

Agency for Health Care Administration

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: AL11965874	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 02/09/2021
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NAME OF PROVIDER OR SUPPLIER

STREET ADDRESS, CITY, STATE, ZIP CODE

MANGROVE BAY

**120 MANGROVE BAY WAY
JUPITER, FL 33477**

(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 Relicensure, Focused Control and Generator Monitoring survey was conducted on _____ and _____ at Mangrove Bay. The facility had deficiencies at the time of the survey.	A 000		
A 010	429.26() FS; 59A-36.006(4) FAC Admissions - Continued Residency 429.26 (1) The owner or administrator of a facility is responsible for determining the appropriateness of admission of an individual to the facility and for determining the continued appropriateness of residence of an individual in the facility. A determination must be based upon an evaluation of the strengths, needs, and preferences of the resident, a medical examination, the care and services offered or arranged for by the facility in accordance with facility policy, and any limitations in law or rule related to admission criteria or continued residency for the type of license held by the facility under this part. The following criteria apply to the determination of appropriateness for admission and continued residency of an individual in a facility: (a) A facility may admit or retain a resident who receives a health care service or treatment that is designed to be provided within a private residential setting if all requirements for providing that service or treatment are met by the facility or a third party. (b) A facility may admit or retain a resident who requires the use of assistive devices. (c) A facility may admit or retain an individual receiving hospice services if the arrangement is agreed to by the facility and the resident, additional care is provided by a licensed hospice, and the resident is under the care of a physician	A 010		

AHCA Form 3020-0001

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

TITLE

(X6) DATE

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A 010	Continued From page 1 who agrees that the physical needs of the resident can be met at the facility. The resident must have a plan of care which delineates how the facility and the hospice will meet the scheduled and unscheduled needs of the resident, including, if applicable, staffing for nursing care. (d)1. Except for a resident who is receiving hospice services as provided in paragraph (c), a facility may not admit or retain a resident who is bedridden or who requires 24-hour nursing supervision. For purposes of this paragraph, the term "bedridden" means that a resident is confined to a bed because of the inability to: a. Move, turn, or reposition without total physical assistance; b. Transfer to a chair or wheelchair without total physical assistance; or c. Sit safely in a chair or wheelchair without personal assistance or a physical 2. A resident may continue to reside in a facility if, during residency, he or she is bedridden for no more than 7 consecutive days. 3. If a facility is licensed to provide extended congregate care, a resident may continue to reside in a facility if, during residency, he or she is bedridden for no more than 14 consecutive days. (2) A resident may not be moved from one facility to another without consultation with and agreement from the resident or, if applicable, the resident's representative or designee or the resident's family, guardian, surrogate, or attorney in fact. In the case of a resident who has been placed by the department or the Department of Children and Families, the administrator must notify the appropriate contact person in the applicable department. (3) A physician, physician assistant, or advanced practice registered nurse who is employed by an	A 010			

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A 010	Continued From page 2 assisted living facility to provide an initial examination for admission purposes may not have financial interests in the facility. 59A-36.006 (4) CONTINUED RESIDENCY. Except as follows in paragraphs (a) through (c) of this subsection, criteria for continued residency in any licensed facility must be the same as the criteria for admission. As part of the continued residency criteria, a resident must have a _____ to _____ medical examination by a health care provider at least every 3 years after the initial assessment, or after a significant change, whichever comes first. A significant change is defined in rule 59A-36.002, F.A.C. The results of the examination must be recorded on AHCA Form 1823, which is incorporated by reference in paragraph (2)(b) of this rule and must be completed in accordance with that paragraph. Exceptions to the requirement to meet the criteria for continued residency are: (a) The resident may be bedridden for no more than 7 consecutive days. (b) A resident requiring care of a _____ may be retained provided that: 1. The resident contracts directly with a licensed home health agency or a nurse to provide care, or the facility has a limited nursing services license and services are provided pursuant to a plan of care issued by a health care provider, 2. The condition is documented in the resident's record; and, 3. If the resident's condition fails to improve within 30 days, as documented by a health care provider, the resident must be discharged from the facility. (c) A _____, ill resident who no longer meets the criteria for continued residency may continue	A 010			

