Agency for Health Care Administration

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	AL11911596	A. BUILDING: _____ B. WING _____	06/03/2020

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
ATRIA WILLOW WOOD	2855 WEST COMMERCIAL BLVD FORT LAUDERDALE, FL 33309

(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 An unannounced licensure Generator Assessment monitoring survey was conducted on - at Atria Willow Wood. The facility had deficiencies at the time of the survey.	A 000		
A 200 SS=D	59A-36.025 FAC Emergency Environmental Control 59A-36.025 Emergency Environmental Control for Assisted Living Facilities. (1) DETAILED EMERGENCY ENVIRONMENTAL CONTROL PLAN. Each assisted living facility shall prepare a detailed plan ("plan") to serve as a supplement to its Comprehensive Emergency Management Plan, to address emergency environmental control in the event of the loss of primary electrical power in that assisted living facility which includes the following information: (a) The acquisition of a sufficient alternate power source such as a generator(s), maintained at the assisted living facility, to ensure that current licensees of assisted living facilities will be equipped to ensure air temperatures will be maintained at or below 81 degrees Fahrenheit for a minimum of ninety-six (96) hours in the event of the loss of primary electrical power. 1. The required temperature must be maintained in an area or areas, determined by the assisted living facility, of sufficient size to maintain residents safely at all times and that is appropriate for resident care needs and life safety requirements. For planning purposes, no less than twenty (20) net square per resident must be provided. The assisted living facility may use eighty percent (80%) of its licensed bed capacity as the number of residents to be used in the to determine the required square footage. This may include areas that are less	A 200		

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A 200	Continued From page 1 than the entire assisted living facility if the assisted living facility's comprehensive emergency management plan includes allowing a resident to congregate when he or she desires in portions of the building where temperatures will be maintained and includes procedures for monitoring residents for signs of heat related injury as required by this rule. This rule does not prohibit a facility from acting as a receiving provider for evacuees when the conditions stated in section 408.821, F.S. and subsection 59A-36.019(5), F.A.C., are met. The plan shall include information regarding the area(s) within the assisted living facility where the required temperature will be maintained. 2. The alternate power source and fuel supply shall be located in an area(s) in accordance with local zoning and the Florida Building Code. 3. Each assisted living facility is unique in size; the types of care provided; the physical and mental capabilities and needs of residents; the type, frequency, and amount of services and care offered; and staffing characteristics. Accordingly, this rule does not limit the types of systems or equipment that may be used to achieve . . . . temperatures at or below 81 degrees Fahrenheit for a minimum of ninety-six (96) hours in the event of the loss of primary electrical power. The plan shall include information regarding the systems and equipment that will be used by the assisted living facility and the fuel required to operate the systems and equipment. a. An assisted living facility in an evacuation zone pursuant to chapter 252, F, S. must maintain an alternative power source and fuel as required by this subsection at all times when the assisted living facility is occupied but is permitted to utilize a mobile generator(s) to enable portability if evacuation is necessary.	A 200		

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A 200	Continued From page 2 b. Assisted living facilities located on a single campus with other facilities under common ownership, may share fuel, alternative power resources, and resident space available on the campus if such resources are sufficient to support the requirements of each facility's residents, as specified in this rule. Details regarding how resources will be shared and any necessary movement of residents must be clearly described in the emergency power plan. c. A multistory facility, whose comprehensive emergency management plan is to move residents to a higher floor during a flood or surge event, must place its alternative power source and all necessary additional equipment so it can safely operate in a location protected from flooding or storm surge damage. (b) The acquisition of sufficient fuel, and safe maintenance of that fuel at the facility, to ensure that in the event of the loss of primary electrical power there is sufficient fuel available for the alternate power source to maintain temperatures at or below 81 degrees Fahrenheit for a minimum of ninety-six (96) hours after the loss of primary electrical power during a declared state of emergency. The plan must include information regarding fuel source and fuel storage. 1. Facilities must store minimum amounts of fuel onsite as follows: a. A facility with a licensed capacity of 16 beds or less must store 48 hours of fuel onsite. b. A facility with a licensed capacity of 17 or more beds must store 72 hours of fuel onsite. 2. An assisted living facility located in an area in a declared state of emergency area pursuant to section 252.36, F.S. that may impact primary power delivery must secure ninety-six (96) hours of fuel. The assisted living facility may utilize	A 200		

