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	AL11965986	**03/27/2017**
NAME OF PROVIDER OR SUPPLIER **IZQUIERDO HOME CARE I**	STREET ADDRESS, CITY, STATE, ZIP CODE **311 SW 62 AVE** **MIAMI, FL 33144**	

SUMMARY STATEMENT OF DEFICIENCIES
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0000 - Initial Comments

A Standard Biennial Survey was conducted on through . Izquierdo Home Care I, Inc, license #10302, had deficiencies identified at the time of the survey:

0008 - Admissions - Health Assessment - 429.26(4-6) FS; 58A-5.0181(2) FAC

Based on record review and interview, the facility failed to provide a Health Assessment for one of four sampled residents (Resident #4). The facility also failed to provide an accurate health assessment for one of four sampled residents (Resident #3) .

Findings Include:

A review of Resident #4's record showed it did not contain the required health assessment form (AHCA Form 1823). Resident #4 was admitted on .

A review of resident #3's record showed that the resident was admitted on . A health assessment completed on showed that the the physician indicated the resident needed total assistance with bathing, dressing and toileting.

In an interview conducted on at 12:20 PM, the Administrator stated that the examining physician had not completed the health assessment for Resident #4, and Resident #3 can assist with his bathing, dressing and toileting.

Class III

0010 - Admissions - Continued Residency - 429.26(1&9) FS; 58A-5.0181(4) FAC

Based on observation, record review, and interview, the facility failed to ensure the appropriateness for continued residency of one of four sampled residents (Resident #2).

Findings included:

During a tour of the facility on at 10:20 AM Resident #2 was observed in # lying in bed. Observed the Administrator assisting Resident #2 with her transfer on at 11:30 AM. The Administrator placed her hands underneath the resident's arms and lifted her from the bed. The resident was unable to assist with her own transfer.

A review of Resident #2's record showed she was admitted to the facility on and had a

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diagnosis of , , , Gait disturbance, Health Failure, , , and . The health assessment done on documented that she required assistance with the Activities of Daily Living.

In an interview conducted on at 12:30 PM, the Administrator stated "She is an old person but she is able to transfer and ambulate. She does not meet hospice criteria."

Class III

0025 - Resident Care - Supervision - 429.26(7) FS; 58A-5.0182(1) FAC

Based on record review and interview, the facility failed to follow doctor's orders, and failed to contact a health care provider when three of four sampled residents had a change of condition (Resident #1, #2, and #3).

Findings included:

Observation revealed that Resident #3 received a ham and cheese sandwich, a banana and a cup of milk for breakfast on at 9:00 AM. A review of the resident's record showed that Resident #3 was documented as an , risk due to the , , , requiring a pureed diet dated .

Resident's record review on at 8:40 AM showed Resident #1, #2 and #3 were documented as a gait , requiring a half bed rail dated .

Observation on at 9:30 AM and at 8:15 AM showed Resident's #1 and #2 had one half-bed rail attached on one side of their beds next to the wall. Resident's #3 did not have half bed rails attached to his bed .

Observation on at 9:35 AM and at 8:15 AM showed Resident #2 had three on her arms, two were covered with bandages and one was uncovered. A review of Resident's #2 record showed that there was no documentation that the resident had been receiving treatment.

Interview conducted on at 9:30 AM, the Administrator stated "The residents did not need to have half bed rails attached to their beds and they can eat regular food. I obtain the prescriptions because your agency requires that. The surveyors informed me that I need to have the prescriptions in their records even do they do not need it."

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Class III

0030 - Resident Care - Rights & Facility Procedures - 58A-5.0182(6) FAC; 429.28(1-2) FS

Based on observation, record review, and interview, the facility failed honor resident's rights to be free of financial for two of three sampled residents (Residents #1 and 3). The facility acquired power of attorney for Resident #1 when the resident did not have full mental capacity to consent. The Administrator acquired the resident's home and sold it for a profit which did not benefit the resident. The facility's Administrator accessed the residents 'bank accounts by using the resident's debit card, or writing checks which she had the residents sign. Funds were used to pay bills while there was no documentation that the bills being paid belonged to Resident #1.

Findings include:

1)

A review of the admission and discharge logs showed that Resident #1 had two admission dates to the facility. One date was of 2015, and the other was of 2016.