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A 010	Continued From page 3 to reside in the facility if the following conditions are met: 1. The resident qualifies for, is admitted to, and consents to receive services from a licensed hospice that coordinates and ensures the provision of any additional care and services that the resident may need; 2. Both the resident, or the resident's legal representative if applicable, and the facility agree to continued residency; 3. A licensed hospice, in consultation with the facility, develops and implements a interdisciplinary care plan that specifies the services being provided by hospice and those being provided by the facility; and, 4. Documentation of the requirements of this paragraph is maintained in the resident's file. (d) The facility administrator is responsible for monitoring the continued appropriateness of placement of a resident in the facility at all times. (e) A hospice resident that meets the qualifications of continued residency pursuant to this subsection may only receive services from the assisted living facility's staff which are within the scope of the facility's license. (f) Assisted living facility staff may provide any nursing service permitted under the facility's license and total help with the activities of daily living for residents admitted to hospice; however, staff may not exceed the scope of their professional licensure or training. (g) Continued residency criteria for facilities holding an extended congregate care license are described in rule 59A-36.021, F.A.C. This Statute or Rule is not met as evidenced by: Based on record review and interview the facility failed to ensure residents received a medical assessment after a significant change to	A 010			

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A 010	Continued From page 4 determine continue residency for 1 of 4 sampled residents (Resident#4). The Findings Included: On at 2:30 PM, a record review was conducted for Resident#4. A review of the Agency for Health Care Administration Health Assessment (AHCA Form 1823) dated, documented Resident #4 was receiving Hospice services. On at approximately 10:00AM during an interview with the Health and Wellness Director (HWD), she stated the resident is no longer receiving Hospice services. On at approximately 12:30 PM, the HWD provided a physician order dated, documenting a Hospice discharge date of for Resident #4. During an interview on at 4:30 PM, with the Executive Director and the Administrator, they acknowledged Resident #4's AHCA 1823 had not been updated to reflect his current status for continued residency in the facility and he no longer was under Hospice Services. No further documentation was provided for review. Class III	A 010			
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	A 030			

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A 030	Continued From page 5 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 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;	A 030			

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A 030	Continued From page 6 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. (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,	A 030			

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A 030	Continued From page 7 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, 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	A 030			

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A 030	Continued From page 8 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 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,	A 030			

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A 030	Continued From page 9 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 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	A 030			

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A 030	Continued From page 10 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 observation and interview, Staff D failed to ensure Universal Precautions (as it pertains to _____ hygiene) was practiced while preparing and administering medications for 2 of 8 sampled residents observed during medication pass for Resident #17 and Resident #19. Staff D additionally failed to honor resident's privacy when administering medication for 2 of 8 sampled residents observed during medication pass for Resident #17 and Resident #19. The findings included: On _____ at 10:06 AM, a medication pass observation was conducted with Staff D for Resident #19. Staff D was not observed to perform _____ hygiene prior to preparing the resident's medications. During the preparation, one of the pills _____ on top of the medication cart and Staff D picked up the pill with her bare hand and placed it in the medication cup. Staff D picked up a capsule medication, opened the	A 030		

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A 030	Continued From page 11 capsule with her bare _____ and emptied the contents in the cup with the other medications. Staff D was not observed to perform _____ hygiene until after the medication was administered and she exited the residents room. On _____ at 11:45 AM, a medication pass observation was conducted with Staff D for Resident #17. Staff D was not observed performing _____ hygiene prior to preparing the medications. Staff D unlocked the medication cart and compared the medication to the Medication Observation Record (MOR). Staff D took a medicine cup and placed a medicated cream into the cup. She took another cup and placed one prescribed pill into it and added applesauce to the cup. She then applied one glove to her right _____ and proceeded to the small dining room where Resident #17 was seated. Staff D gave the medication via _____ with a sip of juice and then applied the medicated cream to Resident #17's left _____, in front of Resident #19 and other residents in the dining room. Staff D was not observed to perform hygiene after removing the glove from her right _____. _____ to the medication cart, Staff D unlocked the medication cart and compared the MOR to the medication label for Resident #19 and placed two tablets of _____ medication in a medicine cup, added applesauce, and took medicated _____ out of the cart. Staff D was then observed to place one glove on her right _____. Staff D proceeded to the small dining room again and sat down next to Resident #19, who was sitting next to Resident #17. Staff D gave Resident #19 the medication with applesauce and then instilled the _____ at the table in front of the other residents in the dining room and without _____.	A 030			

