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
	AL11942866	A. BUILDING _____ B. WING _____	

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
COURTYARDS OF HORIZON LLC (THE)	26455 RAMPART BLVD. PUNTA GORDA, FL 33983

(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 This is the Biennial survey conducted on ... through ... at Courtyard of Horizon, an Assisted Living Facility.	A 000		
A 050	58A-5.0185(1) FAC Medication - Self Administered Medications Medication Practices. Pursuant to Sections 429.255 and 429.256, F.S., and this rule, licensed facilities may assist with the self-administration or administration of medications to residents in a facility. A resident may not be compelled to take medications but may be counseled in accordance with this rule. (1) SELF ADMINISTERED MEDICATIONS. (a) Residents who are capable of self-administering their medications without assistance shall be encouraged and allowed to do so. (b) If facility staff note deviations which could reasonably be attributed to the improper self-administration of medication, staff shall consult with the resident concerning any problems the resident may be experiencing with the medications; the need to permit the facility to aid the resident through the use of a pill organizer, provide assistance with self-administration of medications, or administer medications if such services are offered by the facility. The facility shall contact the resident ' s health care provider when observable health care changes occur that may be attributed to the resident ' s medications. The facility shall document such contacts in the resident ' s records. This Statute or Rule is not met as evidenced by: Based on interview and record review, the facility failed to allow 1 (Resident #2) of 12 residents	A 050		

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A 050	Continued From page 1 who are capable to self-administer their medications. The findings include: On [redacted] at 11:30 a.m. Resident #2 stated she would like to self-administer her medications. She stated she has informed the facility of her wishes, but has not been allowed to do so. On [redacted] at 10:30 a.m. Staff E stated she believes Resident #2 knows her medication and what they are for. She believes Resident #2 is not able to adhere to a strict time lines for taking her medications. She stated she often comes in late to get her medication and almost misses the 1 hour window where in medications are to be taken. She states in her opinion the resident is not reliable enough to self administer. She stated she has not completed an assessment to determine resident's ability to self administer her medication. She stated she got a physician's order for Resident #2 to self administer her medications for the weekend of [redacted]; through [redacted]. This was only for the weekend because the residents physician was not available. Staff E stated the resident had no issues for those dates. Staff E stated she has tried to contact the resident's physician to see if it was okay to allow the resident to continue to self administer her medications. Staff E stated the physician was on vacation and has not return the phone call. Staff E stated she had not documented the attempts to contact Resident #2's physician. Staff E stated after [redacted] the facility resume assisting the resident with her medications. Record review for Resident #2 found a physician's order dated [redacted] 2012 that stated, "Patient may self administer her own medication	A 050		

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A 050	Continued From page 2 through the weekend from [redacted]. This was electronically signed by the resident's physician. "Resident Observation Log" has an entry dated [redacted] with the next entry being dated [redacted]. There was no documentation of the trial period of self-administration of medications or any attempts to follow up with the physician to secure a permanent order. Class III Correction Date: [redacted]	A 050		
A 052	58A-5.0185(3) FAC Medication - Assistance with Self-Admin (3) ASSISTANCE WITH SELF-ADMINISTRATION. (a) For facilities which provide assistance with self-administered medication, either: a nurse; or an unlicensed staff member, who is at least [redacted] trained to assist with self-administered medication in accordance with Rule 58A-5.0191, F.A.C., and able to demonstrate to the administrator the ability to accurately read and interpret a prescription label, must be available to assist residents with self-administered medications in accordance with procedures described in Section 429.256, F.S. (b) Assistance with self-administration of medication includes verbally prompting a resident to take medications as prescribed, retrieving and opening a properly labeled medication container, and providing assistance as specified in Section 429.256(3), F.S. In order to facilitate assistance with self-administration, staff may prepare and make available such items as water, juice, cups, and spoons. Staff may also return unused doses to the medication container. Medication, which	A 052		

