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
	AL11969115	A. BUILDING: _____ B. WING _____	09/27/2021

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
SYMPHONY AT ST.	150 VILLAGE CROSSING COURT SAINT . . . . . , FL 32084

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A 000	Initial Comments A complaint investigation (Complaints 2021007553 and 2021006998) was conducted at Symphony at St. ⎵ on . The facility had deficiencies at the time of the survey.	A 000		
A 008 SS=D	429.26(.) FS; 59A-36.006(2) FAC Admissions - Health Assessment 429.26 (5) Each resident must have been examined by a licensed physician, a licensed physician assistant, or a licensed advanced practice registered nurse within 60 days before admission to the facility or within 30 days after admission to the facility, except as provided in s. 429.07. The information from the medical examination must be recorded on the practitioner's form or on a form adopted by agency rule. The medical examination form, signed only by the practitioner, must be submitted to the owner or administrator of the facility, who shall use the information contained therein to assist in the determination of the appropriateness of the resident's admission to or continued residency in the facility. The medical examination form may only be used to record the practitioner's direct observation of the patient at the time of examination and must include the patient's medical history. Such form does not guarantee admission to, continued residency in, or the delivery of services at the facility and must be used only as an informative tool to assist in the determination of the appropriateness of the resident's admission to or continued residency in the facility. The medical examination form, reflecting the resident's condition on the date the examination is performed, becomes a permanent part of the facility's record of the resident and must be made available to the agency during inspection or upon	A 008		

AHCA Form 3020-0001

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

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A 008	Continued From page 1 request. An assessment that has been completed through the Comprehensive Assessment and Review for Long-Term Care Services (CARES) Program fulfills the requirements for a medical examination under this subsection and s. 429.07(3)(b)6. (6) Any resident accepted in a facility and placed by the Department of Children and Families must have been examined by medical personnel within 30 days before placement in the facility. The examination must include an assessment of the appropriateness of placement in a facility. The findings of this examination must be recorded on the examination form provided by the agency. The completed form must accompany the resident and be submitted to the facility owner or administrator. Additionally, in the case of a mental health resident, the Department of Children and Families must provide documentation that the individual has been assessed by a psychiatrist, clinical psychologist, clinical social worker, or . . . . . nurse, or an individual who is supervised by one of these professionals, and determined to be appropriate to reside in an assisted living facility. The documentation must be in the facility within 30 days after the mental health resident has been admitted to the facility. An evaluation completed upon discharge from a state mental hospital meets the requirements of this subsection related to appropriateness for placement as a mental health resident provided that it was completed within 90 days prior to admission to the facility. The Department of Children and Families shall provide to the facility administrator any information about the resident which would help the administrator meet his or her responsibilities under subsection (1). Further, Department of Children and Families personnel	A 008		

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A 008	Continued From page 2 shall explain to the facility operator any special needs of the resident and advise the operator whom to call should problems arise. The Department of Children and Families shall advise and assist the facility administrator when the special needs of residents who are recipients of . . . . . require such assistance. 59A-36.006 (2) HEALTH ASSESSMENT. As part of the admission criteria, an individual must undergo a . . . .-to- . . . medical examination completed by a health care provider as specified in either paragraph (a) or (b) of this subsection. (a) A medical examination completed within 60 calendar days before the individual's admission to a facility pursuant to Section 429.26(4), F.S. The examination must address the following: 1. The physical and mental status of the resident, including the identification of any health-related problems and functional limitations, 2. An evaluation of whether the individual will require supervision or assistance with the activities of daily living, 3. Any nursing or . . . services required by the individual, 4. Any special diet required by the individual, 5. A list of current medications prescribed, and whether the individual will require any assistance with the administration of medication, 6. Whether the individual has signs or symptoms of . . . . . , ... or any other communicable . . . . . , which are likely to be transmitted to other residents or staff, 7. A statement on the day of the examination that, in the opinion of the examining health care provider, the individual's needs can be met in an	A 008		

