STATEMENT OF DEFICIENCIES	(X1) PROVIDER/SUPPLIER IDENTIFICATION NUMBER:	(X3) DATE SURVEY COMPLETED
	AL11968799	**04/06/2015**
NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE	
JOSEFA'S ALF CORP	**3567 BALI DR SARASOTA, FL 34232**	

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

0000 - Initial Comments

An announced initial licensure survey was conducted from to at Josefa's ALF Corp, an Assisted Living Facility (ALF) in Sarasota, Florida.

The following is a description of deficient practice:

0009 - Admissions - Admission Package - 58A-5.0181(3) FAC

Based on record review and interview, the facility failed to ensure the admission packet contained all required policies and procedures.

The findings included:

A review of the admission packet on and of information submitted on revealed the admission packet lacked the following:

1. The facility's policy and procedure for reporting neglect or

2. The facility's policy and procedure on control, universal precautions and sanitation.

3. Page 21 of the admission packet included, "The facility's policies may require the third party to coordinate with the facility regarding the resident's condition and the services provided." The clause does not state how, when, what information or by what process the facility and third party are to coordinate.

4. Page 26 of the admission packet under Monthly Fee states, "Supervision of medication round-the-clock supervision by professional staff." Yet page 19 "Assistance with Medication by Unlicensed Personnel and Central Storage of Medications" shows medications will be "Assisted by unlicensed trained personnel." Furthermore the administrator is not a licensed practical or registered nurse.

5. Page 30 of the admission packet is an Advanced Directive Acknowledgement page. The Admission packet does not contain information about a living will, healthcare surrogate, power of attorney or proxy. The packet does not include the facility's policy for honoring Advanced Directives, only for the Policy.

6. Interview on from 10:30 a.m. to 2:00 p.m. with the Administrator and her Consultant, revealed the facility would address the missing information. The information was not included in the re-submitted admission packet received on

Class

0084 - Training - Assis Self-Admin Meds & Med Mgmt - 58A-5.0191(5) FAC

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SUMMARY STATEMENT OF DEFICIENCIES
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0084 Continued From page 1

Based on record review and interview, the facility failed to ensure the only staff hired, the Administrator, was trained in medication assistance.

The findings included:

1. Review of the Administrator's personnel record on ... revealed the Administrator had completed a 4 hour course on medication assistance on ... She had also completed a 2 hour course on medication assistance on ... A review of the Administrator's employment application in her file on ... noted no recorded work history.

2. On ... at 10:30 a.m. the Administrator was asked about her work history. The Consultant responded the Administrator had not worked in the last 3 years due to health reasons. The Administrator verified that information. The Administrator and Consultant agreed the medication training had not been continued yearly as required. The Consultant verified the Administrator would have to repeat the 4 hour course.

Class III

0091 - Training - Documentation & Monitoring - 58A-5.0191(12) FAC

Based on record review and interview, the facility failed to ensure all training required by rule or law meant the documentation requirements to include location of training and agenda of each training.

The findings included:

1. Record review of the only staff, the Administrator's, personnel record revealed the following:

a. The Administrator had ALF CORE training on ... The Core training documentation lacked the location of the training and the agenda. The Administrator had no documentation of successful completion of the course on ...

b. The Administrator had ... training on ... The training certificate lacked the location of and agenda of the training.

c. The Administrator had ... Control training on ... The training documentation lacked the location of the training and the agenda.

d. The Administrator had Incident Reporting training on ... The training documentation lacked the location of the training and the agenda.

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e. The Administrator had , Neglect and training on . The training documentation lacked the location of the training and the agenda.

f. The Administrator had Food Safety training on and . The training documentation lacked the location of the training and the agenda.

g. The Administrator had Activities of Daily Living (ADL) training on . The training documentation lacked the location of the training and the agenda.

2. The Administrator verified she had the training on . The Consultant, who provided the training, said, "I have been doing this for 20 years and I have never been cited for my training certificates. I will not be doing any more consulting in Sarasota. I work in Hillsborough and Miami." The regulation was shared with the Administrator and Consultant as to training documentation requirements. The Administrator and Consultant were also shown a certificate for the 2 hour medication training the Administrator had received on from a Consultant Pharmacist. That certificate included the agenda for the training on the back and met requirements.

Class

0093 - Food Service - Dietary Standards - 58A-5.020(2) FAC

Based on record review and interview, the facility failed to ensure the menus offer variety. The breakfast menus also lacked variety as the 4 cycles were identical day for day.

The findings included:

1. A review of the 4 cycle menu purchased by the administrator from a registered dietitian revealed all four cycles match daily Sunday through Saturday.

2. Interview with the Registered Dietitian on at 1:22 p.m. revealed she does not add breakfast protein every day to any menu made for a Hispanic facility. She stated Hispanic people do not like protein at breakfast and only like Spanish coffee and something sweet, such as pastry. She stated she did not consider non-Hispanic residents.

Class

0150 - Physical Plant - New Facilities - 58A-5.023(1) FAC

Based on observation and interview, the facility failed to ensure resident were for the exclusive use of residents for 1 of 4 in the ALF. The facility failed to ensure met the usable square footage required for the number of residents requested.

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Florida Building Code section 434
434.4.4
434.4.4.1 Resident sleeping designated for single occupancy shall provide a minimum inside measurement of 80 square feet of usable floor space. Usable floor space does not include closet space or
434.4.4.2 Resident designated for multiple occupancy shall provide a minimum inside measurement of 60 square feet (6 m2) of usable floor space per
434.4.4.3 Resident designated for multiple occupancy in facilities newly licensed or renovated six months after 1999, shall have a maximum occupancy of two persons.
434.4.4.4 All resident shall open directly into a corridor, common use area or to the outside. A resident must be able to exit his having to pass through another the two have been licensed as one
434.4.4.5 All resident shall be for the exclusive use of residents. Live-in staff and their family members shall be provided with sleeping space separate from the sleeping and congregate space required for residents.

