STATEMENT OF DEFICIENCIES	(X1) PROVIDER/SUPPLIER IDENTIFICATION NUMBER:	(X3) DATE SURVEY COMPLETED
	AL11911942	05/29/2014
NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE	
Royal Palm Retirement Centre	2500 Aaron Street Port Charlotte, FL 33952	

SUMMARY STATEMENT OF DEFICIENCIES
(FINDINGS PRECEDED BY TAG AND REGULATORY IDENTIFYING INFORMATION)

List of Tags Cited:
St - A - 0030 - 58a-5.0182(6) Fac; 429.28 Fs - Resident Care - Rights & Facility Procedures S-S= D

Specific Tag Findings:
An unannounced Complaint Survey, CCR# 2014004346, was conducted at Royal Palm Retirement Center, an Assisted Living facility (ALF), located in Port Charlotte, FL.

The complaint had one allegation which was substantiated and the facility received a citation at A 0030.

The following is a description of non-compliance:

0030-Resident Care - Rights & Facility Procedures 58A-5.0182(6) FAC; 429.28 FS
Based on record review and interview, the facility failed to honor residents rights in choosing a Home Health Agency for 4 (Residents #1, #2, #3, and #4) of 4 sampled residents.

The findings include:

1. During an interview on at 9:30 a.m., with Employee A she stated, "I know that they, (Home Health Agency Name) called you because of Resident #2. That agency wants her but then they found out they don't take her insurance. I am trying to rotate the Home Health Agency, because I think it is only fair that everybody get a piece of the pie. Everybody has a family to feed. Unless it was resident choice, where it would say it on the paper. With Resident #2, she has a HMO, there is no way (Home Health Agency Name) would have gotten her anyway, and they don't accept her insurance. I am trying to find an agency that would take her insurance. The doctor wrote the order on Tuesday and the nurse from (Home Health Agency Name) got a hold of the order. I explained that the order wasn't for them. It says Dr. preferred. After they, (Home Health Agency Name) left, I gave it to (Home Health Agency Name) and they said no she is HMO, so did (Home Health Agency Name). In the interim, (Home Health Agency Name) made a big stink about not getting Resident #2 and they don't take HMO, and they told the Executive Director they are calling the State because it's patient rights. A few years ago (Home Health Agency Name) had like 50 patients but now they have a lot less. If it says Dr. preferred then I give it to any Home Health Agency, the resident hasn't decided which home health company they want. Then I try to rotate it through the agencies, so that the same people don't get it all the time."

At 10:30 a.m., Employee A continued stating, "Resident #1 was admitted by (Home Health Agency Name). When I got the order from Employee B, and I checked the face sheet for Resident #1, I saw where her preference was crossed out. I didn't go back far enough to see where she had selected (Home Health Agency Name). So I put her with (Home Health Agency Name). Then Resident #1 saw Employee C and wanted her. Employee B verbally told me to cancel the order and to switch her to (Home Health Agency Name). The nurse from (Home Health Agency Name) told me she had called Resident #1's son and informed him of the switch and he was okay with it. Resident #1 started with (Home Health Agency Name) on . The Marketer for (Home Health Agency Name) told me that from now on because Employee B is the Medical Director for (Home Health Agency Name), if she writes an order for Home Health that resident is to be placed with (Home Health Agency Name)."

At 11:30 a.m., Employee A continued stating, "See Employee B is the Medical Director for (Home Health Agency Name). The Marketer called me and said if Employee B writes an order for home health it goes to (Home Health Agency Name). But I think that if the resident doesn't have a preference then I should rotate the Home Health

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Agency, not just one agency should get all the referrals, they all have a family to feed." When asked if she thought about supplying the resident with a list of agencies to select from she replied, "No, because some of the residents are in memory care and they can't choose."

At 2:40 p.m., Employee A stated, "If I get an order for Home Health, I rotate it. I see which the last agency that got the last referral is. So this way not the same agency is getting a referral all the time. I have in the past showed the people that are alert a list of agencies or asked the family which agency they want to use, the last time I did that was a month or two ago. I asked Resident #4 which agency she wanted. If the resident is on the memory care unit and they don't have a declaration for a home health agency, I will put them into the rotation for the Home Health Agency. If the resident is not on memory care and they haven't decided which agency, I just rotate the agency. I have always done it this way wherever I worked. I always rotated the agencies."

