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
	AL11965733	A. BUILDING: _____ B. WING _____	01/09/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
STERLING AVENTURA	2777 NE 183rd ST AVENTURA, FL 33160

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A 000	Initial Comments A complaint investigation survey (2024013413, 2024016012, 2024013533) was conducted at The Sterling Aventura on . Deficiencies were identified at the time of survey.	A 000		
A 025 SS=D	429.26(7) FS; 59A-36.007(1) FAC Resident Care - Supervision 429.26 (7) The facility shall notify a licensed physician when a resident exhibits signs of or , or has a change of condition in order to rule out the presence of an underlying physiological condition that may be contributing to such or . The notification must occur within 30 days after the acknowledgment of such signs by facility staff. If an underlying condition is determined to exist, the facility must notify the resident's representative or designee of the need for health care services and must assist in making , , for the necessary care and services to treat the condition. If the resident does not have a representative or designee or if the resident's representative or designee cannot be located or is unresponsive, the facility shall arrange with the appropriate health care provider for the necessary care and services to treat the condition. 59A-36.007 Resident Care Standards. An assisted living facility must provide care and services appropriate to the needs of residents accepted for admission to the facility. (1) SUPERVISION. Facilities must offer personal supervision as appropriate for each resident, including the following: (a) Monitoring of the quantity and quality of resident diets in accordance with Rule	A 025		

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A 025	Continued From page 1 59A-36.012, F.A.C. (b) Daily observation by designated staff of the activities of the resident while on the premises, and awareness of the general health, safety, and physical and emotional well-being of the resident. (c) Maintaining a general awareness of the resident's whereabouts. The resident may travel independently in the community. (d) Contacting the resident's health care provider and other appropriate party such as the resident's family, guardian, health care surrogate, or case manager if the resident exhibits a significant change. (e) Contacting the resident's family, guardian, health care surrogate, or case manager if the resident is discharged or moves out. (f) Maintaining a written record, updated as needed, of any significant changes, any illnesses that resulted in medical attention, changes in the method of medication administration, or other changes that resulted in the provision of additional services. This Statute or Rule is not met as evidenced by: Based on interview and record review, the facility failed to notify the resident's representative or designee of the need for health care services for one out of 14 sampled residents (Resident #1). Findings: On at 6:00AM Resident #1 had a incident. A record review revealed that at 6:15AM Staff L documented the incident as follows, 'Resident #1 denied falling. Resident #1 had a cut on their , staff cleaned and bandaged cut. Staff did not contact Resident #1's son [proxy].' An interview at apprximately 1:35pm with	A 025		

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A 025	Continued From page 2 Resident #1's proxy on revealed he was not notified of the by the facility. The proxy stated he was contacted by Mount Sinai South Beach's third-party driving service, and they informed him that Resident #1 was being transported to the emergency room due to the . A review of Resident #1's record uncovered that Staff B received contact from the proxy at 1:01pm on regarding Resident#1's hospitalization, but there was no outgoing communication to the proxy prior. A review of Resident #1's record uncovered staff did not provide adequate risk education for the resident. The education record suggests elaborate conversations were had with Resident #1, despite Resident #1 having a documented , , . Further review uncovered that Resident #1 had another on and was hospitalized at the time of review. Class III	A 025		
A 030 SS=D	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	A 030		

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A 030	Continued From page 3 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 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	A 030		

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A 030	Continued From page 4 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 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	A 030		

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A 030	Continued From page 5 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 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	A 030		

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A 030	Continued From page 6 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 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	A 030		

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A 030	Continued From page 7 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 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	A 030		

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A 030	Continued From page 8 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 interview and record review, the facility failed to assist 1 out of 17 sampled residents (Resident #1) with obtaining access to adequate and appropriate healthcare after a incident occurred. Findings: On An interview with Resident #1's proxy at approximately at approximately 1:35 PM uncovered the resident experienced a in the early morning . The proxy then stated staff did not properly address the due to a language communication barrier, despite Resident #1 displaying , in the and on her . In addition to this, the proxy stated staff only put gauze and a -aid on the . The proxy relayed that it was not until Resident #1 was taken to her colonoscopy , , at Mount Sinai that the was addressed. Resident #1's care provider noticed the on her and immediately requested Resident #1 be sent to the emergency room. The proxy stated he was contacted at 7:00AM by a third-party driving service who transported Resident #1 to the emergency room. The proxy stated this was the only contact he received about the incident and that Resident #1 was hospitalized for 3 days in the with a concussion.	A 030		

