

Agency for Health Care Administration

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: AL11965970	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED
NAME OF PROVIDER OR SUPPLIER SHADY OAKS REST HOME			STREET ADDRESS, CITY, STATE, ZIP CODE 1208 KENNEDY RD DAYTONA BEACH, FL 32117		
(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 An unannounced complaint survey CCR # 2012013386 was conducted at Shady Oaks Rest Home in Daytona Beach, Florida on 2013. Licensure deficiencies were identified as a result of the survey.	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. (d) The statewide toll-free telephone number of the Florida Hotline " 1(800)96 or 1(800)962-2873 " shall be posted in full view in a	A 030			

AHCA Form 3020-0001

TITLE

(X6) DATE

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

STATE FORM

6809

DEK311

If continuation sheet 1 of 12

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A 030	Continued From page 1 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 biannually, and the consent of the resident or the resident's representative. Any device, including half-bed rails, which the resident chooses to use	A 030			

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A 030	Continued From page 2 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 representative, designee, surrogate, guardian, or attorney in fact authorizes the administrator of the facility to provide safekeeping for funds as	A 030			

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A 030	Continued From page 3 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 residents' exercise of this right. This right includes access to ombudsman volunteers and advocates and the right to be a member of, to be	A 030			

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A 030	Continued From page 4 active in, and to associate with advocacy or special interest groups. This Statute or Rule is not met as evidenced by: Based on tour observation, staff interview and resident interviews, it was determined that the Assisted Living Facility failed to ensure that the residents' right to a safe and decent living environment was protected for 12 of 12 residents (#1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, and #12). The findings include: 1. On _____ at approximately 12:45 pm tour of the facility revealed that there were 14 _____ and 6 _____. Twelve _____ and four _____ were designated as resident living quarters for residents #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, and #12. The resident _____ were observed as single and double occupancy _____ with _____ beds and minimum furnishings that were old and worn. The resident _____ smelled of dirty laundry. The bed linens were dirty and worn. During tour of facility it was revealed the facility was an old building that lacked maintenance repairs and was observed with poor housekeeping services. The facility's front patio, living _____ carpets were stained, dirty, worn and torn throughout facility. The furnishings throughout the facility were observed old, worn, and torn. Facility vents were observed clogged with dirt debris throughout. Kitchen walls observed with grease and food splatters on walls. Kitchen overhead ceiling observed with cracks	A 030		

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A 030	Continued From page 5 and bulges. Kitchen counter tops had been refurbished and observed with laminate counter tops. Dining _____ were torn, mix-match, dirty and worn. Three of four observed _____ had dirty sinks and showers with dirt, mold and soap scum in crevices and trash debris on floors. The garage had been closed in and converted into a storage and lounge area. Garage observed with miscellaneous items, tools, freezers, and refrigerators and a day bed. The back exit door had ripped and worn paneling, and the seal around door was damaged. The back yard had hazardous, miscellaneous items throughout, which included: rusted shrub shears, shovels, rakes, hoes and loose boards with nails lying around. The exterior of the building was observed with chipped peeling paint, and spider webs along window panes. 2. In an interview on _____ at 1:40 pm with resident # 1, he stated the facility needed to improve on cleaning standards. He stated laundry was done approximately every 2 weeks and his sheets were not clean. He stated the _____ were dirty most of the time and the carpet needed to be cleaned or changed out. 3. In an interview on _____ at 1:55 pm with resident # 2, he stated laundry services in the facility were not sufficient for him. Resident stated his laundry was done about every 2 weeks and he had piles of dirty clothes. 4. In an interview on _____ at 2:03 pm with resident # 3, he stated laundry was not done often enough to ensure he had clean bed linens	A 030			

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A 030	Continued From page 6 and clothes. He stated his I like dirty laundry. Class III	A 030		
A 078	58A-5.019(2) FAC Staffing Standards - Staff (2) STAFF. (a) Newly hired staff shall have 30 days to submit a statement from a health care provider, based on a examination conducted within the last six months, that the person does not have any signs or symptoms of a communicable including Freedom from must be documented on an annual basis. A person with a positive test must submit a health care provider's statement that the person does not constitute a risk of communicating Newly hired staff does not include an employee transferring from one facility to another that is under the same management or ownership, without a break in service. If any staff member is later found to have, or is suspected of having, a communicable he/she shall be removed from duties until the administrator determines that such condition no longer exists. (b) All staff shall be assigned duties consistent with his/her level of education, training, preparation, and experience. Staff providing services requiring licensing or certification must be appropriately licensed or certified. All staff shall exercise their responsibilities, consistent with their qualifications, to observe residents, to document observations on the appropriate resident's record, and to report the observations to the resident's health care provider in accordance with this rule chapter. (c) All staff must comply with the training requirements of Rule 58A-5.0191, F.A.C.	A 078		

