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 _____	R 08/25/2020

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 revisit to the Generator Assessment Monitoring survey was conducted on and at Atria Willow Wood. The facility had an uncorrected deficiency identified at the time of the survey. This survey was conducted in conjunction with the revisit to complaint #2020008396 and a Focused Control survey on the same date. See separate report for findings.	{A 000}		
{A 200} SS=F	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	{A 200}		

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{A 200}	Continued From page 1	{A 200}		

than twenty (20) net square [illegible] 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 [illegible] to determine the required square footage. This may include areas that are less 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 [illegible] 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

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{A 200}	Continued From page 2	{A 200}		

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.
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

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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 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.

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{A 200}	Continued From page 4 (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 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	{A 200}		

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{A 200}	Continued From page 5 required under this rule. (b) The Agency shall allow an extension up to [redacted] 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 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	{A 200}		

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{A 200}	Continued From page 6 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. (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;	{A 200}		

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{A 200}	Continued From page 7 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 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	{A 200}		

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{A 200}	Continued From page 8 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. (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 interview and record review, the facility failed to ensure compliance with State regulatory requirements by failing to ensure a minimum of 96 hours of fuel is onsite to power their 2 portable generators in the event of a power outage. This failure has the potential to affect the safety of all residents residing in the Assisted Living Facility (ALF) in the event of a power outage, hurricane or other natural disaster.	{A 200}		

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{A 200}	Continued From page 9 The findings included: During a revisit survey conducted on , the ALF current status of their permanent fixed generators and portable generators was reviewed. On at 10:15 AM, an interview was conducted with the facility Maintenance Director who stated they have 2 permanent fixed generators on site, one that services the Memory Care building and one for the main Assisted Living (AL) and Independent Living (IL) building, separate and adjacent to the Memory Care building. He stated the generator for the AL/IL building was installed a couple of weeks ago and is operational, however requires a final inspection. He stated in the interim, they have 2 portable generators on site and the generator company can arrive in an hour to do the electrical hook up of the 2 portable generators should there be a power outage. An inquiry was made to the Maintenance Director when and who will be conducting the final inspection of the new fixed generator which will provide cooling to areas on the AL side to which he stated they ran a load test last week and the Inspector said there was 'something wrong with it'. An inquiry was made what division, local or state, the Inspector was from and what was meant by 'something was wrong with it' to which the Maintenance Director stated he was not provided with that information. An inquiry was made who is responsible for overseeing the generator status to which the Maintenance Director stated he was; however, he is never provided with any written documentation, that goes up to corporate. A request was made to speak with someone who could provide that information. On at approximately 10:20	{A 200}		

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AM, the Maintenance Director contacted a representative of the generator electrical [redacted] company and a telephone conference call interview was conducted with this representative. The representative stated the new generator has passed all their inspections and they have conducted a load test, however, final inspections from the County environmentalists and the local fire marshal still need to conduct their inspections and do a simulated power loss before the new system is authorized to be functional. The representative stated the system should be in the 'Off' position but he put it in the 'Auto' position so it will kick in if there is a power outage. The representative further stated the new generator is missing a leak detector part and they are waiting on the delivery of the part at which time the technician will have to install it, test it and it will need to be inspected. He was not sure when this part will be delivered and installed. The representative additionally stated there have been some issues with the permitting. He stated when the permit was submitted to the city it was mislabeled mechanical and it should have read plumbing, so they had to resubmit a new permit. He stated the plans for the permit were resubmitted possibly on [redacted]. He was unsure as to how long it would take for the city to approve the plans. The representative stated there is a lot of paperwork involved when installing a new generator which has to be provided by the facility, and which they are still waiting on. An inquiry was made what paperwork they were waiting on to which he stated he was not sure, he is the technician and that information would have to come from management. An inquiry was made to the Maintenance Director at this time, what paperwork the representative was referring to, to which the Maintenance Director stated he does

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{A 200}	Continued From page 11 not have anything to do with the installation of the new generator, that is dealt with at the corporate level and he does not receive any documentation related to the status of the generator. On at 2:31 PM, a telephone interview was conducted with the facility Regional Vice President inquiring what stage the facility is at in terms of obtaining final inspections and approval of the new fixed generator. She stated she will get that information. A further inquiry was made about the amount of fuel they have onsite to power the 2 portable generators. The Regional Vice President stated one portable generator will be hooked up to the AL side of the building and the other hooked up to the IL side of the building. She further stated they have 24 hours of fuel onsite to service the 2 portable generators. An inquiry was made if she was aware the facility is required to have at least 96 hours of fuel onsite whether it is for a fixed generator or portable generator, to which she stated she was not told that is what is required. She further stated the electrical power services company will send an electrician within an hour to hook up the portable generators if there is a power outage and they will deliver more fuel as needed. The Regional Vice President confirmed they only have 24 hours of fuel onsite to power the portable generators. A request was made to provide written documentation of the load and consumption for the 2 portable generators. The Regional Vice President stated she will forward the information electronically. Review of a letter provided by the Regional Vice President via email on at 7:44 PM from an electrical power services company representative dated states in part, 'The 550kW portable generator with 900 gallons of fuel	{A 200}		

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{A 200}	Continued From page 12 in the tank would run for approximately 23.3 hours at 100% load. The 640kW portable generator with 900 gallons of fuel in the tank would run for approximately 21.8 hours at 100% load.' This letter confirms the portable generators only hold enough fuel to run for 23.3 and 21.8 hours respectively and not the 96 hours as mandated by the State requirements. Review of a letter provided by the Regional Vice President via email on . . . . . at 7:44 PM, from the generator electrical contractor representative dated . . . . . states in part, 'To Whom it . , Concern: This letter is being issued to offer that the new 500kW generator have been installed and tested and are currently fully operational. The project is in closeout and is awaiting final inspections and sign off from the local AHJ (Authority Having Jurisdiction). We will notify you of full project acceptance once the AHJ are received.' This letter confirms that although the facility has a new fixed generator on the premises, State, local or fire marshal inspections have not been conducted to officially approve or authorize it's use. As a result of not having final inspection approval, the facility is required to have enough fuel on site to power their 2 portable generators for a minimum of 96 hours. On at 10:24 AM, a telephone conference call was conducted with 2 State surveyors, a field office Supervisor, the Regional Vice President and the Executive Director of the Assisted Living Facility. A request was made to the facility administration to provide documentation they have enough fuel onsite to power the 2 portable generators for a total of 96 hours. Further, the letter from the electrical contractor representative was reviewed noting he documented a final inspection from the	{A 200}		

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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 200}	Continued From page 13 authorities has not been conducted however the new generator is in 'Auto' mode indicating the generator will power up if there is a power outage despite not having final approval by the authorities. The Regional Vice President stated they had a county electrical inspection conducted on . . . . . She did not state what the results of this inspection were. She also stated there is another inspection due on . . . . . however was unable to state an inspection by whom. A further mention was made of the leak detector part that is pending delivery, installation and inspection to which the Regional Vice President had no comment. A request was made to the Regional Vice President and Executive Director to provide evidence of documentation of the amount of fuel they have onsite to power their 2 portable generators and a time line of when they , final inspections to be able to officially be able to use the fixed generator in the event of a power outage. The Regional Vice President stated she will have that information forwarded electronically by the close of business today. On . . . . . at 8:53 PM, an email was received from the Regional Vice President who stated, "We are unable to provide the required documentation as the contractor is still gathering information." Class II	{A 200}		