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A 030	Continued From page 12 practicing universal precautions and not honoring Resident #17 and Resident #19's privacy during medication pass. Staff D was not observed to perform hygiene after removing the glove from her right . . . Class III	A 030		
A 032	59A-36.007(8) FAC Resident Care - Elopement Standards 59A-36.007 (8) ELOPEMENT STANDARDS. (a) Residents Assessed at Risk for Elopement. All residents assessed at risk for elopement or with any history of elopement must be identified so staff can be alerted to their needs for support and supervision. All residents must be assessed for risk of elopement by a health care provider or a mental health care provider within 30 calendar days of being admitted to a facility. If the resident has had a health assessment performed prior to admission pursuant to paragraph 59A-36.006(2) (a), F.A.C., this requirement is satisfied. A resident placed in a facility on a temporary emergency basis by the Department of Children and Families pursuant to section 415.105 or 415.1051, F.S., is exempt from this requirement for up to 30 days. 1. As part of its resident elopement response policies and procedures, the facility must make, at a minimum, a daily effort to determine that at risk residents have identification on their persons that includes their name and the facility's name, address, and telephone number. Staff trained pursuant to paragraph 59A-36.011(10)(a) or (c), F.A.C., must be generally aware of the location of all residents assessed at high risk for elopement at all times.	A 032		

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A 032	Continued From page 13 2. The facility must have a photo identification of at risk residents on file that is accessible to all facility staff and law enforcement as necessary. The facility's file must contain the resident's photo identification upon admission or upon being assessed at risk for elopement subsequent to admission. The photo identification may be provided by the facility, the resident, or the resident's representative. (b) Facility Resident Elopement Response Policies and Procedures. The facility must develop detailed written policies and procedures for responding to a resident elopement. At a minimum, the policies and procedures must provide for: 1. An immediate search of the facility and premises, 2. The identification of staff responsible for implementing each part of the elopement response policies and procedures, including specific duties and responsibilities, 3. The identification of staff responsible for contacting law enforcement, the resident's family, guardian, health care surrogate, and case manager if the resident is not located pursuant to subparagraph (8)(b)1.; and, 4. The continued care of all residents within the facility in the event of an elopement. (c) Facility Resident Elopement Drills. The facility must conduct and document resident elopement drills pursuant to sections 429.41(1)(a)3. and 429.41(1)(l), F.S. This Statute or Rule is not met as evidenced by: Based on interview and record review the facility failed to conduct a minimum of two resident elopement prevention and response drills per year for all direct care staff to include management.	A 032			

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NAME OF PROVIDER OR SUPPLIER MANGROVE BAY		STREET ADDRESS, CITY, STATE, ZIP CODE 120 MANGROVE BAY WAY JUPITER, FL 33477		
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A 032	Continued From page 14 The findings included: On at 11:00 AM, an interview was conducted with th Executive Director of the Facility.A request was made to provide evidence of the elopement drill for 2019 and 2020. He provided the evidence of the in-service elopement drills for 2020. He was provided an opportunity to locate documentation of their elopement drills for 2019. During an interview on at 4:30 PM with the Executive Director and Administrator, they acknowledged the findings and provided no additional documentation for review. Class	A 032		
A 054	59A-36.008(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;	A 054		

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**120 MANGROVE BAY WAY
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A 054	Continued From page 15 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: Based on observation, interview and record review, Staff D and the Health and Wellness Director (HWD) failed to document on the Medication Observation Record (MOR) after the medications were administered and not before the medications were administered for 4 of 8 sampled residents observed during medication pass, Resident #4, Resident #8, Resident #10, and Resident #19). The facility also failed to failed to ensure residents who are receiving medications that serve as a chemical receive an annual evaluation by their physician for 1 of 10 sampled residents (Resident #6). The findings included: 1) On _____ at 10:06 AM, a medication observation was conducted with Staff D. Staff D prepared 9 medications. Staff D signed the MOR prior to administering the medications to the resident. On _____ at 11:37AM a medication observation was conducted with staff D. Staff D prepared 9 medications. Staff D signed the MOR	A 054		