Record review showed Resident #1's Health Assessment dated stated that the resident was diagnosed with , and , Thoracolumbar Region. The Health Assessment further indicated the resident was alert and oriented X 2, forgetful most of the time and somewhat . The resident was independent with eating and transfer, supervision with ambulation and assistance with bathing, dressing, and toileting.

In an interview on at 10:42 am, Resident #1's second sister in law stated "Resident #1 worked all of her life. When her mother , she stayed alone in her house. I found her on the floor a few times. I called rescue. She was transferred to a hospital and then to a Rehabilitation Center. I was unable to take care of her and told her that she needed to hire someone to help her or move to a assisted living facility. We tried to get her assistance from home health but she never received it. After she left the rehabilitation she needed to go to an assisted living facility. We discovered when she was unable to take care of herself or the house, that she was living in a bad condition. The administrator asked me if we were interested in the property and I said no. We did not have any money to invest in that property. The Administrator asked me if we could sign some papers for her and we did it."

In an interview conducted on at 11:10 AM, the Administrator stated, "I accepted to be Resident's #1 legal representative because she does not have any family members. The Power of

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Attorney that I have is limited; I can only use it for medical reasons. I do not want to be her Power of Attorney anymore because this brings me a lot of problems. She does not have any property. Her social security check goes directly to her account."

In an interview conducted on at 2:00 PM, the Administrator stated, "I have known Resident #1's family members for many years. They contacted me because they were worried for her. She was losing her real property and was living in a bad condition. I did a favor to them and I bought her house before admitted her in the facility. I left the electricity and water bills under her name. I paid the utility bills and the renovation of the property with her bank account. I sold the property already. I earned $30,000.00 in the transaction. I did not give Resident #1 any of the profit/proceeds from the sale because she lost her house. I did a favor to her and her family. She has a place to live at present."

A review of real estate transaction documents for Resident #1's home showed that the Administrator paid $60,516.50 to complete the transaction. The property was sold on for $262,564.00, and the administrator received $93,684.01 (approximately 33,000.00 profit).

Record review showed that on , Resident #1's signature appears on a handwritten statement allowing the Administrator to talk with her bank and make decisions regarding her home loan.

A review of real estate documents showed that on , Resident #1 allegedly signed a typed a statement explaining she decided to sell her house in a short sale because she was in a transition to move to an Assisted Living Facility. She explained that the reason for the sale was that she did not have any family members, had a bad health condition, and had low income. A state department adult protective investigator reviewed this document on ; the investigator felt that it was unclear whether the resident's signature matched her signature on other documents.

A review of additional real estate documents showed that on , Resident #1 signed a printed document, which appointed the administrator as the resident's Power of Attorney (POA). The administrator's husband and a Real Estate Broker who was later a party to the sale of the resident's house (he was the seller's agent and earned a total of approximately $18,000 commission on the sale of the resident's home on 2 occasions) witnessed the Resident's signature on Power of Attorney document. The notary on the POA was also the notary of the Real Estate company that sold the Resident's house on .

A review of Resident #1's bank statement for , , showed she received $891.00 monthly. The administrator paid what she stated were the expenses for the sold property (electric, phone bills, renovation), as well as the Administrator's credit card bills, using funds from Resident #1's

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bank account.

An attempted to interview Resident #1 on at 11:22 AM showed that the resident was unable to be interviewed due to and disorientation. An attempt to interview Resident #1 on at 9:25 am showed that she was awake. She stated "Look at the insects. I need to cover my body to avoid being bitten by them. I never married. I live with my mother and father."

On at 11:45 AM, the Administrator stated that Resident #1's family brought the resident's rent money in cash, however later she contradicted this statement & said that she wrote checks from the resident's account and had the resident sign those checks. The Administrator also stated that she received Resident #3's rent in cash, because she took him to the bank and he took his money out.

In an interview conducted with Resident #1's sister-in-law #1 on at 10:45 AM, the sister in law stated "My sister in law has her own bank account. I go to the bank with her card and take out $800 monthly to pay the facility. She does not have any Legal Representative. She had a real property but she had a reverse mortgage and she lost it." On between 10:00 am and 1:00 pm, this same sister-in-law stated that she has no involvement with Resident #1's finances, and that she didn't really know what was going on, except that Resident #1 had a reverse mortgage about 25 years ago. She stated that she had no dealings with Resident #1's finances.

