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 |
|---|---|---|---|
| | AL11967791 | A. BUILDING: _____ B. WING _____ | 11/30/2023 |

| NAME OF PROVIDER OR SUPPLIER | STREET ADDRESS, CITY, STATE, ZIP CODE |
|---|---|
| A BANYAN RESIDENCE | 100 BASE AVE EAST VENICE, FL 34285 |

| (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 |
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| A 000 | Initial Comments<br><br>An unannounced relicensure, emergency power plan, health facility reporting system, generator, visitation form, and complaint survey for #2023000412 was conducted on through at A Banyan Residency, an assisted living facility in Venice, Florida.<br><br>Complaint #2023000412 was unsubstantiated.<br><br>The following is a description of the deficiency. | A 000 | | |
| A 052 SS=D | 429.256( ); 59A-36.008(3) Medication - Assistance with Self-Admin<br><br>429.256<br>(3) Assistance with self-administration of medication includes: (a) Taking the medication, in its previously dispensed, properly labeled container, from where it is stored, and bringing it to the resident. For purposes of this paragraph, an syringe that is prefilled with the proper dosage by a pharmacist and an , that is prefilled by the manufacturer are considered medications in previously dispensed, properly labeled containers.<br>(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.<br>(c) Placing an oral dosage in the resident's | A 052 | | |

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| A 052 | Continued From page 1<br>or placing the dosage in another container and helping the resident by lifting the container to his or her .<br>(d) Applying , medications.<br>(e) Returning the medication container to proper storage.<br>(f) Keeping a record of when a resident receives assistance with self-administration under this section.<br>(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 .<br>(4) Assistance with self-administration of medication does not include:<br>(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.<br>(b) The preparation of syringes for injection or the administration of medications by any injectable route.<br>(c) Administration of medications by way of a tube inserted in a of the body.<br>(d) Administration of preparations.<br>(e) The use of irrigations or debriding agents used in the treatment of a skin condition.<br>(f) Assisting with , , or preparations.<br>(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 | A 052 | | |

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| A 052 | Continued From page 2<br><br>the purpose for taking the medication.<br>(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.<br>(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.<br><br>59A-36.008<br>(3) ASSISTANCE WITH SELF-ADMINISTRATION.<br>(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.<br>(b) In addition to the specifications of Section 429.256(3), F.S., assistance with 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.<br>(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.<br>(d) Trained staff must observe the resident take the medication. Any concerns about the resident's reaction to the medication or suspected | A 052 | | |

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| A 052 | Continued From page 3<br>noncompliance must be reported to the resident's health care provider and documented in the resident's record.<br>(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:<br>1. The health care provider may prescribe a medication schedule that coincides with the resident's presence in the facility,<br>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,<br>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<br>4. Medications may be separately prescribed and dispensed in an easier to use form, such as unit dose packaging.<br>(f) Assistance with self-administration of medication does not include the activities detailed in Section 429.256(4), F.S.<br>(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.<br>(h) All trained staff must adhere to the facility's control policy and procedures when assisting with the self-administration of medication.<br><br>This Statute or Rule is not met as evidenced by:<br>Based on observation and interview, the facility failed to ensure staff who assist residents with | A 052 | | |

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| A 052 | Continued From page 4<br><br>self-administration of medications do so in accordance with proper procedure for 2 (Residents #1, and #12) of 2 medications observations.<br><br>The findings included:<br><br>Review of facility policy Medication Management. "This facility has established the following policies for medication practices in order to maintain compliance with state regulations. Medication pass technique: The medication pass technique procedure is followed as written below to ensure accuracy of the medication pass. Only the person legally allowed by the states may either assist or administer medications to a resident. Medication Pass Procedure: 1. The medication dosage and interval shall be read from the MOR. 2. The label on each medication package is read at all three of these designated times: A. When taking it from the store area. B. When handing the medication to the resident, and C. Prior to signing off on the medication. 3. Pass: A. The procedure is explained to the resident prior to giving the medication. B. Tablets and capsules are handled so that the do not touch them."<br><br>On at 9:38 a.m., Medication Technician (Med Tech) Staff D was observed assisting Resident #12 with medications. Staff D opened the med cart parked against the wall in the hallway leading into the dining room. Staff D did not perform hygiene. Without the resident present, the Med Tech took Resident #12's medication cards from the med cart, popped the pills and capsules from the medication cards, and then pick up the pills with her bare and placed them in a cup. Staff D then took the cup of pills with a glass of water over to Resident #12 | A 052 | | |

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| A 052 | Continued From page 5<br><br>who was sitting in the dining room. Med Tech Staff D said to Resident #12, "I have your medication cup for you, would you take them for me please." Staff D did not take the labeled medication containers with her to read the names of the medications being offered to the resident. Resident #12 was having difficulty taking the medications so Staff D took the pill cup from the resident. Using a spoon the Med Tech removed the pills from the cup, spoon fed the medications into Resident #12's , and pressed the glass of water to the resident's , . Then without performing hygiene, Staff D proceeded to assist the next resident with medications.<br><br>On at 9:48 a.m., Med Tech Staff D was observed assisting Resident #1 with medications. Staff D opened the med cart parked against the wall in the hallway leading into the dining room. Staff D did not perform hygiene. Without the resident present, the Med Tech took Resident #1's medication cards from the med cart, popped the pills and capsules from the medication cards, and then pick up the pills with her bare and placed them in a cup. Staff D then took the cup of pills and walked over to Building C. Staff D entered building C through the courtyard and continued to Resident #1's room. Using the keypad lock, Staff D entered the resident's room and said, "Hi, good morning. I have your medication for you." Staff D handed the resident the cup of medications, which he did not accept. Using a spoon, Staff D removed the pills from the cup, spoon fed the medications into Resident #1's , and pressed a glass of water to the resident's , . Staff D did not take the labeled medication containers with her and did not tell the resident the names of the medications being offered. | A 052 | | |

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| A 052 | Continued From page 6<br><br>On [redacted] at 10:02 a.m., Staff D said she completed the initial medication training class in [redacted] of this year, 2023. She said in the med tech class she was taught how to pop medications correctly, how to read the medication cards, and the different types of medications. Staff D said she tells some of the residents what medications she is giving them, but some residents have [redacted] and when she takes the medication cards with her to read they try to take the cards from her. Staff D confirmed she did not read the medications to Resident #1 and #12 to inform them of medications they were receiving. Staff D confirmed she did not prepare the medications in the presence of the residents and she did not perform hygiene before and in between assisting the residents with their medications.<br><br>On [redacted] at 11:06 a.m., the Resident Care Coordinator (RCC) said the procedure for the med techs when assisting with meds is: they are to perform hygiene first, find the resident that will be getting the meds and remove the cards from the cart, take the cards to the resident and read the medications to them, pop the pills into the cup, give the resident the medications and observe the resident take the meds, return to the cards to the cart, and sign the MORS after the resident takes the medications. The RCC confirmed Staff D did not appropriately assist with self-administration of medications for Residents #1 and #12. The RCC said of Staff D's performance: "That is not the facility procedure for assisting with medications."<br><br>Class III | A 052 | | |