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
	AL11964707	A. BUILDING: _____ B. WING _____	05/20/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
INDIGO PALMS	570 NATIONAL HEALTH CARE DRIVE DAYTONA BEACH, FL 32114

(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 A complaint investigation (complaint number 2025006919) with a generator monitoring visit was conducted on at Indigo Palms. Deficiencies were identified at the time of the visit.	A 000		
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 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	A 152		

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A 152	Continued From page 1 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, record reviews, and staff interviews, the facility failed to provide a safe living environment in 8 of 47 rooms in which mechanical equipment was not in good working order. The air conditioning units in , , 122, 102, 106, 112, and 211 were in need of maintenance to ensure they produced the necessary temperatures. The findings include: Resident rooms in the memory care unit of the facility were observed on beginning at 9:15 AM with a Contractor working at the facility. was entered first. The initial observations upon entering was that the room temperature felt warm. An individual room air conditioner was observed to be set at 60 degrees. The air blowing from the air conditioner was tested with a hygrometer and read 81.8 degrees. The Contractor obtained his hygrometer from his truck and at 9:30 AM on , he tested the air coming out of the air conditioner and it registered at 80.9 degrees. Resident was observed next at 9:39 AM on . The room air conditioner was set at 60 degrees. The room also felt warm. The air coming out of the air-conditioner was tested with a hygrometer and found to be at 79.8	A 152		

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A 152	Continued From page 2 degrees. The air coming out of the air conditioner was then tested by the contractor and found to be at 80 degrees. was observed on at 9:47 AM. The air conditioner was turned off when entering the room. The room felt warm. It was turned on and set at 69 degrees. After several minutes the air coming out of the air conditioning was tested with the hygrometer and found to be at 81.5 degrees. was observed on at 10:12 AM. The air conditioner was observed on and set at 60 degrees. The room felt warm. The air temperature coming out of the air-conditioner was tested and found to be 81.1 degrees. During a different observation of on at 2:20 PM found the air conditioner set at 67 degrees and the air coming out of the air conditioner was reading at 82.7 degrees on the hygrometer. Resident #2 was in the room at the time and stated the air conditioner had not been working and he wanted it fixed. He further stated it was too warm. Employee A, Med Tech, was also in the room, and she stated she felt it was too warm in the room. was observed on at 10:28 AM. The air conditioner was off and appeared not to be hooked up. The control panel was not lit up. The Contractor stated he had put a new air conditioner in the room but could not recall the date. He stated someone must have taken it out and replaced it with a window air conditioner unit that did not work. The air conditioner was observed hanging on the top where it should have been connected below the window. There was a gap of approximately an inch where you could see outside. The air temperature was taken in the	A 152		

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A 152	Continued From page 3 room and was at 81.8 degrees with the Agency hygrometer, and 83.4 with the Contractor's hygrometer. was observed on at 10:40 AM. The room temperature felt cool. During an interview with the Contractor at the time of the observation, he stated that the air conditioner in the room must have been taken from as it looked like the air conditioner he installed there that was since removed. A visit to on at 2:30 PM with Employee A found the air conditioner was still not working and not attached on the top leaving an open area to the outside where warm air could enter, and cool air could escape. was observed on at 10:35 AM. The room air conditioner was set at 64 degrees. The temperature of the air coming out of the room air conditioner was tested with the Agency hygrometer and found to be at 81.1 degrees and the air temperature taken by the Contractor registered at 83 degrees. Another observation of with Employee A on at 2:25 PM found the room temperature was still warm. The room air-conditioner was observed to be set at 64 degrees. The air temperature coming out of the air conditioner was tested and found to be at 83.6 degrees with the Agency hygrometer. was observed on at 10:44 AM. The temperature on the room air-conditioner was observed to be set at 63 degrees. There was also a flashing "L4" code on the control panel. The temperature of the air coming out of the air conditioner was tested and found to be 83.3 degrees and the air near the resident's bed was found to be 83.4 degrees. It was 84.9 on the	A 152		