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A 200	Continued From page 3 portable fuel storage containers for the remaining fuel necessary for ninety-six (96) hours during the period of a declared state of emergency. 3. Piped natural gas is an allowable fuel source and meets the onsite fuel supply requirements under this rule. 4. If local ordinances or other regulations limit the amount of onsite fuel storage for the assisted living facility's location, then the assisted living facility must develop a plan that includes maximum onsite fuel storage allowable by the ordinance or regulation and a reliable method to obtain the maximum additional fuel at least 24 hours prior to depletion of onsite fuel. (c) The acquisition of services necessary to maintain, and test the equipment and its functions to ensure the safe and sufficient operation of the alternate power source maintained at the assisted living facility. (d) The acquisition and maintenance of a monoxide alarm. (2) SUBMISSION OF THE PLAN. (a) Each assisted living facility licensed prior to the effective date of this rule shall submit its plan to the local emergency management agency for review within 30 days of the effective date of this rule. Assisted living facility plans previously submitted and approved pursuant to emergency rule 58AER17-1 will require resubmission only if changes are made to the plan. (b) Each new assisted living facility shall submit the plan required under this rule prior to obtaining a license. (c) Each existing assisted living facility that undergoes any additions, modifications, alterations, refurbishment, renovations or reconstruction that require modification of its systems or equipment affecting the facility's compliance with this rule shall amend its plan and	A 200		

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A 200	Continued From page 4 submit it to the local emergency management agency for review and approval. (3) APPROVED PLANS. (a) Each assisted living facility must maintain a copy of its approved plan in a manner that makes the plan readily available at the licensee's physical address for review by a legally authorized entity. If the plan is maintained in an electronic format, assisted living facility staff must be readily available to access and produce the plan. For purposes of this section, "readily available" means the ability to immediately produce the plan, either in electronic or paper format, upon request. (b) Within two (2) business days of the approval of the plan from the local emergency management agency, the assisted living facility shall submit in writing proof of the approval to the Agency for Health Care Administration. (c) The assisted living facility shall submit a consumer-friendly summary of the emergency power plan to the Agency. The Agency shall post the summary and notice of the approval and implementation of the assisted living facility emergency power plans on its website within ten (10) business days of the plan's approval by the local emergency management agency and update within ten (10) business days of implementation. (4) IMPLEMENTATION OF THE PLAN. (a) Each assisted living facility licensed prior to the effective date of this rule shall, no later than . . . , . . . , have implemented the plan required under this rule. (b) The Agency shall allow an extension up to . . to providers in compliance with paragraph (c) below and who can show delays caused by necessary construction, delivery of ordered equipment, zoning or other regulatory	A 200		

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A 200	Continued From page 5 approval processes. Assisted living facilities shall notify the Agency that they will utilize the extension and keep the Agency apprised of progress on a quarterly basis to ensure there are no unnecessary delays. If an assisted living facility can show in its quarterly progress reports that unavoidable delays caused by necessary construction, delivery of ordered equipment, zoning or other regulatory approval processes will occur beyond the initial extension date, the assisted living facility may request a waiver pursuant to section 120.542, F.S. (c) During the extension period, an assisted living facility must make arrangements pending full implementation of its plan that provides the residents with an area or areas to congregate that meets the safe indoor air temperature requirements of subsection (1) (a) for a minimum of ninety-six (96) hours. 1. An assisted living facility not located in an evacuation zone must either have an alternative power source onsite or have a contract in place for delivery of an alternative power source and fuel when requested. Within twenty-four (24) hours of the issuance of a state of emergency for an event that may impact primary power delivery for the area of the assisted living facility, it must have the alternative power source and no less than ninety-six (96) hours of fuel stored onsite. 2. An assisted living facility located in an evacuation zone pursuant to chapter 252, F.S. must either: a. Fully and safely evacuate its residents prior to the arrival of the event; or b. Have an alternative power source and no less than ninety-six (96) hours of fuel stored onsite, within twenty-four (24) hours of the issuance of a state of emergency for the area of the assisted living facility.	A 200		