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A 052	Continued From page 3	A 052		

appears to have been contaminated, shall not be returned to the container.
(c) Staff shall observe the resident take the medication. Any concerns about the resident ' s reaction to the medication shall be reported to the resident ' s health care provider and documented in the resident ' s record.
(d) 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:
1. The health care provider may prescribe a medication schedule which coincides with the resident ' s presence in the facility;
2. The medication container may be given to the resident or a friend or family member upon leaving the facility, with this fact noted in the resident ' s medication record;
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
4. Medications may be separately prescribed and dispensed in an easier to use form, such as unit dose packaging;
(e) Pursuant to Section 429.256(4)(h), F.S., the term " competent resident " means that the resident is cognizant of when a medication is required and understands the purpose for taking the medication.
(f) Pursuant to Section 429.256(4)(i), F.S., the terms " judgment " and " discretion " mean interpreting vital signs and evaluating or assessing a resident ' s condition.
(4) Assistance with self-administration does not include:
(a) Mixing, converting, or

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A 052	Continued From page 4	A 052		

medication doses, except for measuring a prescribed amount of liquid medication or breaking a scored tablet or crushing a tablet as prescribed.
(b) The preparation of syringes for injection or the administration of medications by any injectable route.
(c) Administration of medications through intermittent positive pressure breathing machines or a nebulizer.
(d) Administration of medications by way of a tube inserted in a cavity of the body.
(e) Administration of sterile preparations.
(f) Irrigations or debriding agents used in the treatment of a skin condition.
(g) Chemotherapy, or biological preparations.
(h) 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 at the request of a competent resident.
(i) 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.

This Statute or Rule is not met as evidenced by:
Based on observation, record review and interview, the facility failed to follow proper procedures when assisting residents with the self-administration of medications.

The findings include:

On [redacted]: at 12:11 p.m. Resident #12 was observed being assisted with the self-administration of [redacted]. Staff A was

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A 052	Continued From page 5 observed removing the resident's Flexpen Syringe from the refrigerated storage unit. Staff A set the dial on the Flexpen for 6 units and handed the Flexpen to Resident #12's wife. The resident's wife provided the injection to the resident. On ... at 12:15 p.m. Staff A stated he was an unlicensed medication technician. He stated that he sets the dial on the Flexpen for the prescribed units of ... Staff A stated that the resident gets 4 units in the morning and 6 units before lunch and dinner. On ... at 8:30 a.m. Staff E was observed assisting 6 residents with self-administration of their medications. Staff E removed the residents medication from the medication cart. She would check the medication against the Medication Observation Record (MOR), remove the medication from the package, place the medication in a paper cup and initial the MOR. Staff E would then bring the medication to the resident and tell the resident what the medication was. She did not explain what the medication was for neither did she read the label to the resident prior to assisting the resident with the medication. Staff E handed the cup to the resident along with a cup of water. Staff E then turned away from the resident to complete other tasks and return to see if the resident had finished taking all the medications. On ... at 9:30 a.m. Staff E stated she does not actually watch the residents take their medication but does look around to see if any of the medications were dropped on the floor. Staff E followed this process for all 6 med pass observations.	A 052		

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A 052	Continued From page 6 Class III Correction Date:	A 052		
AZ827	408.812, FS Unlicensed Activity (1) A person or entity may not offer or advertise services that require licensure as defined by this part, authorizing statutes, or applicable rules to the public without obtaining a valid license from the agency. A licenseholder may not advertise or hold out to the public that he or she holds a license for other than that for which he or she actually holds the license. (2) The operation or maintenance of an unlicensed provider or the performance of any services that require licensure without proper licensure is a violation of this part and authorizing statutes. Unlicensed activity constitutes harm that materially affects the health, safety, and welfare of clients. The agency or any state attorney may, in addition to other remedies provided in this part, bring an action for an injunction to restrain such violation, or to enjoin the future operation or maintenance of the unlicensed provider or the performance of any services in violation of this part and authorizing statutes, until compliance with this part, authorizing statutes, and agency rules has been demonstrated to the satisfaction of the agency. (3) It is unlawful for any person or entity to own, operate, or maintain an unlicensed provider. If after receiving notification from the agency, such person or entity fails to cease operation and apply for a license under this part and authorizing statutes, the person or entity shall be subject to penalties as prescribed by authorizing statutes and applicable rules. Each day of continued operation is a separate offense.	AZ827		

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(4) Any person or entity that fails to cease operation after agency notification may be fined $1,000 for each day of noncompliance.