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A 152	Continued From page 4 Contractor's hygrometer. was visited again on at 2:32 PM with Employee A. The air-conditioner in the room was on and set at 64 degrees. The room temperature was taken and the air in the room near the air-conditioner tested at 62 degrees. During an interview with the Maintenance Director on at 12:45 PM, he stated he has been the Maintenance Director for a little over a year. He stated each room has its own air-conditioner unit. He was asked if he has a system in place to check the room air conditioners to ensure they are all working correctly. He stated he had checked all the room air-conditioners once about three months ago. He stated that problems were identified, and someone came to the facility to make repairs and new air conditioners were ordered. He stated he cannot work on air conditioners but that when an air conditioner is not working, he exchanged it for one in another resident's room when that resident did not use the air-conditioner. He stated he put the air conditioner in last Monday or Tuesday. He stated that something was always going on with the air conditioners and he was always moving them. He stated he thought they need three now, but it was good to have an extra one. He stated he learned yesterday that Resident #2 in needed a new air conditioner and was told this morning to replace it. He stated that he took an air-conditioner from a room on the memory care unit to use un . He stated the resident in the room he took the air-conditioner from went to the hospital yesterday but when he comes , he will need a new air conditioner and that he was hoping a new one would come in. He was asked if he had a way to check room air temperatures, and he stated he did not.	A 152		

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A 152	Continued From page 5 The assisted living wing of the facility was visited on at 2:35 PM with Employee A. was observed which revealed the air-conditioner unit was off. The room air-conditioner was turned on and after a few minutes the air coming out of the room was tested with a hygrometer and found to be at 82.7 degrees. During an interview with Resident #3 at the time of the observation, she stated the room was too hot and she was uncomfortable. She stated she reported the problem last week and was told that a new air conditioner was on order. Photographic evidence obtained. Class III	A 152		
A 200	59A-36.025 FAC Emergency Environmental Control 59A-36.025 Emergency Environmental Control for Assisted Living Facilities. (1) DETAILED EMERGENCY ENVIRONMENTAL CONTROL PLAN. Each assisted living facility shall prepare a detailed plan ("plan") to serve as a supplement to its Comprehensive Emergency Management Plan, to address emergency environmental control in the event of the loss of primary electrical power in that assisted living facility which includes the following information: (a) The acquisition of a sufficient alternate power source such as a generator(s), maintained at the assisted living facility, to ensure that current licensees of assisted living facilities will be equipped to ensure air temperatures will be maintained at or below 81 degrees Fahrenheit for a minimum of ninety-six (96) hours in the	A 200		

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A 200	Continued From page 6 event of the loss of primary electrical power. 1. The required temperature must be maintained in an area or areas, determined by the assisted living facility, of sufficient size to maintain residents safely at all times and that is appropriate for resident care needs and life safety requirements. For planning purposes, no less than twenty (20) net square per resident must be provided. The assisted living facility may use eighty percent (80%) of its licensed bed capacity as the number of residents to be used in the to determine the required square footage. This may include areas that are less than the entire assisted living facility if the assisted living facility's comprehensive emergency management plan includes allowing a resident to congregate when he or she desires in portions of the building where temperatures will be maintained and includes procedures for monitoring residents for signs of heat related injury as required by this rule. This rule does not prohibit a facility from acting as a receiving provider for evacuees when the conditions stated in Section 408.821, F.S. and subsection 59A-36.019(5), F.A.C., are met. The plan shall include information regarding the area(s) within the assisted living facility where the required temperature will be maintained. 2. The alternate power source and fuel supply shall be located in an area(s) in accordance with local zoning and the Florida Building Code. 3. Each assisted living facility is unique in size; the types of care provided; the physical and mental capabilities and needs of residents; the type, frequency, and amount of services and care offered; and staffing characteristics. Accordingly, this rule does not limit the types of systems or equipment that may be used to achieve temperatures at or below 81 degrees Fahrenheit	A 200		

