes in policies, procedures, and services to the staff of the facility, governing officials, or any other person without _____, interference, coercion, discrimination, or reprisal. Each facility shall establish a grievance procedure to facilitate the residents' exercise of this right. This right includes access to ombudsman volunteers and advocates and the right to be a member of, to be active in, and to associate with advocacy or special interest groups. (2) The administrator of a facility shall ensure that a written notice of the rights, _____, and prohibitions set forth in this part is posted in a prominent place in each facility and read or explained to residents who cannot read. The notice must include the statewide toll-free telephone number and e-mail address of the State Long-Term Care Ombudsman Program and the telephone number of the local ombudsman council, the Elder _____ Hotline operated by the Department of Children and Families, and, if applicable, _____, Rights Florida, where complaints may be lodged. The notice must state that a complaint made to the Office of State Long-Term Care Ombudsman or a local long-term care ombudsman council, the names and identities of the residents involved in the complaint, and the identity of complainants are kept confidential pursuant to s. 400.0077 and that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right. The facility	A 030			

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A 030	Continued From page 5 must ensure a resident's access to a telephone to call the State Long-Term Care Ombudsman Program or local ombudsman council, the Elder Hotline operated by the Department of Children and Families, and, Rights Florida. 429.27 Property and personal affairs of residents.- (1)(a) A resident shall be given the option of using his or her own belongings, as space permits; choosing his or her roommate; and, whenever possible, unless the resident is adjudicated or under state law, managing his or her own affairs. (b) The admission of a resident to a facility and his or her presence therein shall not confer on the facility or its owner, administrator, employees, or representatives any authority to manage, use, or dispose of any property of the resident; nor shall such admission or presence confer on any of such persons any authority or responsibility for the personal affairs of the resident, except that which may be necessary for the safe management of the facility or for the safety of the resident. This Statute or Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to honor resident rights by failing to honor the advanced directives for 1 of 6 sampled residents (#6). Findings: At 10:35 a.m. on, the administrator, also the facility's owner, said that at approximately 5 p.m. on she received a call from caregiver A telling her that resident #6 was at the	A 030		

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A 030	Continued From page 6 dining room table, he stood up, he turned blue, and he was not breathing. She instructed the caregiver to lay him on the floor. She then attempted to call his wife but was unsuccessful, so she spoke with his son. She then called hospice and spoke with an operator, who instructed her to call 911. She then called 911 herself and told them resident #6 was not breathing, he had a . . . , he received hospice services, and his wife did not want anything done. She arrived at the facility at approximately 5:15 p.m. Emergency personnel were present, and she learned that caregiver A had also called 911. The resident was already in an ambulance. She retrieved his . . . from her office and gave it to one of the emergency personnel who told her the . . . was invalid because it was a copy. She said she has a packet of documents made up for each resident that is kept in the office. Each packet contains pertinent resident information, including any advance directives, to be given to emergency personnel when they arrive to the facility. She provided a packet for resident #6, which contained his demographic information, his medication list, and advance directives, including a . . . and said it was available in the office on When asked why caregiver A did not give the packet to emergency personnel, she said "because she was so nervous, she didn't know what she was doing." During an interview with caregiver A at 9:56 a.m. on . . . , she said that on . . . resident #6 "was eating, I don't know, he was blue." She then suggested that I speak with the administrator saying, "cause I cannot too much explain." She then said the resident "was eating and he stood up." She began using her . . . and increased her breathing to demonstrate that he was having trouble breathing. She said, "I am putting him on	A 030			

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A 030	Continued From page 7 the floor," "I uh, 911," "I am here, . . . , here." She then pinched her own and gave audible breaths to demonstrate breaths given during She then said, "he was no more blue" then "police here," "police here then one more second 911 here." When asked whether the administrator was present, she said "no." When asked whether the resident had a , she said "no ? oh yes but only copy here, no original and the police need original," "now I understand important for yellow paper," "for me, I don't know how important, I do not understand . . ." "it was my first emergency." Throughout the interview, the caregiver had difficulty understanding questions and statements said in English, she oftentimes responded in Spanish, and at one point said she had to use an application on her phone to assist her with translation. Review of the hospice call log from revealed that a call was received from the administrator at 5:39 p.m. informing them that resident #6 was sent to the hospital. There was no documentation to indicate hospice received a call any earlier or that instructions were given to call 911. (Photographic evidence obtained.) At 10:41 a.m. on the fire chief said because resident #6's was not initially made available to emergency personnel, was performed which resulted in a He said there was an additional concern that the facility's caregiver was unable to effectively communicate with 911 due to her language barrier and said the recorded call revealed that she could only provide the dispatcher with the house number and not the entire street address. The facility's policy, dated ,	A 030			

