

Agency for Health Care Administration

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: AL11963878	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED
NAME OF PROVIDER OR SUPPLIER BRADENTON OAKS COURTYARD			STREET ADDRESS, CITY, STATE, ZIP CODE 1015 7TH AVENUE EAST BRADENTON, FL 34208		
(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 Assisted Living Facility A complaint survey, CCR# 2012008994, was conducted on The Bradenton Oaks Courtyard assisted living facility had deficiencies found at the time of this visit.	A 000			
A 030	58A-5.0182(6) FAC; 429.28 FS Resident Care - Rights & Facility Procedures (6) 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 Council shall be posted in full view in a freely accessible resident area, and included in the admission package provided pursuant to Rule 58A-5.0181, F.A.C. (b) In accordance with Section 429.28, F.S., the facility shall have a written grievance procedure for receiving and responding to resident complaints, and for 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 address and telephone number for lodging complaints against a facility or facility staff shall be posted in full view in a common area accessible to all residents. The addresses and telephone numbers are: the District Long-Term Care Ombudsman Council, 1(888)831-0404; the Advocacy Center for Persons with 1(800)342-0823; the Florida Local Advocacy Council, 1(800)342-0825; and the Agency Consumer Hotline 1(888)419-3456.	A 030			

AHCA Form 3020-0001

TITLE

(X6) DATE

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

STATE FORM

6009

E51V11

If continuation sheet 1 of 11

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A 030	Continued From page 1 (d) The statewide toll-free telephone number of the Florida _____ Hotline " 1(800)962-2873 " shall be posted in full view in a common area accessible to all residents. (e) The facility shall have a written statement of its house rules and procedures which shall be included in the admission package provided pursuant to Rule 58A-5.0181, F.A.C. The rules and procedures shall address the facility's policies with respect to such issues, for example, as resident responsibilities, the facility's _____ and tobacco policy, medication storage, the delivery of services to residents by third party providers, resident elopement, and other administrative and housekeeping practices, schedules, and requirements. (f) Residents may not be required to perform any work in the facility without compensation, except that facility rules or the facility contract may include a requirement that residents be responsible for cleaning their own sleeping areas or apartments. If a resident is employed by the facility, the resident shall be compensated, at a minimum, at an hourly wage consistent with the federal minimum wage law. (g) The facility shall 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 shall not prohibit 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 shall be, at a minimum, an accessible telephone on each floor of each building where residents reside. (h) Pursuant to Section 429.41, F.S., the use of physical _____ shall be limited to half-bed rails, and only upon the written order of the resident's physician, who shall review the order	A 030			

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A 030	Continued From page 2 biannually, and the consent of the resident or the resident ' s representative. Any device, including half-bed rails, which the resident chooses to use and can remove or avoid without assistance shall not be considered a physical 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 achieve 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	A 030			

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A 030	Continued From page 3 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 _____ 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) Access to adequate and appropriate health care 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 shall be set forth in writing. 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	A 030			

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A 030	Continued From page 4 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. This Statute or Rule is not met as evidenced by: Based on record review and staff interview the facility failed to demonstrate they provided appropriate health care to 1 (#5) of 6 sampled residents. Findings include: A review of the Health Assessment form 1823 for resident #5 dated _____ revealed that the resident had diagnoses that included _____, gait disturbance and Adult _____. According to the face sheet the resident was admitted to the facility on _____. According to the record the resident was a hospice resident from _____ but was discharged on _____. A further review of the chart revealed that the resident's doctor was in the facility on _____ to see the resident and he indicated in his notes that the resident was reporting _____ frequency. After this visit the doctor wrote an order for urinalysis with culture and sensitivity (UA C&S) test and diagnosed her with a _____. No orders for medication were given at this time. The facility had the lab collect a _____ sample on _____ and initial results indicated many color cloudy, _____ 2+ (reference range is indicated to be Negative.) After two days the culture growth was read and on _____ the report	A 030		

