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
	AL11965311	A. BUILDING: _____ B. WING _____	02/08/2022

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
ROSEWOOD MANOR OF VERO BEACH,	3710 14 TH STREET VERO BEACH, FL 32960

(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 with Extended Congregate Care (ECC), Bed Capacity Increase to 55 beds, Complaint (#2022000407) and a Generator Monitoring survey were conducted on at Rosewood Manor Of Vero Beach. The facility had deficiencies identified related to the Relicensure survey.	A 000		
A 026	59A-36.007(2) FAC Resident Care - Social & Leisure Activities (2) SOCIAL AND LEISURE ACTIVITIES. Residents shall be encouraged to participate in social, recreational, educational and other activities within the facility and the community. (a) The facility must provide an ongoing activities program. The program must provide diversified individual and group activities in keeping with each resident's needs, abilities, and interests. (b) The facility must consult with the residents in selecting, planning, and scheduling activities. The facility must demonstrate residents' participation through one or more of the following methods: resident meetings, committees, a resident council, a monitored suggestion box, group discussions, questionnaires, or any other form of communication appropriate to the size of the facility. (c) Scheduled activities must be available at least 6 days a week for a total of not less than 12 hours per week. Watching television is not an activity for the purpose of meeting the 12 hours per week of scheduled activities unless the television program is a special one-time event of special interest to residents of the facility. A facility whose residents choose to attend day programs conducted at adult day care centers, senior centers, mental health centers, or other day programs may count those attendance hours	A 026		

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A 026	Continued From page 1 towards the required 12 hours per week of scheduled activities. An activities calendar must be posted in common areas where residents normally congregate. (d) If residents assist in planning a special activity such as an outing, seasonal festivity, or an excursion, up to 3 hours may be counted toward the required activity time. This Statute or Rule is not met as evidenced by: Based on observations, interviews and record review, the facility failed to provide an ongoing activity program with a minimum of 12 hours per week potentially affecting the 47 current residents. The findings included: a. On at 10:00 AM, the Activities and Events Calendar Memory Care posted on the wall in Section 3 and Section 4 of the facility was reviewed. The calendar noted "Coloring" at 10:00 AM as the only activity for the day. The residents were observed at this time with various table top interactive devices with Aide Staff E and Aide Staff F watching them, however not interacting with them. This section of the facility, considered the Memory Care Unit, housed 15 residents with The residents were not able to state what activities were conducted and when they occurred. On at 11:45 AM, Aide Staff E and Aide Staff F were interviewed and stated that they did not do activities with residents, and that they did not follow the activities calendar posted on the wall. Medication Technician Staff G stated during an interview conducted at 11:50 AM on , she passed medications and would assist with activities if needed, but the only scheduled activity that she knew of for this	A 026		

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A 026	Continued From page 2 section was a volunteer group that came on Wednesdays, and stated they did not come regularly. On [redacted] at approximately 12:15 PM, the Memory Care activities calendar was reviewed with the Administrator. She stated that Aide Staff E, Aide Staff F and Medication Technician Staff G were to be conducting activities with residents along with another staff member, but that there was no designated person responsible to ensure they were conducted. She acknowledged that the calendar showed one daily activity of either coloring, patio social, movie, church, music or arts and crafts that may last an hour. Two additional activities were scheduled on Wednesdays and Thursdays, bingo and "smile toss" (exercise), that may last an hour. The schedule, if followed, would provide only 9 hours of activities per week for the 15 [redacted] residents residing in Section 3 and Section 4, considered the Memory Care Unit. b. On [redacted] at 2:00 PM, the dining room where residents in the main assisted living area (Section 1 and Section 2) have activities was observed with no activity occurring. The Activities and Events calendar, that noted "cooking" at 2:00 PM for these residents, was reviewed with the Administrator at this time. She stated Medication Technician Staff G was supposed to be doing this activity with the residents but the staff member could not be located. The facility must demonstrate residents' participation in activities through one or more of the following methods: resident meetings, committees, a resident council, a monitored suggestion box, group discussions, questionnaires, or any other form of	A 026		

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A 026	Continued From page 3 communication. There was no documentation in facility records to show participation in an ongoing activities program for 47 the current residents. Class III	A 026		
A 030	59A-36.007(5) FAC; 429.28( ) FS 429.27 Resident Care - Rights & Facility Procedures 59A-36.007 (5) 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 proximity to a telephone accessible by residents	A 030		

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A 030	Continued From page 4 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 standard precautions; 8. The requirements for coordinating the delivery of services to residents by third party providers; 9. Assistive devices; and 10. Physical . (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	A 030		

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A 030	Continued From page 5 residents reside. 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, 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	A 030		

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A 030	Continued From page 6 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 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	A 030		

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A 030	Continued From page 7 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 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	A 030		

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A 030	Continued From page 8 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 observations, record review and interview, the facility failed to ensure residents' rights were adhered to in relation to dining for 3 out of 3 sampled residents (Residents #7, Resident #8 and Resident #9) and failed to ensure a decent living environment for 15 of 15 residents residing in Section 3 and Section 4, considered the Memory Care Unit. The findings included:	A 030		

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A 030	Continued From page 9 a. On at 9:45 AM, Section 3 and Section 4 of the facility was toured. This separated section from the main assisted living area housed 15 residents. The entire area, including the dining room, living room and hallway had a foul odor of . The residents were not able to voice their opinion of the odor due to . The Administrator stated at this time that the area smelled due to a previous resident's room that had soaked into the flooring, and that the flooring needed to be replaced. The Administrator opened the closed door to , and the foul odor was prevalent in this room and which was wafting out into the main common living areas where residents sat and ate their meals. b. On at 12:00 PM, Residents #7, Resident #8 and Resident #9, identified as receiving puree diets, were observed during lunch in the presence of residents on a regular diet. Resident #7, Resident #8 and Resident #9 were served a large bowl of green pureed food. None of the items on the approved menu for regular diets which included chicken, potatoes, greens, salad, and rice pudding to be served for lunch, could be identified in this large bowl of green pureed food (photographic evidence obtained). During an interview conducted with the Food Service Director on at 1:00 PM, she stated the residents on a pureed diet were served only the chicken, potatoes and greens, blended altogether in these bowls. No explanation was given why residents on a puree diet could not have their meal items in puree form served separately on the plate like those residents on a regular diet. Further, if residents on a puree diet did not receive a puree form of salad or rice pudding or a nutritional equivalent, the residents	A 030		

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A 030	Continued From page 10 on a puree diet would not be receiving the same nutritional content as those residents on a regular diet. Class III	A 030		