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A 030	Continued From page 9 A review of Resident #1's records uncovered that Staff L documented the incident that occurred on . Per Staff L's comment, 'Resident #1 denied falling. Resident #1 had a cut on their , staff cleaned and bandaged cut. Staff did not contact Resident #1's son.' A review of Resident #1's records uncovered Resident#1's proxy contacted the facility to inform them of the severity of the incident. Staff B's note state, 'At 1:01pm on Resident#1's proxy contacted the facility to inform us that Resident#1 was admitted to the hospital.' A review of Resident #1's records uncovered there was no attempts by the facility to arrange care for Resident #1 after the . There were no documented attempts to call Resident #1's primary care physician, emergency services, or her proxy despite exhibiting and . On an interview with Resident #1's proxy at approximately 6:54 PMuncovered the Director of Health Services did not coordinate care for Resident #1 after the . Per the proxy, on the Director of Health Services stated, 'I have no information since there was no report.' Class III	A 030		
A 152 SS=F	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	A 152		

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A 152	Continued From page 10 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 the top surface of the mattress at a comfortable to ensure easy access by the resident, 2. A closet or wardrobe space for hanging clothes, 3. A dresser, 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 . This Statute or Rule is not met as evidenced by: Based on observation and interview, the facility failed to provide a safe living environment free of hazards. Additionally, the facility to ensure architectural and structural appurtenances were	A 152		

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A 152	Continued From page 11 maintained. Findings: On at 7:49AM An observation uncovered paint stains and worn carpeting on the 2nd floor. Photographic evidence was obtained. On at 7:50AM, the Administrator stated, 'Yes, that is paint on the carpet, it is from the remodel.' On at 8:49AM An observation in Resident #9's room ( ), uncovered the resident had a broken closet. On at 8:55AM An interview with Resident #9 uncovered the resident was complaining about the door but it never got fixed. Resident #9 stated when she requested the staff fix her closet, they told her there was nothing wrong with it. On at 9:01AM An observation uncovered paint peeling from the wall in the 3rd floor hallway. On at 10:16AM an observation uncovered a pool table with unlocked pool cue sticks in the 8th floor common area. Photographic evidence was obtained. On at 10:20AM An observation uncovered an unattended cleaning cart containing Comet spray, Spic and Span Spray, and Febreze air freshener in the hallway of the 8th floor. Additionally, there was an unattended dolly with a TV mount and screws in the same hallway.	A 152		

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A 152	Continued From page 12 On at 10:25AM Staff B stated she will call the Maintenance Supervisor to remove these items. On at 10:32AM The Maintenance Supervisor arrived. He stated that he was 'assembling rooms for rent by proxy and left the dolly in the hallway.' He began to wheel the dolly out of the hallway into a room. On at 10:34AM An interview with the Maintenance Supervisor uncovered he was responsible for the paint on the carpet. The Maintenance Supervisor stated that the paint on the carpet was from him completing and remodel and that he planned on cleaning it up. When asked about the cleaning supply cart, the Maintenance Supervisor stated, 'That's on me. I was going and forth between the two rooms, and I left it there.' On at 10:44AM An observation of the 8th floor hallway uncovered a large yellow stain in the carpet. Photographic evidence was obtained. On at 10:46AM An observation of the 8th floor hallway and uncovered unsecured plastic tarp covering the carpet in the hallway and screws on the floor. On at 11:03AM An observation in Resident #12's room (..) uncovered a large paint crack that reveal the cement in the wall. On at 11:05AM An observation of the 7th floor hallway uncovered an exposed wall outlet, paint and stains on the carpet, and tape on the doorknob of . Photographic evidence was obtained.	A 152		

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A 152	Continued From page 13 Class III	A 152		