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A 054	Continued From page 16 prior to administering the medications to the resident. On at 9:25AM a medication observation was conducted with staff D. Staff D prepared 1 medication for Resident #4. Staff D signed the MOR prior to administering the medication to the resident. On at 10:30AM a medication observation was conducted with the HWD. The HWD prepared 10 medications for Resident #8. The HWD signed the MOR prior to administering the medications to the resident. 2) On a resident record review was completed for Resident #6. The review revealed a chemical assessment for 25 milligrams half a tablet daily which was dated . At this time an interview was conducted with the HWD who indicated it was unclear if the medication was currently prescribed as a chemical . At 2:15 PM, the HWD reported she spoke to the physician, and it was determined that a new assessment had to be done to determine if the chemical will be continued. During an interview with the Administrator, Executive Director, and the HWD on at approximately 4:30 PM, they acknowledged the findings and will follow up with the physician to evaluate Resident #6. Class III	A 054		
A 055	59A-36.008(6) FAC Medication - Storage and Disposal	A 055		

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A 055	Continued From page 17 (6) MEDICATION STORAGE AND DISPOSAL. (a) In order to accommodate the needs and preferences of residents and to encourage residents to remain as independent as possible, residents may keep their medications, both prescription and over-the-counter, in their possession both on or off the facility premises. Residents may also store their medication in their rooms or apartments if either the room is kept locked when residents are absent or the medication is stored in a secure place that is out of sight of other residents. (b) Both prescription and over-the-counter medications for residents must be centrally stored if: 1. The facility administers the medication; 2. The resident requests central storage. The facility must maintain a list of all medications being stored pursuant to such a request; 3. The medication is determined and documented by the health care provider to be hazardous if kept in the personal possession of the person for whom it is prescribed; 4. The resident fails to maintain the medication in a safe manner as described in this paragraph; 5. The facility determines that, because of physical arrangements and the conditions or habits of residents, the personal possession of medication by a resident poses a safety hazard to other residents, or 6. The facility's rules and regulations require central storage of medication and that policy has been provided to the resident before admission as required in rule 59A-36.006, F.A.C. (c) Centrally stored medications must be: 1. Kept in a locked cabinet; locked cart; or other locked storage receptacle, room, or area at all times; 2. Located in an area free of dampness and	A 055			

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A 055	Continued From page 18 abnormal temperature, except that a medication requiring refrigeration must be kept refrigerated. Refrigerated medications must be secured by being kept in a locked container within the refrigerator, by keeping the refrigerator locked, or by keeping the area in which the refrigerator is located locked; 3. Accessible to staff responsible for filling pill-organizers, assisting with self-administration of medication, or administering medication. Such staff must have ready access to keys or codes to the medication storage areas at all times; and, 4. Kept separately from the medications of other residents and properly closed or sealed. (d) Medication that has been discontinued but has not expired must be returned to the resident or the resident's representative, as appropriate, or may be centrally stored by the facility for future use by the resident at the resident's request. If centrally stored by the facility, the discontinued medication must be stored separately from medication in current use, and the area in which it is stored must be marked "discontinued medication." Such medication may be reused if prescribed by the resident's health care provider. (e) When a resident's stay in the facility has ended, the administrator must return all medications to the resident, the resident's family, or the resident's guardian unless otherwise prohibited by law. If, after notification and waiting at least 15 days, the resident's medications are still at the facility, the medications are considered abandoned and may be disposed of in accordance with paragraph (f). (f) Medications that have been abandoned or have expired must be disposed of within 30 days of being determined abandoned or expired and the disposal must be documented in the resident's record. The medication may be taken	A 055			