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A 200	Continued From page 6 (d) Each new assisted living facility shall implement the plan required under this rule prior to obtaining a license. (e) Existing assisted living facilities that undergo any additions, modifications, alterations, refurbishment, renovations or reconstruction that require modification of the systems or equipment affecting the assisted living facility's compliance with this rule shall implement its amended plan concurrent with any such additions, modifications, alterations, refurbishment, renovations or reconstruction. (f) The Agency for Health Care Administration may request cooperation from the State Fire Marshal to conduct inspections to ensure implementation of the plan in compliance with this rule. (5) POLICIES AND PROCEDURES. (a) Each assisted living facility shall develop and implement written policies and procedures to ensure that the assisted living facility can effectively and immediately activate, operate and maintain the alternate power source and any fuel required for the operation of the alternate power source. The procedures shall ensure that residents do not experience complications from fluctuations in air temperatures inside the facility. Procedures must address the care of residents occupying the facility during a declared state of emergency, specifically, a description of the methods to be used to mitigate the potential for heat related injury including: 1. The use of cooling devices and equipment; 2. The use of refrigeration and freezers to produce ice and appropriate temperatures for the maintenance of medicines requiring refrigeration; 3. Wellness checks by assisted living facility staff to monitor for signs of and heat injury; and	A 200		

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A 200	Continued From page 7 4. A provision for obtaining medical intervention from emergency services for residents whose life safety is in jeopardy. (b) Each assisted living facility shall maintain the written policies and procedures in a manner that makes them readily available at the licensee's physical address for review by a legally authorized entity. If the policies and procedures are maintained in an electronic format, assisted living facility staff must be readily available to access the policies and procedures and produce the requested information. For purposes of this section, "readily available" means the ability to immediately produce the policies and procedures, either in electronic or paper format, upon request. (c) The written policies and procedures must be readily available for inspection by each resident; each resident's legal representative, designee, surrogate, guardian, attorney in fact, or case manager; each resident's estate; and such additional parties as authorized in writing or by law. (6) REVOCATION OF LICENSE, FINES OR SANCTIONS. For a violation of any part of this rule, the Agency for Health Care Administration may seek any remedy authorized by chapter 429, part I, or chapter 408, part II, F.S., including, but not limited to, license revocation, license suspension, and the imposition of administrative fines. (7) COMPREHENSIVE EMERGENCY MANAGEMENT PLAN. (a) Assisted living facilities whose comprehensive emergency management plan is to evacuate must comply with this rule. (b) Each facility whose plan has been approved shall submit the plan as an addendum with any future submissions for approval of its comprehensive emergency management plan.	A 200		

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A 200	Continued From page 8 (8) NOTIFICATION. (a) Within five (5) business days, each assisted living facility must notify in writing, unless permission for electronic communication has been granted, each resident and the resident's legal representative: 1. Upon submission of the plan to the local emergency management agency that the plan has been submitted for review and approval; 2. Upon final implementation of the plan by the assisted living facility. (b) Each assisted living facility must maintain a copy of each notification set forth in paragraph (a) above in a manner that makes each notification readily available at the licensee's physical address for review by a legally authorized entity. If the notifications are maintained in an electronic format, facility staff must be readily available to access and produce the notifications. For purposes of this section, "readily available" means the ability to immediately produce the notifications, either in electronic or paper format, upon request. This Statute or Rule is not met as evidenced by: Based on interviews, observation and records review, the facility failed to provide evidence of its ability to maintain 96-hours of continuous power, to ensure the sustenance of air flow of 81 degrees Fahrenheit, and the safety of 79 out 79 of its Residents. This assertion is supported by the lack of fuel currently stored at the facility. The findings included: During a generator monitoring visit conducted at the facility on from 9:45 AM to 1:35 PM, the following were noted: 1) In an interview conducted with the Resident Services Director ( ), she reported at 9:45 AM	A 200		