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A 008	Continued From page 3 assisted living facility; and, 8. The date of the examination, and the name, signature, address, telephone number, and license number of the examining health care provider. The medical examination may be conducted by a health care provider licensed under Chapter 458, 459 or 464, F.S. (b) A medical examination completed after the resident's admission to the facility within 30 calendar days of the admission date. The examination must be recorded on AHCA Form 1823, Resident Health Assessment for Assisted Living Facilities, ... , which is incorporated by reference and available online at: http://www.flrules.org/Gateway/reference.asp?No=Ref-09170. Faxed or electronic copies of the completed form are acceptable. The form must be completed as instructed. 1. Items on the form that have been omitted by the health care provider during the examination may be obtained by the facility either orally or in writing from the health care provider. 2. Omitted information must be documented in the resident's record. Information received orally must include the name of the health care provider, the name of the facility staff recording the information, and the date the information was provided. 3. Electronic documentation may be used in place of completing the section on AHCA Form 1823 referencing Services Offered or Arranged by the Facility for the Resident. The electronic documentation must include all of the elements described in this section of AHCA Form 1823. (c) Any information required by paragraph (a), that is not contained in the medical examination report conducted before the individual's admission to the facility must be obtained by the administrator using AHCA Form 1823 within 30	A 008		

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A 008	Continued From page 4 days after admission. (d) Medical examinations of residents placed by the department, by the Department of Children and Families, or by an agency under contract with either department must be conducted within 30 days before placement in the facility and recorded on AHCA Form 1823 described in paragraph (b). (e) An assessment that has been conducted through the Comprehensive, Assessment, Review and Evaluation for Long-Term Care Services (CARES) program may be substituted for the medical examination requirements of Section 429.26, F.S. and this rule. (f) Any orders issued by the health care provider conducting the medical examination for medications, nursing, therapeutic diets, or other services to be provided or supervised by the facility may be attached to the health assessment. A health care provider may attach a DH Form 1896, Florida . . . . . Form, for residents who do not wish . . . . . to be administered in the case of . . . . . or . . . . . . (g) 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 the examination requirements of this subsection for up to 30 days. However, a resident accepted for temporary emergency placement must be entered on the facility's admission and discharge log and counted in the facility census. A facility may not exceed its licensed capacity in order to accept such a resident. A medical examination must be conducted on any temporary emergency placement resident accepted for regular admission.	A 008		

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A 008	Continued From page 5 This Statute or Rule is not met as evidenced by: Based on a review of resident records and interviews with the Administrator, the facility failed to obtain a medical examination within 30 days of admission on the approved AHCA Form 1823, Resident Health Assessment for Assisted Living Facilities, for 1 of 2 current residents (Resident 4) and failed to ensure complete information was documented on the 1823 for 2 of 3 residents whose health assessments were reviewed (Residents 2 and 4). The findings include: Record review for Resident 2 found she was admitted to the facility on . She had a Resident Health Assessment (AHCA form 1823) that was completed by her Advanced Practice Registered Nurse (APRN) on . Section 3, intended to be completed by the Administrator or designee to list services needed, the frequency and duration of the service to be provided, the service provider's name and the initial date provided was left blank. Photographic evidence was obtained. A record review for Resident 4 revealed an admission date of . She had a Resident Health Assessment completed by the APRN on that noted diagnoses of 's deficiency and . Section 3, intended to be completed by the Administrator or designee to list services needed, the was left blank. The AHCA 1823 form used for the assessment was dated instead of the version. Photographic evidence was obtained. An interview was conducted with the	A 008		

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A 008	Continued From page 6 Administrator on . . . . . at 3:25 pm. When shown Resident 2 and 4's AHCA 1823 forms, she acknowledged the incomplete service information in section 3 for Residents 2 and 4 and that the incorrect form had been used for Resident 4's assessment. The Administrator acknowledged she has 30 days after admission to identify and correct any health assessments completed on unapproved forms. Class III	A 008		
A 052 SS=D	429.256( ): 59A-36.008(3) Medication - Assistance with Self-Admin 429.256 (3) Assistance with self-administration of medication includes: (a) Taking the medication, in its previously dispensed, properly labeled container, including an . . syringe that is prefilled with the proper dosage by a pharmacist and an , that is prefilled by the manufacturer, from where it is stored, and bringing it to the resident. (b) In the presence of the resident, confirming that the medication is intended for that resident, orally advising the resident of the medication name and dosage, opening the container, removing a prescribed amount of medication from the container, and closing the container. The resident may sign a written waiver to opt out of being orally advised of the medication name and dosage. The waiver must identify all of the medications intended for the resident, including names and dosages of such medications, and must immediately be updated each time the resident's medications or dosages change. (c) Placing an oral dosage in the resident's or placing the dosage in another container and	A 052		