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A 055	Continued From page 19 to a pharmacist for disposal or may be destroyed by the administrator or designee with one witness. (g) Facilities that hold a Special-ALF permit issued by the Board of Pharmacy may return dispensed medicinal drugs to the dispensing pharmacy pursuant to rule 64B16-28.870, F.A.C. This Statute or Rule is not met as evidenced by: Based observation and interview, Staff D failed to ensure resident medications were centrally stored in a secure place for 1 of 8 sampled residents (Resident #9) observed during medication pass. The Findings Included: On at 9:50 AM during a medication observation with Staff D, Staff D entered Resident #9's room and retrieved a medicine cup that contained a powdered substance from the resident's nightstand. At this time, Staff D stated she had previously crushed the medication and had attempted to administer it but did not have apple sauce to mix with the crushed medications. Staff D confirmed she left the medication on the nightstand in the resident's room unattended while she retrieved the applesauce. During an interview on at 4:30 PM with the Administrator and the HWD, they acknowledged the findings. Class III	A 055		
A 056	59A-36.008(7) FAC Medication - Labeling and Orders (7) MEDICATION LABELING AND ORDERS. (a) The facility may not store prescription drugs	A 056		

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A 056	Continued From page 20 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. (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, faxed, 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	A 056			

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A 056	Continued From page 21 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. (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	A 056			

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A 056	Continued From page 22 prescription, or a faxed or electronic copy of such order. This Statute or Rule is not met as evidenced by: Based on observation, interview, and record review, the facility failed to ensure that medications were administered to the residents within one hour before or one hour after the dosage time for 7 of 10 sampled residents (Resident #8, #10, #11, #13, #14, #16, and #19) The Findings Included: On at 10:30 AM the Health and Wellness Director (HWD) was observed to administer the following medications to Resident #8 which were due to be administered at 8:00 AM: 10milligrams (mg), Acidophilus probiotic one tablet, Anoro Elipta 1 puff, 5mg, 10mg, OS Cal 500+D one tablet, 25mg, 50mg, CD 300mg and due at 9:00 AM, Apresoline 50mg. Review of the Medication Observation Record (MOR) revealed medications are to be given at 8:00AM and 9:00AM. All medications were given at 10:30AM. At this time an interview was conducted with the HWD who stated the facility is aware that an additional person is needed to assist with morning medication pass, and the issue is being discussed with the new Executive Director. On at 11:37 AM a medication pass observation was conducted with Staff D. Staff D administered the following medications to Resident #10: 50mg 1 tablet, 15mg, Voltaren1% Gel 4 grams, Dr 20mg at breakfast, 5mg, with the following medications due to be administered at 9:00 AM: 0.52mg, 100mg, 81mg, 12.5mg with food.	A 056			

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A 056	Continued From page 23 Review of the MOR revealed medications are to be given at 8:00AM and 9:00AM. All medications were given at 11:37AM. On at 9:30AM, a medication pass observation was conducted with Staff D. Staff D administered the following medications to Resident #13: 5mg, D3 100mcg, 25mg, DR 20 mg, XL 12.5mg, 0.4mg. Review of Resident #13's MOR revealed the medication were due to be administered at 8:00AM. All medications were given at 9:30 AM. An interview was conducted with Staff D on/2021at 9:38 AM, who stated she has worked at the facility for 2 weeks and she recently started administering medication on her own. She stated she is behind due to being the only nurse on duty and not familiar with the residents yet. On at 9:38AM, a medication pass observation was conducted with Staff D. Staff D administered the following medication to Resident #16: Review of Resident #16's MOR revealed the medication was due to be administered at 8:00 AM. The medication was given at 9:38 AM. On at 9:40 AM, a medication pass observation was conducted with Staff D. Staff D administered the following medication to Resident #14: 25mg 1 and ½ tablets, 500mg, and 25mg. Review of Resident #14's MOR revealed the medication was due to be administered at 8:00 AM. All medications were given at 9:40 AM. On at 9:45 AM, a medication pass observation was conducted with Staff D. Staff D	A 056		

