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
	AL11911240	A. BUILDING: _____ B. WING _____	08/30/2021

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BEST CARE SENIOR LIVING AT SAINT JOSEPH	4406 N MELTON AVE TAMPA, FL 33614

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
A 000	Initial Comments A complaint investigation (#2021011446 and #2021010468) in conjunction with a COVID-19 focused control survey was conducted at Best Care Senior Living at St. Joseph on . Deficiencies were identified at the time of the survey.	A 000		
A 030 SS=D	59A-36.007(6) FAC; 429.28(.) FS 429.27 Resident Care - Rights & Facility Procedures 59A-36.007 (6) RESIDENT RIGHTS AND FACILITY PROCEDURES. (a) A copy of the Resident Bill of Rights as described in section 429.28, F.S., or a summary provided by the Long-Term Care Ombudsman Program must be posted in full view in a freely accessible resident area, and included in the admission package provided pursuant to rule 59A-36.006, F.A.C. (b) In accordance with section 429.28, F.S., the facility must have a written grievance procedure for receiving and responding to resident complaints and a written procedure to allow residents to recommend changes to facility policies and procedures. The facility must be able to demonstrate that such procedure is implemented upon receipt of a complaint. (c) The telephone number for lodging complaints against a facility or facility staff must be posted in full view in a common area accessible to all residents. The telephone numbers are: the Long-Term Care Ombudsman Program, 1(888)831-0404; , Rights Florida, 1(800)342-0823; the Agency Consumer Hotline 1(888)419-3456, and the statewide toll-free telephone number of the Florida Hotline, 1(800)96- or 1(800)962-2873. The telephone numbers must be posted in close	A 030		

AHCA Form 3020-0001

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE

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A 030	Continued From page 1	A 030		

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

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

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A 030	Continued From page 3	A 030		

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

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A 030	Continued From page 4 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 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	A 030		

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A 030	Continued From page 5 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: Based on record review and interview, the facility failed to have a written grievance procedure for receiving and responding to resident complaints. Findings included:	A 030		

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A 030	Continued From page 6 A facility record review conducted on . . . . revealed the facility did not have a grievance procedure that was implemented. In an interview conducted on . . . . . at 11:30 a.m. with the Administrator, she stated she did not have written grievance procedure because the residents bring their concerns to the office and they are resolved immediately, so nothing was kept in writing. Class III	A 030		
A 152 SS=D	59A-36.014(3) FAC Physical Plant - Safe Living Environ/Other (3) OTHER REQUIREMENTS. (a) All facilities must: 1. Provide a safe living environment pursuant to section 429.28(1)(a), F.S.; 2. Be maintained free of hazards; and, 3. Ensure that all existing architectural, mechanical, electrical and structural systems, and appurtenances are maintained in good working order. (b) Pursuant to section 429.27, F.S., residents must be given the option of using their own belongings as space permits. When the facility supplies the furnishings, each resident bedroom or sleeping area must have at least the following furnishings: 1. A clean, comfortable bed with a mattress no less than 36 inches wide and 72 inches long, with the top surface of the mattress at a comfortable _ to ensure easy access by the resident, 2. A closet or wardrobe space for hanging clothes, 3. A dresser, or other furniture designed for storage of clothing or personal effects,	A 152		

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A 152	Continued From page 7 4. A table or nightstand, bedside lamp or floor lamp, and waste basket; and, 5. A comfortable chair, if requested. (c) The facility must maintain master or duplicate keys to resident bedrooms to be used in the event of an emergency. (d) Residents who use portable bedside commodes must be provided with privacy during use. (e) Facilities must make available linens and personal laundry services for residents who require such services. Linens provided by a facility must be free of tears, stains and must not be . This Statute or Rule is not met as evidenced by: Based on observation, record review and interview the facility failed to provide a safe and decent living environment and failed to implement policies and procedures to maintain control standards. Findings Included: A tour of the facility with representatives of another state agency was conducted between 9:44am-10:35am on and revealed the following: First Floor: -A microwave sitting on a table contained food crumbs in the dining room. The interior of the microwave and the glass turntable was yellow and discolored with food splatter. -An empty Dial clear pump of sanitizer in a dirty container was on the table in front of the resident microwave in the dining room. -A wheelchair with a large piece of wood covering	A 152		

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A 152	Continued From page 8 the seat was stored against chairs in the dining room. -A community bathroom with no soap or paper towels, yellow soap scum and rust type streaks extending from the top of the soap dish affixed to the wall down the tile shower wall to the shower floor; a black mildew type bio-growth substance in the corner of the tiles on each side at shower wall corners near the ceiling and also at the bottom where the walls meet the shower floor that extended up the walls of the shower tile; rust stains on the tile floor; a large water stained ceiling tile that contained an air vent missing 3 of 4 bolts that was hanging out of the stained ceiling tile, another stained ceiling tile over the sink and chunks of missing tile from two other ceiling tiles. Second Floor (Memory Care Unit): "a mop and bucket filled with dirty water next to a broom/dustpan, a box of 3,one- gallon containers of cleaning solution with a blow-up beach ball on top and another broom. "Two bags of dirty laundry in a clear garbage bag at the . . . of the popcorn cart. "Clorox spray can of cleaner, a can of shaving cream and a spray can of aerosol air freshener stored on shelf of the resident popcorn cart. "A medication cart with no covers on the water cups, water dispenser container sitting uncovered on top of towel on top of med cart and a sharps container on cart unlocked on the side of the cart. "A large air filter on the wall covered in thick, dark gray dust. "A bag of styling tools on a chair in the corner "A coffeemaker that was warm with coffee brewed that contained a tissue inside used as a coffee filter. "A door to a large storage room that contained	A 152		