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A 052	Continued From page 7 helping the resident by lifting the container to his or her . (d) Applying , medications. (e) Returning the medication container to proper storage. (f) Keeping a record of when a resident receives assistance with self-administration under this section. (g) Assisting with the use of a , including removing the cap of a , opening the unit dose of solution, and pouring the prescribed premeasured dose of medication into the dispensing cup of the . (h) Using a to perform - level checks. (i) Assisting with putting on and taking off stockings. (j) Assisting with applying and removing an but not with titrating the prescribed settings. (k) Assisting with the use of a continuous positive airway pressure device but not with titrating the prescribed setting of the device. (l) Assisting with measuring vital signs. (m) Assisting with bags. (4) Assistance with self-administration does not include: (a) Mixing, , converting, or medication doses, except for measuring a prescribed amount of liquid medication or breaking a scored tablet or crushing a tablet as prescribed. (b) The preparation of syringes for injection or the administration of medications by any injectable route. (c) Administration of medications by way of a tube inserted in a of the body. (d) Administration of preparations.	A 052		

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A 052	Continued From page 8 (e) The use of irrigations or debriding agents used in the treatment of a skin condition. (f) Assisting with . . . . , ... , or . . preparations. (g) Assisting with medications ordered by the physician or health care professional with prescriptive authority to be given "as needed," unless the order is written with specific parameters that preclude independent judgment on the part of the unlicensed person, and the resident requesting the medication is aware of his or her need for the medication and understands the purpose for taking the medication. (h) Medications for which the time of administration, the amount, the strength of dosage, the method of administration, or the reason for administration requires judgment or discretion on the part of the unlicensed person. (5) Assistance with the self-administration of medication by an unlicensed person as described in this section shall not be considered administration as defined in s. 465.003. 59A-36.008 (3) ASSISTANCE WITH SELF-ADMINISTRATION. (a) Any unlicensed person providing assistance with self-administration of medication must be . . . . . or older, trained to assist with self administered medication pursuant to the training requirements of Rule 59A-36.011, F.A.C., and must be available to assist residents with self-administered medications in accordance with procedures described in Section 429.256, F.S. and this rule. (b) In addition to the specifications of Section 429.256(3), F.S., assistance with	A 052		

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A 052	Continued From page 9	A 052		

self-administration of medication includes, orally advising the resident of the name and dosage of the medication and verbally prompting a resident to take medications as prescribed.
(c) In order to facilitate assistance with self-administration, trained staff may prepare and make available such items as water, juice, cups, and spoons. Trained staff may also return unused doses to the medication container. Medication, which appears to have been contaminated, must not be returned to the container.
(d) Trained staff must observe the resident take the medication. Any concerns about the resident's reaction to the medication or suspected noncompliance must be reported to the resident's health care provider and documented in the resident's record.
(e) When a resident who receives assistance with medication is away from the facility and from facility staff, the following options are available to enable the resident to take medication as prescribed:
1. The health care provider may prescribe a medication schedule that coincides with the resident's presence in the facility,
2. The medication container may be given to the resident, a friend, or family member upon leaving the facility, with this fact noted in the resident's medication record,
3. The medication may be transferred to a pill organizer pursuant to the requirements of subsection (2), and given to the resident, a friend, or family member upon leaving the facility, with this fact noted in the resident's medication record, or
4. Medications may be separately prescribed and dispensed in an easier to use form, such as unit dose packaging.
(f) Assistance with self-administration of

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A 052	Continued From page 10 medication does not include the activities detailed in Section 429.256(4), F.S. (g) As used in Section 429.256(4)(h), F.S., the terms "judgment" and "discretion" mean interpreting vital signs and evaluating or assessing a resident's condition. (h) All trained staff must adhere to the facility's control policy and procedures when assisting with the self-administration of medication. This Statute or Rule is not met as evidenced by: Based on observation, interview, and a review of resident, staff and facility records, the facility failed to update opt-out waivers to reflect medication and dosage changes for 3 of 3 resident reviewed (Residents 1, 2 and 4). Additionally the facility failed to ensure unlicnesed staff assisted with medication self-administration according to policy for 1 of 2 residents observed (Resident 2). The findings include: 1. A closed record review for Resident 1 found he was admitted on . . . . and discharged . . . . . On , the resident's representative signed a waiver to opt out of the resident being orally advised of each medication name and dosage while being assisted with self-administration. The medication list included, but was not limited to, ... , . . (. . . . . , . . . , an . . . , ... medication) 25 milligrams (mg) twice daily. Resident 1's orders revealed several dose changes were made, including on . . . . (to 50 mg twice a day). Also, on . . Resident 1	A 052		