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A 030	Continued From page 5 indicated she had greater than 100,000 CFU/ML According to the report the report was faxed to the doctor and on the bottom of the report the doctor wrote on 250 mg by mouth three times a day and given 21 tablets; Probiotics one by mouth twice a day for 10 days; and then to repeat UA C&S in 10 days. A review of the Medication Observation Record (MOR) for 2012 failed to document that these were given to the resident. Additionally, there was no documentation that the resident had a repeat UA C&S as the doctor ordered. On at approximately 3:30 p.m. the facility corporate auditor was asked to help locate documentation that the medication had been obtained and documented as being taken by resident #5. She was unable to locate this information and the facility Health Care Director on at 4:30 p.m. confirmed she had thus been unable to find the MOR and proof that the repeat UA C&S had been done. The resident was sent out to the hospital on and diagnosed with right hip and never returned to the facility. Class III	A 030			
A 056	58A-5.0185(7) FAC Medication - Labeling and Orders (7) MEDICATION LABELING AND ORDERS. (a) No prescription drug shall be kept or administered by the facility, including assistance with self-administration of medication, unless it is	A 056			

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A 056	Continued From page 6 properly labeled and dispensed in accordance with Chapters 465 and 499, F.S., and Rule 64B16-28.108, F.A.C. If a customized patient medication package is prepared for a resident, and separated into individual medicinal drug containers, then the following information must be recorded on each individual container: 1. The resident ' s name; and 2. Identification of each medicinal drug product in the container. (b) Except with respect to the use of pill organizers as described in subsection (2), no person other than a pharmacist may transfer medications from one storage container to another. (c) If the directions for use are " as needed " or " as directed, " the health care provider shall be contacted and requested to provide revised instructions. For an " as needed " prescription, the circumstances under which it would be appropriate for the resident to request the medication and any limitations shall be specified; for example, " as needed for pain, not to exceed 4 tablets per day. " The revised instructions, including the date they were obtained from the health care provider and the signature of the staff who obtained them, shall be noted in the medication record, or a revised label shall be obtained from the pharmacist. (d) Any change in directions for use of a medication for which the facility is providing assistance with self-administration or administering medication must be accompanied by a written medication order issued and signed by the resident ' s health care provider, or a faxed copy of such order. The new directions shall promptly be recorded in the resident ' s medication observation record. The facility may then place an " alert " label on the medication container which directs staff to examine the	A 056			

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A 056	Continued From page 7 revised directions for use in the MOR, or obtain a revised label from the pharmacist. (e) A nurse may take a medication order by telephone. Such order must be promptly documented in the resident ' s medication observation record. The facility must obtain a written medication order from the health care provider within 10 working days. A faxed copy of a signed order is acceptable. (f) The facility shall make every reasonable effort to ensure that prescriptions for residents who receive assistance with self-administration of medication or medication administration are filled or refilled in a timely manner. (g) Pursuant to Section 465.0276(5), F.S., and Rule 64F-12.006, F.A.C., sample or complimentary prescription drugs that are dispensed by a health care provider, must be kept in their original manufacturer ' s packaging, which shall also include the practitioner ' s name, the resident ' s name for whom they were dispensed, and the date they were dispensed. If the sample or complimentary prescription drugs are not dispensed in the manufacturer ' s labeled package, they shall be kept in a container that bears a label containing the following: 1. Practitioner ' s name; 2. Resident ' s name; 3. Date dispensed; 4. Name and strength of the drug; 5. Directions for use; and 6. Expiration date. (h) Pursuant to Section 465.0276(2)(c), F.S., before dispensing any sample or complimentary prescription drug, the resident ' s health care provider shall provide the resident with a written prescription, or a fax copy of such order. This Statute or Rule is not met as evidenced by: Based on record review and staff interview, the	A 056			