2)

A review of Resident #3's health assessment dated showed that the resident was diagnosed with . The resident needed a low fat, low diet, precautions, and total assistance with bathing, dressing and toileting.

On at 9:45 am, the Administrator stated " Sometimes I take the bank account card of Resident #1 and Resident #3, and take the money out from their bank."

On at 12:06 pm, the Administrator stated "I am the Power of attorney for Resident #3". . \

On at 9:20 am, Resident #3 stated "I do not have any family here. I don't remember if I worked in the USA. I d not know how much I pay here. I do not have a bank account."

Record review showed that the Administrator maintained the bank statements for Resident #3. Further review showed that the resident's social security income was deposited into his bank account.

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Class I

0052 - Medication - Assistance with Self-Admin - 58A-5.0185 (3)

Based on observation and interview, the facility failed to follow the procedure outlined by the state when assisting out of four residents with self- administration medication (Resident #3).

Findings Include:

Observation on . . . . at 9:02 AM showed Staff A opened the medication cabinet. She took several pills out of the bottles and gave them to Resident #3. She said "take it and drink your milk." She signed off the Medication Observation Record (MOR). Staff A did not check the MOR before giving the medications to the resident, and did not read the medication label, or observe the resident taking his medications.

In an interview conducted on . . . . at 9:19 AM, the Administrator confirmed the findings.

Class III

0053 - Medication - Administration - 58A-5.0185(4) FAC

Based on observation, record review, and interview, the facility failed to ensure that one of four residents received medication administration from a licensed staff person (Resident #2).

Findings included:

In an observation of staff assistance with self-administration of medications for Resident #2 on at 9:20 AM the Administrator dispensed several tablets from the prepackaged pharmacy containers into a spoon. Then she mixed the medications with applesauce and fed it to Resident #2.

A review of the Administrator's personnel record showed that there was no documentation that she was a nurse or other licensed health care provider.

Class III

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0055 - Medication - Storage and Disposal - 58A-5.0185(6) FAC

Based on observation and interview, the facility failed to keep medicines locked at all times.

Findings included:

Observation on . . . . at 9:19 AM showed that the medication cabinet located in the common . . was unlocked and the doors were ajar. Residents # 3 and 4 were seated in the same common area.

In an interview conducted on . . . . at 9:19 AM, the Administrator confirmed the findings.

Class III

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

Based on observations, record review, and interview, the facility failed to ensure menus were conspicuously posted or easily available to residents.

Findings included.

During Facility tour on at 9:30 AM and on at 8:05 AM, observed no menu posted conspicuously for residents to view.

In an interview conducted on . . . . at 12:30 PM, the Administrator stated "The menu is not posted. I do not have copies of the menu."

Class III

0120 - Fiscal - Financial Stability - 429.17(3) FS: 429.275(1)58A-5.021(1) FAC

Based on record review and interview the facility failed to have income and expense records available to show evidence of financial stability.

Findings included:

Record review on showed the facility did not have income and expense records available to review.

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Resident records review showed that Resident #1, admitted on . . . . . , paid $733.00 monthly, Resident #2, admitted on , paid $733.00, Resident #3 admitted on paid $733.00 and Resident #4 admitted on . . . . . paid $733.00. Resident #2 also received an Optional State Supplement ( ) payment of $78.40 and Medicaid waiver of $1200.00, Resident #3 received payment of $58.40 and Medicaid Waiver of $1200.00.

Facility record's review on . . . . . showed the facility's bank statement for . . . . . had a deposit of $2278.40, a deposit of $78.40, a deposit of $3100.00, a deposit of $4356.80, ... a deposit of $1078.40, ... a deposit of $1236.80, ... a deposit of $1236.80, a deposit of $1236.80, a deposit of $1236.80, a deposit of $2336.80 and . . . . . a deposit of $2336.80.

In an interview conducted on . . . . . at 1:45 PM, the Administrator stated "I only have one account for the facility. I collected all the money and do only one deposit every month. The residents pay the facility with cash and checks. I use the cash to buy milk and food for the residents. I keep all the receipts."

Class III

0125 - Fiscal - Surety Bonds - 429.27(2) FS; 58A-5.021(3) FAC

Based on record review and interview, the provider failed to have a surety bond. The facility failed to provide a written statement for any transaction ion done on behalf of the residents for two of four (Resident #1 and #3) sampled residents.