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A 052	Continued From page 11 started , ( ) 500 mg twice daily for 10 days. The opt-out waiver was not updated to include any of these medication or dosage changes. Photographic evidence was obtained. Record review for Resident 2 found she was admitted on and signed a medication waiver to opt-out of being advised of her medications on . The medications listed included multiple medications. Review of Resident 2's physician's orders found she had been prescribed and started (,) 50 mg daily on . The opt-out waiver was never updated to include the ordered after the creation of the waiver. Photographic evidence was obtained. Record review for Resident 4 found she was admitted on . Her resident representative signed an opt-out waiver on to include the following medications: , , , , Trilogy and , . The form also reflected (20 mg daily for 7 days) and , (10 mg daily). A review of Resident 4's physician's orders found she had an increase in her , (,) to 20 mg a day on , and started , (,) 7.5 mg every night at bedtime on . On , she started 5 mg. None of the changes were reflected on the waiver. Photographic evidence obtained. An interview was conducted with the Director of Health and Wellness (DHW) on at 3:25 pm. She explained the opt-out waiver was completed on admission and she was responsible for assisting family and residents with their completion. She explained the form was so	A 052		

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A 052	Continued From page 12 staff didn't have to read the medications to the residents. The DHW reviewed the records and was advised of the regulatory requirement to update the form with each change. She explained she did not realize that was necessary and predicted that would be a lot of work to keep them all updated. She confirmed the forms had not been updated with changes, as required. Review of the facility's "Florida Assistance with Self-Administration of Medication Opt-Out Waiver" policy dated found it stated: "Pursuant to Florida Code Chapter 429... a resident or duly authorized surrogate healthcare decision maker on a resident's behalf may sign a written waiver to opt out of being orally advised of the medication name and dosage, provided that the waiver identifies all of the medications intended for the resident, including names and dosages of such medications, and must immediately be updated each time the resident's medications or dosages change." Photographic evidence was obtained. 2. An observation was conducted of Employee A on at 11:20 am on the assisted living hall. She was at the medication cart and preparing to assist Resident 2 with her medication. After removing a packet of 400 milligram tablets from the cart, Employee A dispensed one and placed it in a small graduated medicine cup. She transferred the tablet into a plastic sleeve, pulverized it using the medication crusher and transferred the medicine to the cup. After mixing in approximately a tablespoon of pudding, she entered Resident 2's room. After greeting the resident and telling her she had her medicine, Employee A fed the pudding and pill mixture to Resident 2 using a plastic spoon.	A 052		

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A 052	Continued From page 13 Resident 2 did not assist in the process. During an interview with Employee A on at 11:25 am, she reported she was a Certified Nursing Assistant and trained Medication Technician. An electronic record review for Resident 2 found a Resident Health Assessment (AHCA 1823) dated that noted Resident 2 was alert and oriented x 3 and required total assistance with activities of daily living. She could feed herself. The box asking whether or not Resident 2 required to have her medications administered to her was unchecked. The box asking if the resident required assistance with the self-administration of medication was checked. Photographic evidence was obtained. An interview was conducted with the Director of Health and Wellness on at 3:25 pm. She was advised Employee A had spooned medication directly into Resident 2's . The Administrator, who was also present, acknowledged that only licensed nurses were permitted to adminster medications to residents. The confirmed Employee A was not qualified to administer medications. Review of the facility "Residency Agreement" found on page 4 under section D "Medication Assistance" it explains that unlicensed staff certified to assist with the self-administration of resident medications may do so under the supervision of a licensed nurse... The unlicensed staff can perform such tasks as: ..."Placing medication in Resident's or another container and helping Resident lift to his/her ... Unlicensed staff are required to complete initial training and annual continuing	A 052		

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	AL11969115	A. BUILDING: _____ B. WING _____	09/27/2021

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A 052	Continued From page 14 education on providing assistance with self-administered medications..." "Assistance with Self-Administration" does not include: ..."Putting medications in Resident's "... Photographic evidence was obtained. Class III	A 052		
A 084 SS=D	59A-36.011(6) FAC 429.52(6), FS Training - Assis Self-Admin Meds & Med Mgmt 59A-36.011 (6) ASSISTANCE WITH THE SELF-ADMINISTRATION OF MEDICATION AND MEDICATION MANAGEMENT. Unlicensed persons who will be providing assistance with the self-administration of medications as described in rule 59A-36.008, F.A.C., must meet the training requirements pursuant to section 429.52(6), F.S., prior to assuming this responsibility. Courses provided in fulfilment of this requirement must meet the following criteria: (a) Training must cover state law and rule requirements with respect to the supervision, assistance, administration, and management of medications in assisted living facilities; procedures and techniques for assisting the resident with self-administration of medication including how to read a prescription label; providing the right medications to the right resident; common medications; the importance of taking medications as prescribed; recognition of side effects and adverse reactions and procedures to follow when residents appear to be experiencing side effects and adverse reactions; documentation and record keeping; and medication storage and disposal. Training shall	A 084		