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A 200	Continued From page 9	A 200		

that 79 individuals resided at the facility. 68 of the residents lived in the assisted living (AL) section and 11 in the Memory Care (MC) unit. The Administrator also reported that they have three emergency generators on site (one fixed and two standby generators). The fixed generator supplies power only to the MC and the two standby generators are intended to supply power to the AL, and the Independent living (IL) facilities a multistory building adjacent to the MC and The AL.

2) During a tour conducted with the Administrator at about 10:00 AM, this writer confirmed the generators were evidently on the property. One standby generator (labelled ONSITE ENERGY) was located by the AL loading dock area, other (WHISPERWATT) by the entrance gate of the facility, and the fixed generator is located behind the MC unit. Observations made during the tour also indicated that the fuel gauge of the MC generator was between the ½ and the ¾ levels; the generator by the entrance had no fuel, and the ONSITE ENERGY generator's fuel was estimated to be ¾ full, based on the lighting indicator of the fuel gauge.

3) Review of a document (request for variance extension) provided by the Administrator revealed it was filed on [redacted], exactly on the date their previous extension expired. According to that document, the fixed Generator located behind the MC has a total fuel storage capacity of 1000 gallons. This generator is designated to supply enough power to the MC unit. It 41.3 gallons of fuel per hour while operating at full capacity of 60 HZ. Consequently, based on the fuel level indicator, this writer estimates that the generator had 620 gallons of fuel. [redacted] fuel at

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A 200	Continued From page 10 41.3 gallons per hour, the fuel would last only 15.01 Hours. The document further stipulates that the MC generator will power the air conditioning system, lighting, fire pump, fire alarms, access control, telephone exchange, walk-in Freezer, cooler, elevator, and receptacles. According to the . . , there are 11 residents in the MC and that unit is totally independent from the AL. 4) On a request to obtain the fuel storage capacity of the ONSITE ENERGY generator from the . . and the Maintenance Director (MD) was not immediately granted. For, a) the . . did not have the information at the facility; b) the MD did not know with certainty the fuel storage capacity of the generator. In fact, the MD was apparently not fully aware how to operate the ONSITE ENERGY generator. 5) During an interview with the MD on . . . . . at 10:15 AM, while assessing the WHISPERWATT generator's, it was observed that the MD lacked confidence while activating the engine. This writer and the MD walked around the generator multiple times to even locate the fuel gauge of the generator. This observation led this writer to believe that the MD was not sure how to operate the system. In fact, when the MD finally powered the generator, it turned off immediately signaling a lack of fuel. Then, the MD stated that the generators were recently tested by the facility's Contractors, but he was not present during the test. He stated that the Contractors did not either let him know that there was no fuel in the WHISPERWATT generator. He looked perplexed and disturbed by this occurrence. He was immediately asked to provide the test log of the generators and he said that he would provide it. However, he did not provide it.	A 200		

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A 200	Continued From page 11 Soon after, we moved to inspect the ONSITE ENERGY generator. After asking the MD to verify where the fuel gauge was, he also could not find it. This writer intervened and helped him find the fuel gauge. But the MD could not tell with certainty the fuel storage capacity of the generator. He answered when asked with uncertainty "I believe it holds a thousand gallons". When asked to verify the information, the MD could not. He searched for that information; he could not find it. He reported that the Contractor was responsible for servicing the generators. He did not know where the information was. 6) During a follow-up interview with the on , at 11:30 AM, she was reminded of the importance to have enough fuel at the facility all the time, and to have someone onsite to operate the Emergency generators since they are not automatically activated/powered. She then provided a copy of a contract for fuel which in paraphrase stipulates: The Contractor will provide fuel given they receive 24 hours notification to deliver it. In addition, the fuel will be delivered depending on availability. The Administrator then clarified and said that the Contractors as well as the Maintenance Director are responsible for activating the generators. When questioned about what would happen if the MD is not available during an emergency or that the Contractors would not able to come, the said that they are responsible. There was no plan to prevent such eventuality_ there is no one else onsite that would be capable of activating the generators. Furthermore, the contract revealed that it would take the Contractors 4 hours to arrive at the facility. 7) The ONSITE ENERGY generator located by the AL was estimated and noted to be filled up to	A 200		