During an interview on ... at 3:40 p.m., with the Executive Director (ED) she stated, "I would think they would look at the face sheet to see if there is a preference. If there is no preference we ask them. We would advise them and suggest. I would say we work with a few and you are welcome to choose which ever you want. Employee A should talk to the resident, but as far as I know its ok that she goes through the rotation. I would say it's not ok for her to go through a rotation without talking to the resident. If in talking to a resident and they don't have a preference and they say no, you choose one then a rotation list would be ok. I can see where not talking to the resident and Employee A selecting the Home Health Agency can be seen a violation of resident rights because they have a choice. I met with (Home Health Agency Name) a time or two and they told me that Employee B only writes for Home Health orders for (Home Health Agency Name), not giving the resident their choice. I am also the Administrator; I am planning on meeting with Employee B about this because it is resident choice."

2. Review on ... of Resident #1's Health Assessment (1823) dated ... revealed that it documents: see orders - (Home Health Agency Name) for dressing changes. There was no order to discontinue care from (Home Health Agency Name) and start with (Home Health Agency Name).

Review on ... of Resident #1's Face Sheet signed by Resident #1 and dated ... revealed that it documents her preference for Home Health as (Home Health Agency Name) and then is crossed out with (Home Health Agency Name) wrote in beside it.

Review on ... of Resident #1's (Home Health Agency Name) notes dated ... revealed that it documents resident was admitted to their service ... and discharged from their service on ... .

During an interview on ... at 1:30 p.m., with Resident #1 when asked if she was satisfied with the home health care, or was given a list to choose an agency, she stated "I started with (Home Health Agency Name) then they said I was discharged. Then I was seen by another nurse from a different company. I am not sure what is going on. But nobody gave me a list and said pick one or talked to me about it. The Home Health Agency I have now is fine. They didn't ask me which agency I wanted; they just said this is who will be seeing you. I don't want to make waves."

3. Review on ... of Face Sheet for Resident #2 revealed that it documents her Home Health preference as Dr. preferred.

During an interview on ... at 9:45 a.m., with the Wellness Director she explained because Resident #2 has an HMO, she has to locate a Home Health Agency willing to accept her insurance. She has already approached

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three different Home Health Agencies and they have declined.

During an interview on [redacted] at 2:00 p.m., with Resident #2 when asked if she was a given a choice of Home Health Agencies, she stated, "They never showed me a list of Home Health Agencies. I never knew I had an order for home health services, now my daughter might. I think my daughter makes all my medical decisions for me."

4. Review on [redacted] of Resident #3's Face Sheet revealed that it documents his Home Health preference as (Home Health Agency Name).

During an interview on [redacted] at 2:25 p.m., with Resident #3 when asked if he was given a choice of Home Health Agencies, he stated, "Basically I was told that this agency was going to come and take care of me. I am happy with the care I am getting. If I didn't want to use this agency anymore, then I really don't know what would happen. I really don't know if there are any other agencies that could do what they do. I use (Home Health Agency Name). I think someone here selected them; I get a little mixed up. But given a choice to stay with them or change, I would stay with them."

5. Record review on [redacted] of Resident #4's Admission Information revealed that it documents her home health preference as Dr. preferred (undecided).

During an interview on [redacted] at 3:00 p.m., with Resident #4 when asked if she was supplied with a list of Home Health Agencies to choose from by Employee A, she responded, "I know that there are other Home Health Agencies available, and I am changing Home Health Agencies. I know the names of the other agencies because I talk to the other ladies in the building, not because I talk to Employee A. I have used this agency before, (Home Health Agency Name), so this is the one I wanted."

6. Review on [redacted] of the facility Handbook and Guidelines on page 14 titled 'Home Health, Hospice and Physical [redacted] Services' revealed that it documents "Our community is very conscientious about the quality of care given to our residents and the delivery services provided by third party agencies such as home health, hospice and physical [redacted] Third party agencies allow our residents to stay in their home when they require services that our community is not able to provide. Some of the services include: [redacted] management, [redacted] care, rehabilitation [redacted] care, orthopedic care, [redacted] care and [redacted] care. If you require home health agency personnel, hospice or other outside assistance, we will assist you in accessing these services. Please contact the Wellness Director to inquire more information."

Review on [redacted] of the Assisted Living Facility Resident Rights pamphlet revealed that it included "Participate and benefit from community services and activities to achieve the highest possible level of independence, autonomy, and interaction with the community," and "Adequate and appropriate health care consistent with established and recognized standards."

Class III

RICK SCOTT
GOVERNOR

ELIZABETH DUDEK
SECRETARY

. 2014

Administrator
Royal Palm Retirement Centre
2500 Aaron Street
Port Charlotte, FL 33952

Re: CCR #2014004346

Dear Administrator:

This letter reports the findings of a Complaint survey that was conducted on . 2014 by a representative of this office.

Attached is the provider's copy of the State (5000-3547) 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 . 2014 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 (239) 335-1315.

Sincerely,

Harold D. Williams
Field Office Manager

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Enclosure: State Form

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