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A 152	Continued From page 9 clutter including cleaning supplies, resident clothing on top of carts and laying on shelves and in large clear garbage bags on the floor; a generator and portable air conditioner, bags of clothing, boxes of cups, gloves and toilet paper next to an uncovered laundry bin with clothing inside; Bedrails leaning against the wall, and a laundry in with a hospital basin inside containing washcloths. "No soap in 2 of the 3 shared bathrooms, and no paper towels in all 3 shared bathrooms. Bathroom #1 had feces on the shower curtain, a strong stench of . . . that permeated a K95 mask, no soap and paper towels and dark gray dust visible covering the ceiling air vent. Bathroom #2 had no shower curtain and a water stained ceiling tile above the shower, a shower chair in shower that was recently used and a toilet seat with . . . covering the left side of the toilet seat. Bathroom #3 had a mirror was covered with what appeared to be soap scum and white colored drips/soap stains covering the bottom half of the mirror and the air vent was covered in dark gray dust on the ceiling air vent/exhaust fan cover and the light switch had black dirt/grime on the side and bottom of the switch itself. "The door to . . . . . with blackish brown food or feces stains and drips on the exterior. Third floor: -A large garbage can with visible bags of garbage inside sitting by the elevator at the end of the hallway. -Coffee spilled in the hallway present from 9:44am to 10:45am and not cleaned up until pointed out by surveyor. In a review of the facility housekeeping schedule conducted on . . . . . the first floor is to be cleaned from 7:00am-10:00am each day	A 152		

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A 152	Continued From page 10 including dining room, hallways and bathroom including shower; the second floor is to be cleaned from 1:00-3:00pm each day including dining room and hallways and bathrooms including showers; and the third floor is listed to be cleaned from 10:00am-12:00pm each day including dining room and hallways and the bathrooms including shower. In a review of another state's agency report dated [redacted] revealed deficiencies that were identified on the tour of the facility as follows: -It is recommended to cover all clean laundry (including towels) with plastic or place into a plastic bag (CDC | Laundry). -Ensure proper cleaning of air vents. The air vent covers had visible dust -On the med cart in the break room, do not store hydration pitchers on top of towels. These towels when wet can quickly become unsanitary. Store pitchers on a hard plastic tray that can be clean -All high touch areas should be cleaned at least once every two hours during an outbreak setting. If your facility's housekeeper is out, designate staff to complete this at certain times and ensure that the cleaning is being completed properly by performing audits. -Utilize microfiber mop heads instead of string mops. Microfiber mops are much more sanitary compared to the string mops. -All sitting water should be dumped after use (example, mop buckets). This is due to the prevalence of dirty water allowing [redacted] growth In an interview with the Assistant Administrator conducted on [redacted] at 9:53am, she confirmed the dirty microwave in the dining room	A 152		

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A 152	Continued From page 11 was used for the resident's food. In an interview with the Assistant Administrator conducted on at 9:53am she stated that the wheelchair sitting in the dining room is used to transport both dirty and clean laundry and should not be kept in the dining room. In an interview with Staff A conducted on /2021at 10:15am she said that the multi-use room was used as a type of break room but that they also shave and cut resident hair in the room and use the group styling tools kept in the open bag laying on the chair for all residents. In an interview with the Assistant Administrator conducted on at 10:15am she confirmed that resident's clean clothing is kept in the storage room because the memory care residents have been known to put the clothing in the toilets. In an interview with the Administrator conducted on at 10:16am it was confirmed that the coffee maker in the multipurpose room/salon was used for the residents. In an interview with the Administrator conducted on at 10:25am she said that a housekeeper had quit a few weeks ago, that there was no housekeeping Director, and the Maintenance Director had been out on leave since . She was not able to say why maintenance was storing the generator and cleaning supplies in the 2nd floor storage room with the resident's clean clothing. In an interview with the Administrator conducted on at 10:31am she said the garbage bin on the 3rd floor had initially been covered but	A 152		

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A 152	Continued From page 12 the staff broke it. She confirmed staff are to take out the garbage and it should not be left there uncovered in the hallway. In an interview with the Staff B conducted on at 10:52am she said the tiles are stained and vent is falling out of the ceiling because they had a water leak upstairs from a resident who stuffed things into the toilet, and that there was no soap and paper towels in the bathrooms on the first and second floor because they just ran out. In an interview with the Administrator conducted on at 10:54am she said the leak on the 2nd floor happened a while ago and was not able to say if there was any plan to fix the ceiling in the first-floor bathroom. Photographic evidence obtained. Class III	A 152		