(5) When a controlling interest or licensee has an interest in more than one provider and fails to license a provider rendering services that require licensure, the agency may revoke all licenses and impose actions under s. 408.814 and a fine of $1,000 per day, unless otherwise specified by authorizing statutes, against each licensee until such time as the appropriate license is obtained for the unlicensed operation.

(6) In addition to granting injunctive relief pursuant to subsection (2), if the agency determines that a person or entity is operating or maintaining a provider without obtaining a license and determines that a condition exists that poses a threat to the health, safety, or welfare of a client of the provider, the person or entity is subject to the same actions and fines imposed against a licensee as specified in this part, authorizing statutes, and agency rules.

(7) Any person aware of the operation of an unlicensed provider must report that provider to the agency.

This Statute or Rule is not met as evidenced by:
Based on observation and interviews, the facility failed to practice within the scope of their license by providing 4 (Residents #1, #2, #9 and #14) of 45 residents +assistance with [redacted] tanks. The provision of this service is reserved for Assisted Living Facilities with a Limited Nursing Services license.

The findings include:

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AZ827	Continued From page 8	AZ827		

On [redacted] at approximately 9:00 a.m. The facility was entered. The facility's standard license was observed to be posted on the left side of the hallway wall outside the administrator's office. A review of the license revealed this facility does not hold a specialty license.

On [redacted] at 9:35 a.m. Resident # 2 was observed in bed. Next to Resident #2's bed was an [redacted] generator. At 3:30 p.m. the resident stated, "I am legally [redacted] and staff have to set up the [redacted] He stated that staff also set up the [redacted] for him as he is unable to see well enough to add the medications.

An interview was conducted with Resident #9 at 3:39 p.m. When questioned about her [redacted] tank she stated, "When I go to sleep they [staff members] do it [help her with her [redacted] for me." Resident # 9 denied knowing what setting her [redacted] tank is on.

Staff E was interviewed on [redacted] at 1:47 p.m. When asked about Resident #9 use of her [redacted] tank she stated, "She wouldn't be able to remember, she wouldn't comprehend when to put it on or what to set it on." When asked who helps the residents with their [redacted] tanks staff E stated that the Resident Assistants [redacted] switch out the [redacted] tanks. She then directed the surveyor to ask Staff B, who is an [redacted]

On [redacted] at 1:59 p.m. Staff B was questioned about the service provided to residents with [redacted] He stated, "Well, the portable one, we screw it off and we put a top on it and screw it back on. And we give them a key."

On [redacted] at 2:30 p.m. Staff E stated that staff

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AZ827	Continued From page 9 assist Resident #1 with his and also with his At 3:11 p.m. on Staff D was asked who helps with the residents' tanks. She named the Finance Officer. She stated, "Usually before [Finance officer] leaves he does. He does whoever has portable On at 3:29 p.m. the Finance Officer was interviewed. He admitted to helping residents with their tanks, "when needed." He stated, "When the resident[s] cannot unscrew the tank I do it for them." Class III Correction Date:	AZ827		

AHCA
FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION

RICK SCOTT
GOVERNOR

Better Health Care for all Floridians

ELIZABETH DUDEK
SECRETARY

2012

Administrator
Courtyards Of Horizon Llc (the)
26455 Rampart Blvd.
Punta Gorda, FL 33983

Dear Administrator:

This letter reports the findings of a Biennial survey that was conducted on 2012 through 2012 by representatives of this office.

Attached is the provider's copy of the State (3020) Form, which indicates the deficiencies that were identified on the day of the visit. Section 408.811(4), Florida Statutes, requires that you correct these deficiencies within thirty days of the date of this letter unless the Agency has approved another timeframe. Staff from this office will conduct a review after to verify that the necessary corrections are in place to correct the deficiencies identified on your survey.

The Quality Assurance Questionnaire has long been employed to obtain your feedback following survey activity. This form has been placed on the Agency's website at http://ahca.myflorida.com/Publications/Forms.shtml as a first step in providing a web-based interactive consumer satisfaction survey system. You may access the questionnaire through the link under Health Facilities and Providers on this page. Your feedback is encouraged and valued, as our goal is to ensure the professional and consistent application of the survey process.

Thank you for the assistance provided to the surveyors. Should you have any questions please call this office at 239-335-1315.

Sincerely,

Harold D. Williams
Field Office Manager

bw
Enclosure

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Tallahassee, FL 32308
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