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A 078	Continued From page 7 (d) Staff provided by a staffing agency or employed by a business entity contracting to provide direct or indirect services to residents must be qualified for the position in accordance with this rule chapter. The contract between the facility and the staffing agency or contractor shall specifically describe the services the staffing agency or contractor will be providing to residents. (e) For facilities with a licensed capacity of 17 or more residents, the facility shall: 1. Develop a written job description for each staff position and provide a copy of the job description to each staff member; and 2. Maintain time sheets for all staff. This Statute or Rule is not met as evidenced by: Based on observation, record reviews and staff interview, facility failed to ensure staff completed screenings and attained free from communicable statements for 4 of 4 employees. (Employees A, B, C, and the Administrator). The findings include: 1. On during record reviews of 4 sampled employees, it was revealed employees A, B, C and the Administrator had no health statements stating employees were free from communicable Employees A and C had no annual screens. 2. In an interview with administrator, he stated he did not realize the screens and health statements were different documents. He stated he thought the screens were all he needed to be in compliance. The Administrator stated he would ensure his staff updated screens and obtained health statements.	A 078		

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A 078	Continued From page 8 Class III	A 078		
A 152	58A-5.023(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.; and 2. Must be maintained free of hazards; and 3. Must 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 shall be given the option of using their own belongings as space permits. When the facility supplies the furnishings, each resident 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 a comfortable height to ensure easy access by the resident; 2. A closet or wardrobe space for hanging clothes; 3. A dresser, chest or other furniture designed for storage of personal effects; 4. A table, 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 _____ 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	A 152		

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A 152	Continued From page 9 require such services. Linens provided by a facility shall be free of tears, stains and not be This Statute or Rule is not met as evidenced by: Based on observation, and resident interviews it was determined that the Assisted Living Facility (ALF) failed to ensure existing architectural structures and the building were maintained in good order and repaired to provide a safe and clean environment free from hazards for 12 of 12 residents (#1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, and #12). The findings include: 1. On _____ at approximately 12:45 pm tour of the facility revealed that there were 14 _____ and 6 _____. Twelve _____ and four _____ were designated as resident living quarters for residents #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, and #12. The resident _____ were observed as single and double occupancy _____ with _____ beds and minimum furnishings that were old and worn. The resident _____ smelled of dirty laundry. The bed linens were dirty and worn. During tour of facility it was revealed the facility was an old building that lacked maintenance repairs and was observed with poor housekeeping services. The facility's front patio, living _____ carpets were stained, dirty, worn and torn throughout facility. The furnishings throughout the facility were observed old, worn, and torn. Facility vents were observed clogged with dirt debris throughout. Kitchen walls	A 152		

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A 152	Continued From page 10 observed with grease and food splatters on walls. Kitchen overhead ceiling observed with cracks and bulges. Kitchen counter tops had been refurbished and observed with laminate counter tops. Dining were torn, mix-match, dirty and worn. Three of four observed had dirty sinks and showers with dirt, mold and soap scum in crevices and trash debris on floors. The garage had been closed in and converted into a storage and lounge area. Garage observed with miscellaneous items, tools, freezers, and refrigerators and a day bed. The back exit door had ripped and worn paneling, and the seal around door was damaged. The back yard had hazardous, miscellaneous items throughout, which included: rusted shrub shears, shovels, rakes, hoes and loose boards with nails lying around. The exterior of the building was observed with chipped peeling paint, and spider webs along window panes. 2. In an interview on at 1:40 pm with resident # 1, he stated the facility needed to improve on cleaning standards. He stated laundry was done approximately every 2 weeks and his sheets were not clean. He stated the were dirty most of the time and the carpet needed to be cleaned or changed out. 3. In an interview on at 1:55 pm with resident # 2, he stated laundry services in the facility were not sufficient for him. Resident stated his laundry was done about every 2 weeks and he had piles of dirty clothes. 4. In an interview on at 2:03 pm with	A 152			

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A 152	Continued From page 11 resident # 3, he stated laundry was not done often enough to ensure he had clean bed linens and clothes. He stated his like dirty laundry. Class III	A 152			



RICK SCOTT
GOVERNOR

ELIZABETH DUDEK
SECRETARY

2013

Administrator
Shady Oaks Rest Home
1208 Kennedy Road
Daytona Beach, FL 32117

Re: CCR #2012013386

Dear Administrator:

This letter reports the findings of a state licensure complaint survey that was conducted on 2013 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 after 2013 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 this office at

Sincerely,

Keisha Woods, MPH
Health Facility Evaluator Supervisor
Division of Health Quality Assurance

JL/KW/sm
Enclosure

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2727 Mahan Drive
Tallahassee, FL 32308
<http://ahca.myflorida.com>



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