Findings include:

Resident's #1 record review showed that the resident appointed the administrator as her Power of Attorney on . The record did not have documentation of a written statement for any transaction done on behalf the resident.

In an interview conducted on . . . . . at 11:10 AM, the Administrator stated "I became Resident's #1 Power of Attorney because she does not have any family members. The Power of Attorney is limited, I can only use it for medical reasons. I do not want to be her Power of Attorney anymore because this brings me a lot of problem. She does not have any property. Her social security check goes directly to her account. I do not have a surety bond."

A review of Resident #1's bank account on . . . . . at 1:04 PM showed that the resident received social

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security income of $891.00. The resident's bank account had transactions for payments of store credit cards, electricity and phone bills.

Resident #1's Power of Attorney review on at 1:45 PM showed that the resident appointed the Administrator as her lawful attorney-in-fact on . The document authorized the administrator to deposit and draw monies from any bank account and transfer, sell, assign, lease or convey any real estate.

Interview conducted on at 2:00 PM, the administrator stated "I bought her house before she was admitted in the facility. I left the electricity and water bills under her name. She paid the bills and the renovation of the property. I sold the property already."

Interview conducted on at 9:05 AM, the administrator stated "I take Resident's #1 and #3 cards and go to the bank and take their rent money out. Sometimes I write a check, Resident #1 signs it and I deposit in the facility account and I take Resident #3 to the bank and he takes his money out."

Interview

Class III

0160 - Records - Facility - 58A-5.024(1) FAC

Based on observation, record review and interview, the facility failed to have proof of a satisfactory annual sanitation inspection.

Findings included:

Observation on at 10:20 AM showed a sanitation inspection dated posted on the bulletin board.

In an interview conducted on at 12:45 PM, the Administrator confirmed that the sanitation inspection expired on .

Class III

0161 - Records - Staff - 429.275(2) FS; 58A-5.024(2) FAC

Based on record review and interview, the facility failed to provide documentation of the employment

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application, with references furnished, for one out of three sampled employees (Employee B).

Findings included:

A review of Employee B's personnel file showed that there was no employment application.

In an interview conducted on at 12:45 PM, the Administrator stated Staff B did not have an employment application with references in her file.

Class III

0162 - Records - Resident - 58A-5.024(3) FAC

Based on observation, record review, and interview the facility failed to provide documentation of a completed resident contract for one of four residents (Resident #4). The facility also failed to provide documentation of a signed consent for an unlicensed employee to assist with self- administration of medication for two of four residents (Residents #1 and #3).

Findings included:

Resident record review on at 10:15 AM, showed that for Resident 4 (admitted on) the administrator signed the resident's contract as her guardian or next of kin on . Resident #1 and Resident #3, admitted on , did not have a signed consent to be assisted with self-administration of medications by an unlicensed staff.

In an interview conducted on at 9:24 AM, Resident's #4 son stated "I am her Power of Attorney (POA) and I signed her contract. I pay the facility around $700.00 monthly with a check. I left the payment in the facility yesterday. I will fax the document to your office". Record review on at 10:10 AM showed that Resident #4's son was her POA.

In an interview conducted on at 12:45 PM, the Administrator stated "I signed Resident's #4 contract but I do not know why. I assist Residents #1 and #3 with their medications."

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Z814 - Background Screening Clearinghouse - 435.12(2)(b-d), FS

Based on observation, record review and interview, the facility failed to register four of foursampled staff on the facility's roster in the background screening clearinghouse database (Staff A, B, C and D) .

Findings included:

Observation on at 10:00 AM showed Staff A and B were caring for the residents and providing personal services to them.

Staff schedule review showed that Staff A, B and C were scheduled to work at the facility.

A review of the facility's roster in the Background Screening Clearinghouse database showed that the facility did not register any employee.

During an interview conducted on at 12:30 PM, the Administrator confirmed the findings.

Unclassified

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

Based on observation, record review, and interview, the facility failed have an eligible level II background screening for one out of four (Staff D) sampled staff.

Findings included:

On at 8:00 AM, observed Staff D was alone in # , making repairs, while Residents #1 and #2 were sleeping.

Record review showed the facility did not have personnel file for Staff D's (hired date unknown).

During an interview conducted on at 9:05 AM, the Administrator stated "Staff D lives in the house next door. He is not a facility staff. He helps me with the repairs in the facility. He is here because Resident #4 is moving."

Unclassified