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A 056	Continued From page 24 administered the following medication to Resident #11: _____ Mono 100mg. Review of Resident #14's MOR revealed the medication was due to be administered at 8:00 AM. The medication was given at 9:45 AM. On _____ at 10:06 AM, a medication pass observation was conducted with Staff D. Staff D administered the following medications to Resident #19: _____ 40mg, _____ 100mg, _____ 325mg, _____ 25mg, NU-Iron 150mg, Multi w/ _____ 10MEQ, _____ 10mg. _____ Review of the MOR revealed medications are due to be administered at 8:00 AM and 9:00 AM. All medications were given at 10:06 AM. During an interview on _____ at 4:30 PM with the Administrator and HWD, they acknowledged the findings. Class III	A 056		
A 078	59A-36.010(2) FAC Staffing Standards - Staff (2) STAFF. (a) Within 30 days after beginning employment, newly hired staff must submit a written statement from a health care provider documenting that the individual does not have any signs or symptoms of communicable _____. The examination performed by the health care provider must have been conducted no earlier than 6 months before submission of the statement. Newly hired staff does not include an employee transferring without a break in service from one facility to another when the facility is under the same management or ownership. 1. Evidence of a negative _____	A 078		

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A 078	Continued From page 25 examination must be documented on an annual basis. Documentation provided by the Florida Department of Health or a licensed health care provider certifying that there is a shortage of testing materials satisfies the annual examination requirement. An individual with a positive test must submit a health care provider's statement that the individual does not constitute a risk of 2. If any staff member has, or is suspected of having, a communicable, such individual must be immediately removed from duties until a written statement is submitted from a health care provider indicating that the individual does not constitute a risk of transmitting a communicable (b) Staff must be qualified to perform their assigned duties consistent with their level of education, training, preparation, and experience. Staff providing services requiring licensing or certification must be appropriately licensed or certified. All staff must exercise their responsibilities, consistent with their qualifications, to observe residents, to document observations on the appropriate resident's record, and to report the observations to the resident's health care provider in accordance with this rule chapter. (c) All staff must comply with the training requirements of rule 59A-36.011, F.A.C. (d) An assisted living facility to provide services to residents must ensure that individuals providing services are qualified to perform their assigned duties in accordance with this rule chapter. The contract between the facility and the staffing agency or contractor must specifically describe the services the staffing agency or contractor will provide to residents.	A 078		

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A 078	Continued From page 26 (e) For facilities with a licensed capacity of 17 or more residents, the facility must: 1. Develop a written job description for each staff position and provide a copy of the job description to each staff member; and, 2. Maintain time sheets for all staff. (f) Level 2 background screening must be conducted for staff, including staff by the facility to provide services to residents, pursuant to sections 408.809 and 429.174, F.S. This Statute or Rule is not met as evidenced by: Based on record review and interview the facility failed to ensure all staff submitted a written statement from Health Care provider documenting a negative () examination on an annual basis for 1 of 7 sampled staff (Staff C). The findings included: An employee record review was conducted for Staff C whose hire date was The review revealed a negative statement dated Further review revealed no negative statement for 2020. The Administrator was apprised of this finding and provided an opportunity to locate the documentation. During an interview on at 4:30 PM with the Executive Director and Administrator, they acknowledged the findings and provided no additional documentation for review. Class	A 078		
A 165	429.23(&) FS; 59A-36.016 FAC Risk Mgmt & QA; Adverse Incident Report	A 165		

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NAME OF PROVIDER OR SUPPLIER

STREET ADDRESS, CITY, STATE, ZIP CODE

MANGROVE BAY

**120 MANGROVE BAY WAY
JUPITER, FL 33477**

(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 165	Continued From page 27 429.23 Internal risk management and quality assurance program; adverse incidents and reporting requirements. - (1) Every facility licensed under this part may, as part of its administrative functions, voluntarily establish a risk management and quality assurance program, the purpose of which is to assess resident care practices, facility incident reports, deficiencies cited by the agency, adverse incident reports, and resident grievances and develop plans of action to correct and respond quickly to identify quality differences. (2) Every facility licensed under this part is required to maintain adverse incident reports. For purposes of this section, the term, "adverse incident" means: (a) An event over which facility personnel could exercise control rather than as a result of the resident ' s condition and results in: 1. _____ ; 2. _____ or _____ damage; 3. Permanent _____ ; 4. _____ or _____ of bones or joints; 5. Any condition that required medical attention to which the resident has not given his or her consent, including failure to honor advanced directives; 6. Any condition that requires the transfer of the resident from the facility to a unit providing more acute care due to the incident rather than the resident ' s condition before the incident; or 7. An event that is reported to law enforcement or its personnel for investigation; or (b) Resident elopement, if the elopement places the resident at risk of harm or injury. (3) Licensed facilities shall provide within 1 business day after the occurrence of an adverse incident, through the agency ' s online portal, or if the portal is offline, by electronic mail, a	A 165		

