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
	AL11963725	A. BUILDING: _____ B. WING _____	11/16/2020

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
ELMCROFT OF BELLA VITA	1420 EAST VENICE AVENUE VENICE, FL 34292

(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 focused control and complaint survey for #2020008574 and #2020003404 was conducted on at Elmcroft of Bella Vita, an assisted living facility in Venice, Florida. Complaint #2020008574 was substantiated at A0030. Complaint #2020003404 was substantiated without citation. The following is description of the deficiency.	A 000		
A 030	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,	A 030		

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A 030	Continued From page 1 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 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	A 030		

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A 030	Continued From page 2 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. (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	A 030		

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A 030	Continued From page 3	A 030		

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, 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

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A 030	Continued From page 4 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 relocation or residency termination. Reasons for relocation must be set forth in writing and provided to the resident or the resident's legal representative. The notice must state that the resident may contact the State Long-Term Care Ombudsman Program for assistance with relocation and must include the statewide toll-free telephone number of the program. 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. (l) 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	A 030		

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A 030	Continued From page 5 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 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:	A 030		

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A 030	Continued From page 6 Based on observation, resident and staff interview and record review, the facility failed to provide a clean, safe and comfortable living environment for 4 (Resident #1, #2, #3, and #4) of 4 reviewed for issues concerning cleanliness of the facility, laundry services, cleaning apartments and common areas in times of COVID, and an ant infestation in the facility. The Findings included: On at 10:35 a.m., toured 4 separate floors of 3 separate towers in the facility. There is an A, B, and C building. Census 99. While touring the hallways it was noted the carpet had multiple stains on all floor and the stains ranged in size from the size of egg to the size of a cantaloupe and many other shapes and sizes and colors. The common area was noted to have dust on tables and marks where people had sat with drinks. Multiple high touch areas that did not appeared to be cleaned were observed.. In the common area of the activities room, multiple ants were observed walking all over the tables. On at 11:20 a.m., in an interview with Staff B in housekeeping, she said that there is a shortage of housekeeping staff since , of 2020. She said there is supposed to be 3 staff members, one for each building A, B, and C, and they would each work 8 hours in their area. She said that there has only been 2 people working. She said that their job duties are to clean all the rooms in 1 ½ buildings, do the laundry for each of	A 030		

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A 030	Continued From page 7 the residents that are getting a full room clean on that day and to keep all the common areas, desks, table tops, and . . . rails clean, because they are high touch areas. She said there is no way they can do all of that. She said she does not get the residents laundry to them on that day and she gets behind. She said she works 8-hour days and the facility only has housekeeping 5 days a week. She works Sunday-Thursday and the other person works Monday thru Friday. She said therefore they cannot keep up. She said that her supervisor has gone to the Executive Director (ED) about needing more help, but she says they cannot find anyone. She said that she does not clean the common areas, she does not have time. On at 12:20 p.m., in an interview with the Housekeeping Supervisor, she said that she works as a housekeeper in the morning and an /Med tech on the evening shifts. She said that there are only 2 housekeepers for the whole building, and they are expected to clean resident rooms, common areas often and do the resident laundry and get it . . . to them on the shift. She said the facility has 114 apartments and they all need to be cleaned once a week in a 5-day period. She said that is 22 apartments a day between the 2-housekeeping staff. She said there is no way that they can do it all and she said, "truthfully we do not have time to clean the siderails and common areas." She said she uses her second shift while being a med tech to try to get the morning laundry done. The residents are upset and often their cloths are wrinkled because of sitting in the dryer. She said the carpets are dirty and need to be cleaned and they have not been done because they have not had enough staff. She said the maintenance men were let go. And the other person that was housekeeping has	A 030		

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A 030	Continued From page 8 been out because she hurt her . . . . . and is on light duty in the dining area. She said that she has approached the ED about getting more help for housekeeping, but she tells her there is no one to get. On . . . . . at 2:15 p.m., in an interview Resident #1 said that the facility has a very big issues with housekeeping, maintenance issues, and laundry. He said that he does not get his room cleaned once a week, there are ants in his room, and his bathroom toilet and sink were stopped up. He said that he does go to the front desk and complain and then they sent the front desk secretary to clean his room. He said the laundry is not done if they are not cleaning the rooms. He said the ED has not replaced housekeeping staff or maintenance staff. Resident #1 said he does not feel these issues are being address by management, leaving the residents to have to figure it out for themselves. On . . . . . at 2:30 p.m., in an interview Resident #2 said that the facility carpets are dirty and stained and she feels there is not enough housekeeping staff to take care of everything. She said the housekeeping is at a bare minimum, they come into the room once a week for 10 minutes to clean and get the laundry, but often you don't get the laundry for a few days and it is wrinkled. She said that the issues have been brought up to the ED, but nothing has been done. She said the ant problem is also ongoing because the maintenance men are gone, they are the ones that get the bug people in to take care of the ants. She said front desk lady and one of the medication techs are also trying to do housekeeping. On at 2:45 p.m., in an interview	A 030		

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A 030	Continued From page 9 Resident #3 said that it takes the staff 30-60 minutes to answer the call light and sometimes longer. She said housekeeping comes in once a week and spends 10 minutes at the most cleaning. She said they take her laundry but don't get it to her for a while. She said she feels her apartment is not kept clean and she did have issues with ants walking on her while she was in her recliner. She said she feels that since , the housekeeping staff have been short because of a staff member getting injured they have not replaced and because the maintenance men keep quitting. On at 3:00 p.m., in an interview Resident #4 said that in the residents' handbook it says the rooms will be thoroughly cleaned once a week, but it does not say what is supposed to be cleaned. She said she feels the apartments aren't clean the way they should and there is an issue with the laundry. She said the housekeeping staff is short and they try to do the laundry and cleaning but are unable to do it all. On at 4:12 p.m., in an interview with the Resident Services Director (director of nursing), she said that the facility has had an issue with staffing in the housekeeping and maintenance departments. She is aware of the issues that the residents are concerned about such things as laundry, housekeeping, and ants in the apartments. On at 4:40 p.m., in an interview with the ED she said that the facility has had an issue with housekeeping and maintenance staff. She said she had one housekeeper out because of an injury and has not been able to replace her. She also said that she had to let three maintenance staff go in the last couple of months. She is aware	A 030		

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A 030	Continued From page 10 of the issue in housekeeping and she has heard from staff, but she has not been able to hire anyone. She is aware of the resident being upset about the laundry not getting to them, about the dirty and stained rugs throughout the facility and the ants in the apartments and activity room. She said she has no policy for a cleaning protocol in the facility for COVID and high touch areas. She was unable to answer how often the common high touch areas should be cleaned. She said she was made aware by the housekeeping supervisor of the staff's inability to get all the housekeeping done. Class III	A 030		