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
	AL11969670	A. BUILDING: _____ B. WING _____	07/22/2024

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BELMONT VILLAGE FT LAUDERDALE	1031 SEMINOLE DR FORT LAUDERDALE, FL 33304

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A 000	Initial Comments An unannounced Licensure Complaint (2024004638, 2024009711) and Generator Monitoring survey was conducted on - at Belmont Village Ft Lauderdale, LLC. The facility had deficiencies identified related to the Complaint (2024009711) 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. 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	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	A 030		

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

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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, interview and record review, it was determined the facility failed to ensure that residents would be treated with consideration, respect and due recognition of the need for privacy. Cameras had been installed in the Memory Care Unit (MCU) bedrooms without parameters for privacy protection, for people who are living with / .	A 030		

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A 030	Continued From page 6 The findings included: On between 10:30 AM and 3:45 PM, during interviews with Staff A (Executive Director/ Administrator) and Staff B (Director of Resident Care Services), revealed that there were 22 cameras distributed in the MCU (residents with /) family's consented forms were provided (22 total) . Staff A and Staff B stated the cameras were a part of the Prevention Program. The Director of Resident Services stated that the cameras were not activated to record unless a resident dropped beneath the camera's field of view. If this happened, the authorized facility staff members were notified by telephone. In addition, a recording of the events ten (10) minutes before and ten (10) minutes after the potential was emailed to these managers and retained on a cloud-based server. Staff A further stated that if there was no possible identified in a unit, the recordings were purged from the system after 24 hours. A review of the facility's Resident Consent to Detection Program revised on , shows the following (signed by the resident's representative): Belmont Village Senior Living uses the Safely You video monitoring in memory care apartments to support detection and reduction for residents with . Safely You is a new , that employs intelligence (AI) software and video monitoring hardware to detect resident . I understand that: -The purpose of Safely You video monitoring is to support detection and reduction for individuals with	A 030		

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A 030	Continued From page 7 -Video recording does not substitute for adequate staffing per statutory requirements. - The Safely You system does not record audio at any time. -The Safely You system does not provide anyone access to live video. - The Safely You system does not have perfect accuracy and may experience periods of downtime or systems interruptions. - The Safely You system does not provide emergency services and only sends alerts when and if The Safely You confirms that a . has actually occurred. - The Safely You system is not a screen for of theft and does not provide medical advice or diagnosis. - Using the Safely You system requires there be a sign on or near the door to inform visitors and staff of Safely You video monitoring. -All residents of a shared room must consent to Safely You video monitoring for it to be enabled. -If evidence of . . . . . is discovered, it will be reported following all legal and statutory requirements. -I have the right to decline to use Safely You video monitoring or to withdraw temporarily or permanently at any point without penalty or loss of benefits to which I am otherwise entitled. -If I am signing on behalf of the resident, I am	A 030		

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A 030	Continued From page 8 certifying that I have the Legal authority to do so (example: Power of Attorney, conservator, guardian, etc.). Upon further review of the facility's Consent Form for the Detection Program, the following concerns were noted. 1) Residents in the Memory Care Unit are not informed that they are continuously recorded. 2) The Facility's Safely You video monitoring Consent form, does not disclose camera locations. 3) The Facility's Safely You Detection Program does not ensure residents dignity privacy concern (recording in private intimate moments). 4) The Facility's Safely You video monitoring does not ensure misuse of footage. 5) The Facility's Safely You video monitoring does not reveal software is handled by a third party (remotely the AI will detect an "on the ground" event which will trigger review by the Safely You clinical team) 6) The Facility's Safely You video monitoring does not disclose footage storage location. 7) The Facility's Safely You Detection Program does not ensure parameters for resident privacy protection. 8) The Facility's Safely You Detection Program does not properly inform family members, a description of the Safely You video monitoring recordings accordingly. A review of the Safely You Process provided by Staff B revealed the following: Once activated, the multi-sensors continuously monitor for . The retained video is limited to the detected event and all other videos are deleted from the system. After the event, Safely You's expert remote clinical team reviews	A 030		

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A 030	Continued From page 9 videos with the community and provides feedback to the community's nursing and care teams. (copy of the Safely You Process was obtained) On [redacted] at approximately 5:45 PM, this surveyor simulated a [redacted] in the MCU accompanied by Staff C (shift lead nurse), an online recording revealed that all events in the room preceding the [redacted] were shown. There was no area of the room that was outside of the camera's field of view. A review of a sampled resident incident recording provided by the facility, confirmed the recording starts continuous recording minutes before the actual [redacted] and/or the resident exhibiting signs and/or behavior of a [redacted]. Class III	A 030		