STATEMENT OF DEFICIENCIES	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X3) DATE SURVEY COMPLETED
	AL11967675	**06/19/2017**
NAME OF PROVIDER OR SUPPLIER **WINDSOR AT OCALA**	STREET ADDRESS, CITY, STATE, ZIP CODE **2650 SE 18TH AVENUE** **OCALA, FL 34471**	

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

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

Based on interview, record review and policy and procedure review, the facility failed to ensure the safety of the residents by employing staff with an ineligible Level 2 Background Screen for 1 of 3 staff (Staff A, Resident Aide).

Findings:

During a face to face interview with Staff A on at 10:12 AM, she stated she has worked at this facility since 2016.

On at 1:14 PM, per interview with the administrator, she stated "I have someone in the building that I have to get out immediately. She has an ineligible background screening and I was unaware of it. She was on a waiting list to be cleared. I have to have her removed now. She went through human resources and I don't know how she made it into the building."

Record review of the personnel record for Staff A showed a hire date of .

Review of the provided Level 2 Background Screening revealed ineligible status for Staff A, dated .

Review of facilities policy and procedure " P Background Checks" showed "It is the policy of the company that all applicants considered for employment undergo a background check to ensure the quality and credentials of all associates. The company will not consider for employment applicants who mislead or falsify significant details of their background, and reserves the right to discharge existing employees who fail to fully report any new court convictions or disciplinary actions taken by a licensing board in any state. Any offer of employment with the company is contingent upon a successful background check."

Unclassified

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	AL11967675	A. BUILDING: _____ B. WING _____	06/19/2017

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A 000	Initial Comments An unannounced Limited Nursing Services (LNS) monitoring survey was conducted on [redacted] at Windsor At Ocala, License Number 11656. Deficient practice was identified during the survey.	A 000		
A 030 SS=D	58A-5.0182(6) FAC; 429.28(1-2) FS Resident Care - Rights & Facility Procedures 58A-5.0182(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 Program must 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 must 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 telephone number for lodging complaints against a facility or facility staff must be posted in full view in a common area accessible to all residents. The telephone numbers are: the Long-Term Care Ombudsman Program, 1(888)831-0404; [redacted], Rights Florida, 1(800)342-0823; the Agency Consumer Hotline 1(888)419-3456, and the statewide toll-free telephone number of the Florida [redacted] Hotline, 1(800)96- [redacted] or 1(800)962-2873. The telephone numbers must be posted in close proximity to a telephone accessible by residents and must be a minimum of 14-point font.	A 030		

AHCA Form 3020-0001

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE

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A 030	Continued From page 1 (d) The facility must have a written statement of its house rules and procedures that must be included in the admission package provided pursuant to Rule 58A-5.0181, F.A.C. The rules and procedures must at a minimum address the facility ' s policies regarding: 1. Resident responsibilities; 2. [illegible] and tobacco; 3. Medication storage; 4. Resident elopement; 5. Reporting resident [illegible], neglect, and [illegible]; 6. Administrative and housekeeping schedules and requirements; 7. [illegible] control, sanitation, and universal precautions; and 8. The requirements for coordinating the delivery of services to residents by third party providers. (e) Residents may not be required to perform any work in the facility without compensation, unless the facility rules or the facility contract includes a requirement that residents be responsible for cleaning their own sleeping areas or apartments. If a resident is employed by the facility, the resident must be compensated in compliance with state and federal wage laws. (f) The facility must 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 must 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 must be, at a minimum, a readily accessible telephone on each floor of each building where residents reside. (g) In addition to the requirements of Section 429.41(1)(k), F.S., the use of physical [illegible]	A 030		

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A 030	Continued From page 2 by a facility must be reviewed by the resident ' s physician annually. Any device, including half-bed rails, which the resident chooses to use and can remove or avoid without assistance, is not 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	A 030		

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A 030	Continued From page 3	A 030		

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.
(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,

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A 030	Continued From page 4 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 active in, and to associate with advocacy or special interest groups. (2) The administrator of a facility shall ensure that a written notice of the rights, [illegible], and prohibitions set forth in this part is posted in a prominent place in each facility and read or explained to residents who cannot read. ... The notice must state that a complaint made to the Office of State Long-Term Ombudsman or a local long-term care ombudsman council, the names and identity of complainants are kept confidential pursuant to s. 400.0077 and that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right. The facility must ensure a resident's access to a telephone to call the local ombudsman council, central [illegible] hotmail, and [illegible], Rights Florida. This Statute or Rule is not met as evidenced by: Based on observation, interview, and policy and procedure review, the facility failed to ensure a clean and sanitary environment by not removing used meal trays, for 84 of 84 residents, specifically affecting 1 of 84 residents (Resident #3). Findings: During an observation on at 9:38 AM it showed there was a cart that contained used breakfast trays to the left of [illegible]. The trays	A 030		

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A 030	Continued From page 5 showed there were some partially eaten items on the food trays. At 9:44 AM, Resident #3 was observed to go to the tray cart of the used trays, and began to go through the remaining food items. The resident pressed on a sausage patty, and then began to lick her fingers. The resident opened different containers of food, the items in the containers could not be observed. The resident then removed a bowl from a tray, the contents were unknown, and took the bowl into her . . . . 9:49 AM. During an interview on . . . . . at 9:49 AM with Resident #3, when asked what the cart was she stated, "This is what is left for breakfast." When asked if this is the food that is being served to residents the resident stated, "No, that is the food from a whole bunch of people. Sometimes they leave the cart here and sometimes not." When asked what was in the bowl the resident took from the cart the resident stated, "I am going to leave here in a few hours so it doesn't matter, good bye," and closed the door. Record review of the Resident #3's record showed she was admitted into the facility on . . . . . with a diagnosis of . . . . . . During an interview on . . . . . at 9:51 AM with Staff C, (Resident Aide), she stated, "These are the trays that were removed from the residents' . . . . who wanted . . . . Staff D, . . . approached and stated, "The tray cart is not supposed to be left in the hallway. It should have been taken to the kitchen." During an interview on . . . . . at 9:54 AM with the Administrator, she stated, "The tray cart is not supposed to be left on the floor. It should have been returned to the kitchen. As they remove the	A 030		

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A 030	Continued From page 6 trays from the [redacted] the cart should be taken to the kitchen. The residents finish their meals at different times, and the cart should not remain on the floor." Record review of the Policy and Procedure titled, "[redacted]," Effective Date: [redacted]; Purpose: To provide for the delivery of meals to resident [redacted] when needed because of illness. Procedure: II. Upon arrival or request, provide [redacted] meals on a temporary basis as medically needed. V. [redacted] meals are delivered, prior to the first seating, by a caregiver. After the meal, a caregiver picks up the dirty dishes and returns them to the kitchen. Class III	A 030		