Agency for Health Care Administration

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NAME OF PROVIDER OR SUPPLIER MANGROVE BAY			STREET ADDRESS, CITY, STATE, ZIP CODE 120 MANGROVE BAY WAY JUPITER, FL 33477		
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A 165	Continued From page 28 preliminary report to the agency on all adverse incidents specified under this section. The report must include information regarding the identity of the affected resident, the type of adverse incident, and the status of the facility's investigation of the incident. (4) Licensed facilities shall provide within 15 days, through the agency's online portal, or if the portal is offline, by electronic mail, a full report to the agency on all adverse incidents specified in this section. The report must include the results of the facility's investigation into the adverse incident. (6) _____, neglect, or _____ must be reported to the Department of Children and Families as required under chapter 415. (7) The information reported to the agency pursuant to subsection (3) which relates to persons licensed under chapter 458, chapter 459, chapter 461, chapter 464, or chapter 465 shall be reviewed by the agency. The agency shall determine whether any of the incidents potentially involved conduct by a health care professional who is subject to disciplinary action, in which case the provisions of s. 456.073 apply. The agency may investigate, as it deems appropriate, any such incident and prescribe measures that must or may be taken in response to the incident. The agency shall review each incident and determine whether it potentially involved conduct by a health care professional who is subject to disciplinary action, in which case the provisions of s. 456.073 apply. (8) If the agency, through its receipt of the adverse incident reports prescribed in this part or through any investigation, has reasonable belief that conduct by a staff member or employee of a licensed facility is grounds for disciplinary action	A 165			

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A 165	Continued From page 29 by the appropriate board, the agency shall report this fact to such regulatory board. (9) The adverse incident reports and preliminary adverse incident reports required under this section are confidential as provided by law and are not discoverable or admissible in any civil or administrative action, except in disciplinary proceedings by the agency or appropriate regulatory board. (10) The agency may adopt rules necessary to administer this section. 59A-36.016 Adverse Incident Report. (1) INITIAL ADVERSE INCIDENT REPORT. The preliminary adverse incident report required by section 429.23(3), F.S., must be submitted within 1 business day after the incident pursuant to rule 59A-35.110, F.A.C., which requires online reporting. (2) FULL ADVERSE INCIDENT REPORT. For each adverse incident reported in subsection (1), above, the facility must submit a full report within 15 days of the incident. The full report must be submitted pursuant to rule 59A-35.110, F.A.C., which requires online reporting. This Statute or Rule is not met as evidenced by: Based on observation, interview and record review, the facility failed to submit a preliminary adverse incidents report within 1 business day, and failed to submit a full adverse report within 15 days after an incident to the Agency for Health Care Administration (AHCA) for 1 of 4 sampled residents for Resident #20. The findings included: On at approximately 9:35 AM a facility tour was conducted. Resident #20 was observed	A 165			

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A 165	Continued From page 30 in the elevator with a dark and scab across the bridge of her At this time the resident was interviewed about the observation. The resident stated she and was in the hospital for 2 weeks. The resident was unable to give details of the incident. A review of the incident report dated revealed the resident sustained an unwitnessed and injury to her and the resident was transferred to a local hospital by paramedics. On at 10:15 AM during an interview with the Health Wellness Director (HWD), she acknowledged Resident #20 did sustain a and injury to her and it was later determined at the hospital that Resident #20's was Review of the hospital discharge instructions dated , documented discharge diagnosis as " in Elderly patient; of bone." At this time the HWD was asked if an Adverse Incident report was submitted, to which she stated no Adverse Incident report was submitted. Review of the Agency for Health Care Administration Health Assessment (AHCA form 1823) dated , prior to the incident, revealed the resident had a medical history of mild , Gait Abnormality, History of and poor vision. Further review revealed resident required assistance with all activities of daily living. On at 4:00 PM during an interview with the Administrator and HWD, they acknowledged the findings and no additional documentation was provided for review. Class III	A 165			