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A 200	Continued From page 12 ¾ level of fuel, verified by the lighting indicators. Review of the Application Data of the generator, a document received from the facility on , a day after leaving the facility, revealed that this generator 37 gallons of fuel per hour operating at 100 percent capacity and 60 Hz. At 50 Hz using 50 percent power capacity, it will 19.9 gallons per hour. With these data, it is therefore estimated that the generator would its current fuel (of 1000 gallons) in 21.8 hours operating at full capacity, 60 Hz; operating at 50 percent power capacity and 50 Hz, it will take 40.7 hours to run out of fuel. 8) On at 12:30 PM, the forwarded a letter to this writer revealing additional details of the generator located by the loading area. The document indicated that the ONSITE ENERGY generator has a total load capacity of 640kW. At 100% load it consumes 41.3 gallons per hour. With 900 gallons of fuel in the tank (can only be filled up to 90 %), the generator would run for approximately 21.8 hours at 100% load (a discrepancy between the first data and the second information provided). The other standby generator has power capacity of 550kW. At 100% load, it consumes 37 gallons per hour. With 900 gallons of fuel in the tank, the generator would run for approx. 24.3 hours at 100% load. 9) During a subsequent three-way communication with the . . and one of the Company's Representatives from their Corporate office, on . . . . . at 1:00 PM, they were briefed on the lack of fuel currently available on site to supply power to the facility as per state regulations and the discrepancies noted between the two documents provided in reference to ONSITE ENERGY generator. The Corporate	A 200		

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A 200	Continued From page 13 individual whom the later identified as the facility's legal Representative stated that their plan was already approved by the County Emergency Management and the Agency for Healthcare Administration (AHCA); he insinuated that the facility was in compliance. The Representative further indicated that the generators would be operating at 50% load capacity. This writer immediately requested documentary evidence of that probability, but this proof was not provided as of . This writer is not sure whether the generators would be able to supply power to the AL air conditioning units, refrigerators, emergency fire hydrants, and other receptacles while operating at 50 Percent load capacity. 10) This writer subsequently received on at 3:30 PM, an email of a new contract which indicates that fuel will be provided as follows: "In the event of a standard fuel tank top off or a Power outage at any location, at any time and for any reason, upon customer approval, the Contractor will have Diesel Fuel delivered to the facility site for the Standby Generators until the utility power returns. Fuel delivery is subject to availability from the fuel depots in Florida" (facility and contractors' name removed). This service is contingent upon the following: 1) If a Low Fuel Alert is confirmed at the Remote Alarm Panel, the facility is to contact the Contractor for Refueling. 2) Provide a Purchase Order Number for the services requested along with contact person's name and cell number. Based on aforementioned information it was revealed the facility failed to provide the following. a) the facility did not provide evidence that they have 96 hours of fuel stored at the facility as required by all assisted living facilities with 17 or	A 200		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	AL11911596	A. BUILDING: _____ B. WING _____	06/03/2020

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
ATRIA WILLOW WOOD	2855 WEST COMMERCIAL BLVD FORT LAUDERDALE, FL 33309

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A 200	Continued From page 14 more residents b) the facility failed to have a monitoring system to ensure that their generators have sufficient fuel all the times; c) the facility did not provide evidence that the generators will be operated at 50 percent fuel and load efficiency level. During the final exit via telephone with the Resident Services Director on at 6:00 PM, she reported that she will continue to master the emergency plan and develop strategies and procedures to ensure that they have continuous power at the facility, in the event of an emergency. She thanked this writer and provided no additional information. Class II	A 200		