The findings included:

1. A tour of the home was conducted on from 9:10 a.m. to 10:30 a.m. The the left of the front door was sufficient for 2 residents. The two small were sufficient in size for 1 resident each. The second large being used by the Administrator and her husband and was not available for licensure. It was observed to barely house the furniture in it. Further observation revealed it was 120 square foot but would lose 3 square feet due to the door swing. Therefore it would only be able to be licensed for 1 resident, if it became vacant within the correction period.

2. On at 11:30 a.m. the Administrator verified the intended to house two residents. She verified she had applied for a license for 6 residents. She stated she was planning to purchase a home next door and move into it within the 30 day correction period. She thought she might be able to enlarge the 3 feet to enable housing 2 residents.

Class III

0167 - Resident Contracts - 58A-5.025 FAC

Based on record review and interview, the facility contract failed to include a complete listing of ancillary charges and the purpose of the security deposit. The contract included a bed hold policy which required a 30 day notice to terminate, required competent residents the have a local responsible party, and included contradictory language and undefined The contract as is, violates portions of the Florida Statues and Administrative Code and potentially leads to conflicts between the resident and the facility.

The findings included:

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SUMMARY STATEMENT OF DEFICIENCIES
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1. The facility contract included in the bed hold policy a requirement for a "30-day advanced written Notice of Termination of Residency (to terminate the bedhold) as soon as you have made your decision, ..." A requirement for a 30 day notice to terminate the bed hold is in direct conflict with 429.24(3)(a) which removes the requirement for a 30 day notice when the resident is transferred due to medical reasons or

2. Page 4 of the contract states, "The Residency Fee set forth above may not reflect all supplemental costs or charges associated with Residency. Should the Resident require supplies or services not included in basic services, charges for said items will be added to the Resident's regular monthly statement, billed directly by the service provider, or paid for at the time of delivery. The Resident and/or Responsible Party shall be responsible for all costs related to obtaining a personal television, computer or telephone. Cable television service (it is included), high speed internet access, and phone service (including long distance, and in their are all available at an additional charge, depending the prices of the courier. All charges will be given in writing prior to placing the order (awaiting the courier to give us the charges.)" These clauses conflict with the requirement for all ancillary charges to be listed on an ancillary charge sheet in the contract.

3. Page 4 of the contract includes, "Josefa's reserves the right to demand an increase in the Security Deposit up to an amount equal to 2 months Board Rate, if Resident's monthly payment is past due by 20 days or more on three or more occasions. This deposit will be refunded within forty-five (45) days after the discharge date." The contract did not include the purpose of the security deposit.

4. Page 5 of the contract includes, "At Josefa's request, resident must inform Josefa's ALF of a local responsible party and Josefa's ALF may, at its sole discretion, require resident to execute a general power of attorney or guardianship documents authorizing the local responsible party to act on behalf of resident, if the resident is

This clause is in conflict with 429.28 and each resident's 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:
(b) Be treated with consideration and respect and with due recognition of personal dignity, individuality, and the need for privacy.
(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 provided in s. 429.27.
(i) Exercise civil and religious liberties, including the right to independent personal decisions.

5. Page 9 of the contract includes a clause, "In the event of a material change, the Resident or Responsible party will provide Josefa's ALF with updated information, in writing, including, but not limited to, emergency contact information, beneficiary designation form, a new updated Health Assessment Form signed by the Resident's

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physician, etc." "material change" is an undefined term.
6. Page 26 of the contract under Monthly Fee states, "Supervision of medication round-the-clock supervision by professional staff." Yet page 19 "Assistance with Medication by Unlicensed Personnel and Central Storage of Medications" shows medications will be assisted by unlicensed trained personnel. Furthermore the administrator is not a licensed practical or registered nurse.
7. The Additional Fees page 27 does not include the . . Fee charges found on page 13; the one to one service charges found on page 9, or charges for high speed internet access referenced on page 4.

8. Interview with the administrator on . . . . between 12:00 a.m. to 2:00 p.m. revealed the administrator hired a Consultant who developed the contract and did not understand areas of the contract herself. The Consultant present stated, "I had developed this contract with a lawyer and it has never been cited before."

Class . .

Z815 - Background Screening; Prohibited Offenses - 408.809, 435.02(2), 435.06

Based on record review and interview, the facility failed to ensure the only staff, the Administrator, had a current background screening completed as required under Chapters 408 and 435 Florida Statutes.

The findings included:

1. Record review on . . . . revealed a background screening completed on . . . . A review of the Administrator's employment application in her file on . . . . noted no recorded work history.

2. On . . . . at 10:30 a.m. the Administrator was asked about her work history. The Consultant responded the Administrator had not worked in the last 3 years due to health reasons. The Administrator verified that information. The Consultant agreed the background screening indicated longer than a 90 day lapse in employment from . . . . when the screening was completed to . . . . when reviewed for employment. The Consultant agreed the Administrator would have to contact the background screening unit for a reconsideration screening in order to bring her screening current.

Unclassified

RICK SCOTT
GOVERNOR

ELIZABETH DUDEK
SECRETARY

, 2015

Administrator
Josefa's Alf Corp
3567 Bali Dr
Sarasota, FL 34232

Dear Administrator:

This letter reports the findings of a state licensure survey that was conducted on , 2015 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. 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 surveyor. Should you have any questions please call this office at (239) 335-1315.

Sincerely,

Jon Seehawer, R.N.
Field Office Manager

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Enclosure: State Form

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