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A 030	Continued From page 8 indicates that the facility will withhold or withdraw if a resident has a . In addition, the care staff will ensure the resident's . is filed in the resident's record in order for it to be easily accessible and readily available in the event of an emergency to ensure the resident's last wishes are honored. The policy indicates that the . shall be presented to emergency personnel, by the facility staff. (Photographic evidence obtained.) Resident #6's record revealed a facility admission date of . His diagnoses included . and . He was admitted to hospice services on . with a diagnosis of . Facility notes in the record, all authored by the administrator, indicated that at 5 p.m. on . resident #6 stood up at the table during dinner, he never coughed or choked, he sat on the chair beside the table, then he slid to the floor. His color changed and . was started. 911 and his family were called. Hospice was informed and said to call 911. (Photographic evidence obtained.) A facility note dated . at 5:25 p.m. indicated that the administrator arrived at the house and the resident was transported to the hospital. (Photographic evidence obtained.) A facility note dated . at 2 p.m. indicated that on . his wife reported that he expired. (Photographic evidence obtained.) Class I	A 030		

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A 081	Continued From page 9	A 081		
A 081 SS=D	59A-36.011() FAC Training - Staff In-Service (2) STAFF PRESERVICE ORIENTATION. (a) Facilities must provide a preservice orientation of at least 2 hours to all new assisted living facility employees who have not previously completed core training as detailed in subsection (1). (b) New staff must complete the preservice orientation prior to interacting with residents. (c) Once complete, the employee and the facility administrator must sign a statement that the employee completed the preservice orientation which must be kept in the employee's personnel record. (d) In addition to topics that may be chosen by the facility administrator, the preservice orientation must cover: 1. Resident's rights; and, 2. The facility's license type and services offered by the facility. (3) STAFF IN-SERVICE TRAINING. Facility administrators or managers shall provide or arrange for the following in-service training to facility staff: (a) Staff who provide direct care to residents, other than nurses, certified nursing assistants, or home health aides trained in accordance with rule 59A-8.0095, F.A.C., must receive a minimum of 1 hour in-service training in control, including universal precautions and facility sanitation procedures, before providing personal care to residents. The facility must use its control policies and procedures when offering this training. Documentation of compliance with the staff training requirements of 29 CFR 1910.1030, relating to , borne , may be used to meet this requirement.	A 081		

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A 081	Continued From page 10 (b) Staff who provide direct care to residents must receive a minimum of 1 hour in-service training within 30 days of employment that covers the following subjects: 1. Reporting adverse incidents. 2. Facility emergency procedures including chain-of-command and staff roles relating to emergency evacuation. (c) Staff who provide direct care to residents, who have not taken the core training program, shall receive a minimum of 1 hour in-service training within 30 days of employment that covers the following subjects: 1. Resident rights in an assisted living facility. 2. Recognizing and reporting resident neglect, and The facility must use its prevention policies and procedures when offering this training. (d) Staff who provide direct care to residents, other than nurses, CNAs, or home health aides trained in accordance with rule 59A-8.0095, F.A.C., must receive 3 hours of in-service training within 30 days of employment that covers the following subjects: 1. Resident behavior and needs. 2. Providing assistance with the activities of daily living. (e) Staff who prepare or serve food, who have not taken the assisted living facility core training must receive a minimum of 1-hour-in-service training within 30 days of employment in safe food handling practices. (f) All facility staff shall receive in-service training regarding the facility's resident elopement response policies and procedures within thirty (30) days of employment. 1. All facility staff shall be provided with a copy of the facility's resident elopement response policies and procedures.	A 081			

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A 081	Continued From page 11 2. All facility staff shall demonstrate an understanding and competency in the implementation of the elopement response policies and procedures. This Statute or Rule is not met as evidenced by: Based on personnel record reviews and interview, the facility failed to ensure that 1 of 2 sampled staff (A) received the required in-service training as described in 59A-36.011() FAC. Findings: Caregiver A was hired on . Her personnel record did not contain documented evidence to indicate she received a preservice orientation of at least 2 hours prior to interacting with residents. Her record did not contain documentation to indicate she previously completed core training to exempt her from the requirement. In addition, her record contained two certificates of training, both dated . . . , on control and resident however, the trainings were obtained online and there was no documentation to indicate the facility used its policies and procedures when the trainings were offered. Her record did not contain documentation to indicate she was a nurse, home health aide, or certified nursing assistant to exempt her from the control training. At 1:40 p.m. on a request was made to review the facility's policies regarding control, sanitation, and universal precautions, as review of caregiver A's control training revealed it was obtained from an online company.	A 081			

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A 081	Continued From page 12 At 2:05 p.m. the administrator said she was unable to provide the requested policy. Photographic evidence obtained. At 2:05 p.m. on the administrator confirmed the findings and said caregiver A was not provided the orientation and was not offered training on the facility's policies and procedures, as required. Photographic evidence obtained. Class III	A 081		