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
	AL11942718	A. BUILDING: _____ B. WING _____	03/21/2024

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
WESTCHESTER OF SUNRISE (THE)	9701 WEST OAKLAND PARK BLVD SUNRISE, FL 33351

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A 000	Initial Comments An unannounced Change of Ownership (CHOW), Complaint (#2023013161, #2023016081, #2023016979, #2023017189, #2023018294) and Generator Monitoring survey was conducted on and at The Westchester of Sunrise. The facility had deficiencies at the time of the survey.	A 000		
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	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 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. [illegible] and tobacco use; 3. Medication storage; 4. Resident elopement; 5. Reporting resident , neglect, and [illegible]; 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 [illegible]. (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	A 030		

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A 030	Continued From page 2 must be, at a minimum, a readily accessible telephone on each floor of each building where 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	A 030		

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A 030	Continued From page 3 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 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	A 030		

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A 030	Continued From page 4 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 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	A 030		

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A 030	Continued From page 5 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 observation and interview the facility failed to address/or timely address grievances or complaints for which they were informed for three (3) of Three (3) Residents reviewed/or interviewed (Residents 11, 10) The Findings Include:	A 030		

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A 030	Continued From page 6 During interviews with residents on [redacted] and [redacted] some residents stated staff are rude and non/or slow responding to them. No documentation was provided related to their complaints. However, relative to resident's rude interaction(s) with staff; on [redacted] at 3:43 PM this surveyor observed Staff F directing a resident in a very harsh manner. When Staff F saw the surveyor, she changed her demeanor and started assisting the resident. In an interview with the Administrator on [redacted] at 4:12 PM this surveyor informed her of the interaction between Staff F and a resident that was witnessed by this surveyor. The Administrator stated she would speak with her concerning it. No follow-up with this surveyor was made during the survey. In an interview with Resident #11 on at 12:02 PM she stated the facility serves processed food (the eggs and chicken are processed) and she is [redacted] to them, and no one has flowed up with her complaint. She also stated she has [redacted] because of the condition of the rug in her room, and that they were supposed to take up the rug but hasn't because she was informed that they need a doctor's note. As of the two-day survey, the rug had not been changed. In an interview with Resident #10 on at 11:02 AM he stated he is being overcharged on his rent. Specifically, he stated he pays $680.00 every month and should be paying $494.00. His actual rent is $4,928.00/month. He stated they do nothing for him, so he should not be paying that much. He further stated he does everything by himself (right [redacted]) and sometimes they clean his room. He stated he has asked the	A 030		

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A 030	Continued From page 7 administration several times about his rent, but no one has talked to him yet. A review of the grievance/complaint binder did not reveal documentation regarding Resident #10s grievance/or its resolution In an interview with the Administrator on at 3:44 PM she was informed/reminded of the complaints received. She stated she would be ˬ each of them. She also stated they went through the facility yesterday with maintenance and will be replacing rugs in resident rooms. A request was made to the Administrator for the purchase orders, but no documentation was provided during the survey. Class III	A 030		
A 152	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	A 152		

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A 152	Continued From page 8 the top surface of the mattress at a comfortable [illegible] to ensure easy access by the resident, 2. A closet or wardrobe space for hanging clothes, 3. A dresser, [illegible] or other furniture designed for storage of clothing or personal effects, 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 [illegible]. This Statute or Rule is not met as evidenced by: Based on observation and interviews the facility failed to ensure a clean, safe environment for three (3) of three (3) Residents reviewed/or interviewed. And to ensure that mechanical devices (i.e. emergency pull [illegible]) are in operable condition. The Findings Include: Observation of [illegible] on [illegible] revealed the lightbulb was out in the bathroom and the Kitchen cabinet is damaged and rotted (photo evidence obtained). In an interview with Resident #3 on [illegible] at 11:11 AM he stated that the bathroom light had been out for weeks, and the cabinet was like that when he moved in.	A 152		

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A 152	Continued From page 9 Observation of . . . . /432 on . . . . . revealed there was glue coming from the wood-like laminate tile in the living room and bedroom floors. In an interview with Resident #2 on . . . . . at 11:38 AM she stated that whenever she cleans the floor, it comes up black. Observation of the apartment also revealed there is is no furniture in the living room. The Resident stated she was told that they do not provided furniture. She stated the bedroom furniture was given to her by another resident that used to be there. Observation of # . by the surveyor revealed the kitchenette sink cabinet revealed the side of the cabinet pulling off with signs of water damage. (Photographic evidence obtained) On observation by the surveyor of the guest bathroom located in the corridor of the first floor was observed to have patched walls in need of finishing and paint alongside and behind toilet. (Photographic evidence obtained). Observation of on revealed a cracked window at the top of the circular section of the window, a mold-like substance in the AC vents, and the carpet was dirty. In an interview with the Resident on at 2:27 PM, she stated that she was told about a month ago that the owner had approved the replacement of the carpet, but it hasn't happened yet. She provided no information regarding the cracked window. During an interview with Resident #27 on at 3:02 PM observation was made of small pests similar to Sand-Nat's in her room. Resident #27 stated they had been there for a while but had not been reported to the Administrator or her designee. A swam of the	A 152		

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A 152	Continued From page 10 same Sand-Nat like insects were observed in the room of Resident #4 as well. In an interview with the Administrator on [redacted] at 5:21 AM she stated there are a few residents who refuse to let anyone into their room, and they had to call their mom to get in. She further stated that when housekeeping went in they found standing water. And that both rooms are on the list for treatment for Monday. Observation was also made of emergency wall string/press buttons in [redacted]. This surveyor attempted to activate the press buttons on the devices in each of the rooms, which revealed that they were not operable. As such, residents of the rooms are unable to notify staff through use of the devices in the event of an emergency. In an interview with the Administrator on [redacted] at 3:44 PM she stated they are replacing three (broken cabinets) in the building. Went through the facility yesterday with maintenance on Monday and is aware of the condition of rooms mentioned above. A request was made to the Administrator for the purchase of for the three cabinets. No documentation was provided during the survey. Class III	A 152		