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A 200	Continued From page 7 for a minimum of ninety-six (96) hours in the event of the loss of primary electrical power. The plan shall include information regarding the systems and equipment that will be used by the assisted living facility and the fuel required to operate the systems and equipment. a. An assisted living facility in an evacuation zone pursuant to Chapter 252, F. S. must maintain an alternative power source and fuel as required by this subsection at all times when the assisted living facility is occupied but is permitted to utilize a mobile generator(s) to enable portability if evacuation is necessary. b. Assisted living facilities located on a single campus with other facilities under common ownership, may share fuel, alternative power resources, and resident space available on the campus if such resources are sufficient to support the requirements of each facility's residents, as specified in this rule. Details regarding how resources will be shared and any necessary movement of residents must be clearly described in the emergency power plan. c. A multistory facility, whose comprehensive emergency management plan is to move residents to a higher floor during a flood or surge event, must place its alternative power source and all necessary additional equipment so it can safely operate in a location protected from flooding or storm surge damage. (b) The acquisition of sufficient fuel, and safe maintenance of that fuel at the facility, to ensure that in the event of the loss of primary electrical power there is sufficient fuel available for the alternate power source to maintain temperatures at or below 81 degrees Fahrenheit for a minimum of ninety-six (96) hours after the loss of primary electrical power during a declared state of emergency. The plan must include	A 200		

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A 200	Continued From page 8 information regarding fuel source and fuel storage. 1. Facilities must store minimum amounts of fuel onsite as follows: a. A facility with a licensed capacity of 16 beds or less must store 48 hours of fuel onsite. b. A facility with a licensed capacity of 17 or more beds must store 72 hours of fuel onsite. 2. An assisted living facility located in an area in a declared state of emergency area pursuant to Section 252.36, F.S. that may impact primary power delivery must secure ninety-six (96) hours of fuel. The assisted living facility may utilize portable fuel storage containers for the remaining fuel necessary for ninety-six (96) hours during the period of a declared state of emergency. 3. Piped natural gas is an allowable fuel source and meets the onsite fuel supply requirements under this rule. 4. If local ordinances or other regulations limit the amount of onsite fuel storage for the assisted living facility's location, then the assisted living facility must develop a plan that includes maximum onsite fuel storage allowable by the ordinance or regulation and a reliable method to obtain the maximum additional fuel at least 24 hours prior to depletion of onsite fuel. (c) The acquisition of services necessary to maintain, and test the equipment and its functions to ensure the safe and sufficient operation of the alternate power source maintained at the assisted living facility. (d) The acquisition and maintenance of a monoxide alarm. (2) SUBMISSION OF THE PLAN. (a) Each new assisted living facility shall submit the plan required under this rule prior to obtaining a license. (b) Each existing assisted living facility that	A 200		

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A 200	Continued From page 9 undergoes any additions, modifications, alterations, refurbishment, renovations or reconstruction that require modification of its systems or equipment affecting the facility's compliance with this rule shall amend its plan and submit it to the county emergency management agency for review and approval. (3) APPROVED PLANS. (a) Each assisted living facility must maintain a copy of its approved plan in a manner that makes the plan readily available at the licensee's physical address for review by a legally authorized entity. If the plan is maintained in an electronic format, assisted living facility staff must be readily available to access and produce the plan. For purposes of this section, "readily available" means the ability to immediately produce the plan, either in electronic or paper format, upon request. (b) Within 30 days of the approval of the plan from the county emergency management agency, the assisted living facility shall submit in writing proof of the approval to the Agency for Health Care Administration to assistedliving@ahca.myflorida.com. (c) The assisted living facility shall submit a consumer-friendly summary of the emergency power plan to the Agency. The Agency shall post the summary and notice of the approval and implementation of the assisted living facility emergency power plans on its website within ten (10) business days of the plan's approval by the county emergency management agency and update within ten (10) business days of implementation. (4) IMPLEMENTATION OF THE PLAN. (a) Each assisted living facility licensed prior to the effective date of this rule shall, no later than . , have implemented the plan	A 200		