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A 056	Continued From page 8 facility failed to ensure that medications were ordered to ensure that 1 (#5) of 7 sampled residents received medications ordered by the doctor. Findings include: A review of the record for resident #5 revealed that on _____ a urinalysis and culture and sensitivity test was collected. On _____ the culture portion of the test was read and indicated that the resident had a positive organism of greater than 100,000 CFU/ML _____ On _____ the doctor ordered _____ 250 mg by mouth three times a day and Probiotics one tablet by mouth twice a day for 10 days. A review of the resident's Medication Observation Record (MOR) for _____ 2012 showed no evidence that this medication was offered to the resident and that the facility had obtained the prescription to give to her. _____ Class III	A 056			
A 083	58A-5.0191(4) FAC Training - First Aid and _____ (4) FIRST AID AND _____ A staff member who has completed courses in First Aid and _____ and holds a currently valid card documenting completion of such courses must be in the facility at all times. (a) Documentation of attendance at First Aid or _____ course offered by an accredited college, university or vocational school; a licensed hospital; the American Red Cross, American _____ Association, or National Safety Council; or	A 083			

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A 083	Continued From page 9 a provider approved by the Department of Health, shall satisfy this requirement. (b) A nurse shall be considered as having met the training requirement for First Aid. An emergency medical technician or paramedic currently certified under Part III of Chapter 401, F.S., shall be considered as having met the training requirements for both First Aid and . This Statute or Rule is not met as evidenced by: Based on record review and staff interview, the facility failed to ensure that they staffed 24/7 with a staff who was currently certified in First Aid and on 19 of 45 shifts reviewed from Failure to have staff on duty with proper certification in . . . /First Aid training could lead to residents not getting emergency treatment if they require emergency help. Findings include: During review of the personnel records for 6 staff only one staff had a current First Aid/ certification on her chart. At approximately 2:30 p.m. an interview with the Health Care Director was held and she called personnel and obtained a list of current staff who have current certification in First Aid and Five employees were on this list. A review of the two week staffing for . . . 1-15 was reviewed with the provided names and it was determined that no staff were scheduled with current First Aid and . . . for the following shifts: . . . No one with . . . /First Aid coverage for 11/7 shift . . . No one with . . . /First Aid coverage for 11/7 shift . . . No one with . . . /First Aid coverage for	A 083		

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A 083	Continued From page 10 11/7 shift No one with /First Aid coverage from 8p-7a No one with /First Aid coverage for 11/7 shift No one with /First Aid coverage for 11/7 shift No one with /First Aid coverage for 11/7 shift No one with /First Aid coverage for or 11/7 shifts No one with /First Aid coverage for or 11/7 shifts No one with /First Aid coverage for 11/7 shift No one with First Aid coverage for 11/7 shift No one with /First Aid coverage for 11/7 shift No one with /First Aid coverage for 8p until 7a No one with /First Aid coverage for 11/7 shift No one with /First Aid coverage for 11/7 shift At the exit conference on at approximately 6:30 p.m., the Executive Director said that she felt more staff had /First Aid current certification and she had posted a sign by the time clock for anyone with current certification to bring their credentials to be photocopied. She acknowledged that the schedule was made without having definite documentation that the staff had current certification of /First Aid. Class III	A 083		



RICK SCOTT
GOVERNOR

Better Health Care for all Floridians

ELIZABETH DUDEK
SECRETARY

2012

Administrator
Bradenton Oaks Courtyard
1015 7th Avenue East
Bradenton, FL 34208

Dear Administrator:

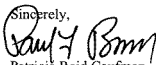
Re: **CCR# 2012008994**

This letter reports the findings of a complaint survey that was conducted on _____, 2012, by a representative 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 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 surveyor. Should you have any questions please call **Paul Brown**, HFES, at 727-552-2000.

Sincerely,

for Patricia Reid Kaufman
Field Office Manager

PRC/kpr

Enclosure: State Form 3020

Headquarters
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