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A 084	Continued From page 15 include demonstrations of proper techniques, including techniques for control, and ensure unlicensed staff have adequately demonstrated that they have acquired the skills necessary to provide such assistance. (b) The training must be provided by a registered nurse or licensed pharmacist who shall issue a training certificate to a trainee who demonstrates, in person and both physically and verbally, the ability to: 1. Read and understand a prescription label; 2. Provide assistance with self-administration in accordance with section 429.256, F.S., and rule 59A-36.008, F.A.C., including: a. Assist with oral dosage forms, , dosage forms, and , , , and dosage forms; b. Measure liquid medications, break scored tablets, and crush tablets in accordance with prescription directions; c. Recognize the need to obtain clarification of an "as needed" prescription order; d. Recognize a medication order which requires judgment or discretion, and to advise the resident, resident's health care provider or facility employer of inability to assist in the administration of such orders; e. Complete a medication observation record; f. Retrieve and store medication; g. Recognize the general signs of adverse reactions to medications and report such reactions; h. Assist residents with syringes that are prefilled with the proper dosage by a pharmacist and , that are prefilled by the manufacturer by taking the medication, in its previously dispensed, properly labeled container, from where it is stored, and bringing it to the resident for self-injection;	A 084		

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A 084	Continued From page 16 i. Assist with . . . . . ; j. Use a ⌄ to perform ⌄ testing; k. Assist residents with ⌄⌄ and continuous positive airway pressure (CPAP) devices, excluding the titration of the ⌄⌄ levels; l. Apply and remove stockings and hosiery; m. Placement and removal of ⌄ bags, excluding the removal of the ⌄⌄ or manipulation of the . . site; and, n. Measurement of . . . . . , . . . rate, temperature, and ⌄ . . . ⌄ rate. (c) Unlicensed persons, as defined in section 429.256(1)(b), F.S., who provide assistance with self-administered medications and have successfully completed the initial 6 hour training, must obtain, annually, a minimum of 2 hours of continuing education training on providing assistance with self-administered medications and safe medication practices in an assisted living facility. The 2 hours of continuing education training may be provided online. (d) Trained unlicensed staff who, prior to the effective date of this rule, assist with the self-administration of medication and have successfully completed 4 hours of assistance with self-administration of medication training must complete an additional 2 hours of training that focuses on the topics listed in sub-subparagraphs (6)(b)2.h.-n. of this section, before assisting with the self-administration of medication procedures listed in sub-subparagraphs (6)(b)2.h.-n. 429.52 (6) Staff assisting with the self-administration of medications under s. 429.256 must complete a	A 084		

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A 084	Continued From page 17	A 084		

minimum of 6 additional hours of training provided by a registered nurse or a licensed pharmacist before providing assistance. Two hours of continuing education are required annually thereafter. The agency shall establish by rule the minimum requirements of this training

This Statute or Rule is not met as evidenced by:
Based on observations, interview, and review of resident, staff and facility records, the facility failed to ensure that 1 of 2 unlicensed staff observed assisting with the self-administration of medications met training requirements (Employee A) .

The findings include:

An observation was conducted of Employee A on at 11:20 am on the assisted living hall. She assisted Resident 2 and Resident 5 with their medications.

During an interview with Employee A on at 11:25 am, she reported she was a Certified Nursing Assistant and trained Medication Technician.

On . . . . . at approximately 2:00 pm, the Administrator was asked for evidence Employee A had been certified to assist with self-administration of medications. She returned at 2:30 pm on . . . . . stating she was still looking for Employee A's training certificate. By the time of the exit on . . . . . at 3:45 pm, the Administrator still had not located proof of training/certification. The Administrator said she would keep looking and send it by close of business the next day. She acknowledged noncompliance should she be unable locate proof

Agency for Health Care Administration

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A 084	Continued From page 18 of training for Employee A. No training certificate was received. Class III	A 084		