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A 200	Continued From page 10 required under this rule. (b) Each new assisted living facility shall implement the plan required under this rule prior to obtaining a license. (c) Existing assisted living facilities that undergo any additions, modifications, alterations, refurbishment, renovations or reconstruction that require modification of the systems or equipment affecting the assisted living facility's compliance with this rule shall implement its amended plan concurrent with any such additions, modifications, alterations, refurbishment, renovations or reconstruction. (5) POLICIES AND PROCEDURES. (a) Each assisted living facility shall develop and implement written policies and procedures to ensure that the assisted living facility can effectively and immediately activate, operate and maintain the alternate power source and any fuel required for the operation of the alternate power source. The procedures shall ensure that residents do not experience complications from fluctuations in air temperatures inside the facility. Procedures must address the care of residents occupying the facility during a declared state of emergency, specifically, a description of the methods to be used to mitigate the potential for heat related injury including: 1. The use of cooling devices and equipment; 2. The use of refrigeration and freezers to produce ice and appropriate temperatures for the maintenance of medicines requiring refrigeration; 3. Wellness checks by assisted living facility staff to monitor for signs of and heat injury; and 4. A provision for obtaining medical intervention from emergency services for residents whose life safety is in jeopardy. (b) Each assisted living facility shall maintain the	A 200		

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A 200	Continued From page 11	A 200		

written policies and procedures in a manner that makes them readily available at the licensee's physical address for review by a legally authorized entity. If the policies and procedures are maintained in an electronic format, assisted living facility staff must be readily available to access the policies and procedures and produce the requested information. For purposes of this section, "readily available" means the ability to immediately produce the policies and procedures, either in electronic or paper format, upon request.
(c) The written policies and procedures must be readily available for inspection by each resident; each resident's legal representative, designee, surrogate, guardian, attorney in fact, or case manager; each resident's estate; and such additional parties as authorized in writing or by law.
(6) REVOCATION OF LICENSE, FINES OR SANCTIONS. For a violation of any part of this rule, the Agency for Health Care Administration may seek any remedy authorized by Chapter 429, Part I, or Chapter 408, Part II, F.S., including, but not limited to, license revocation, license suspension, and the imposition of administrative fines.
(7) COMPREHENSIVE EMERGENCY MANAGEMENT PLAN.
(a) Assisted living facilities whose comprehensive emergency management plan is to evacuate must comply with this rule.
(b) Each facility whose plan has been approved shall submit the plan as an addendum with any future submissions for approval of its comprehensive emergency management plan.
(8) NOTIFICATION.
(a) Within five (5) business days, each assisted living facility must notify in writing, unless permission for electronic communication has

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A 200	Continued From page 12 been granted, each resident and the resident's legal representative: 1. Upon the initial submission of the plan to the county emergency management agency that the plan has been submitted for review and approval; 2. Upon final implementation of the plan by the assisted living facility. 3. Annual submissions and approvals of the plan do not require notification to residents or their legal representatives unless a significant modification as defined in Rule 59A-36.019, F.A.C., has been made to the plan. (b) Each assisted living facility must maintain a copy of each notification set forth in paragraph (a) above in a manner that makes each notification readily available at the licensee's physical address for review by a legally authorized entity. If the notifications are maintained in an electronic format, facility staff must be readily available to access and produce the notifications. For purposes of this section, "readily available" means the ability to immediately produce the notifications, either in electronic or paper format, upon request. This Statute or Rule is not met as evidenced by: Based on observation, record review, and interviews, the facility failed to have the cooling equipment needed to ensure air temperatures for residents would be maintained at or below 81 degrees Fahrenheit in the event of the loss of primary electrical power. The findings include: Record review of the facility's emergency power plan (EPP) revealed 6 air-conditioner units were needed to provide adequate cooled space in the facility for the 58 residents. Photographic evidence obtained.	A 200		

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INDIGO PALMS	570 NATIONAL HEALTH CARE DRIVE DAYTONA BEACH, FL 32114

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A 200	Continued From page 13 During an observation outside the facility on at 1:08 PM with the Maintenance Director, pieces of the facility's equipment and fuel were observed on the lawn of the facility. The Maintenance Director stated he had emptied out the trailer to show what the facility had. There were 6 industrial fans observed. The Maintenance Director was asked about air-conditioning units. He stated that they had one in the trailer, which was observed. A second was observed in a storage room. Photographic evidence obtained. The Maintenance Director stated there were not any other air conditioners or cooling units in the facility. When asked if he knew how many the facility needed according to the EPP, he answered that he did not know. During an interview with the Assistant Administrator on at 1:34 PM, she confirmed that 6 cooling units were needed to cool the facility. She stated that they have always needed and had 6 units and that the EPP had not changed. She was notified that only 2 units were found. She stated they must have been stolen and that they would have to be replaced. Class III	A 200		