

**AGENCY FOR HEALTH CARE
ADMINISTRATION**

PRINTED: 02/07/2018
FORM APPROVED

STATEMENT OF DEFICIENCIES	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: AL11968845	(X3) DATE SURVEY COMPLETED 01/25/2018
NAME OF PROVIDER OR SUPPLIER DISCOVERY VILLAGE AT NAPLES, LLC	STREET ADDRESS, CITY, STATE, ZIP CODE 8417 SIERRA MEADOWS BLVD NAPLES, FL 34113	

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

0000 - Initial Comments

An unannounced complaint survey for CCR #2018001208 was conducted on at Discovery Village at Naples, LLC, an assisted living facility (license #12700) in Naples, Florida. This complaint survey was conducted in conjunction with a revisit survey.

The complaint had 2 allegations, of which 1 was substantiated with a citation and 1 was substantiated without a citation.

The following is a description of the deficiency.

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

Based on resident, family, and staff interviews and record review the facility failed to ensure residents' rights were maintained for 15 (Resident #29, #31, #33, #41, #40, #25, #17, #21, #13, #14, #15, #2, #3, #5, and #4) of 41 residents sampled. Residents have the right to be treated with consideration and respect and with due recognition of their personal dignity.

The findings included:

On a review of the facility in-service documentation dated included: Pendants need to be answered within 10 minutes. Staff are not to talk in foreign language and are to be respectful to residents.

1. During an interview on at 11:45 a.m., Resident #29 said there are times when the staff do not treat her with consideration and respect. She feels unsafe at the facility. There are three large Haitian women, who she calls the "gang of three." They are harassing. It is their body language and tone of voice that make her feel uncomfortable and threatened. She continued by giving an example of this behavior. Within the past month she saw two of these women go into her neighbor's apartment. She knew her neighbor had left (she keeps her door open to the hallway so she saw her neighbor leave her apartment). She knocked on her neighbor's door and there was no answer. She continued to knock on the door until the two staff answered it. When they answered the door the staff asked her "What do you want?" in a threatening tone. She asked for her neighbor. The staff said they were doing her laundry. The resident knew this was not true because this was not the procedure for laundry. She asked for her neighbor again and the staff said "It's none of your business" and "closed the door forcefully." During an interview on at 11:55 a.m., Resident #30 (Resident #29's neighbor) confirmed this was true. When Resident #30 was first told of this story she reported it to a staff (she did not remember who). The staff told her "maybe they are in there taking a rest." The resident went into her

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observed several drawers and cabinets in her kitchen, living , and . Her jewelry case was also open. She has a candy dish on her coffee table and saw empty candy wrappers on her table. She said the staff do not treat her with respect and consideration. She is angry and fearful since this incident. She does not want the staff in her she is not there and they have no business taking naps in her apartment. Both Resident #29 and Resident #30 said several staff talk in a foreign language in front of them. 2. During an interview on at 12:25 p.m., Resident #31 said he hears the staff talk among themselves in a foreign language. 3. During an interview on at 12:45 p.m., Resident #33 said the staff do not treat him with consideration and respect. He said it's not what they say but the way they talk to him. The staff try to be intimidating, but he does not allow it. However, he said the "staff has ways of getting at you." When he uses his call button, he will have to wait a long time for the staff to help him or they won't come to help him at all. Staff also talk in his presence in a foreign language. He does not like this because he does not know if they are talking about him or not. 4. During an interview on at 6:10 p.m., Resident #41's guest did not want to be identified out of fear of retaliation from the facility staff. She said she witnessed staff speaking in a different language in front of residents on a regular basis. She also witnessed staff talking to residents rudely and saying to the residents "you have to wait" with a "bad attitude." She also felt intimidated by these staff. 5. During an interview on at 6:35 p.m., Resident #40 said she is not treated with consideration and respect. She said if the residents complain about some staff, the staff will make the residents "wait at least an hour" when they call for help. There were times when three staff would come into her apartment and sit on her couch. Resident #40 told them only one person should be in her "they again threatened" her that they would not help her if she needed help. She also said the staff speak a foreign language in front of her. 6. During an interview on at 6:55 p.m., Resident #25 said he hears staff talk in a foreign language "all the time." 7. During an interview on at 11:45 a.m., Resident #17 said that some staff are curt and have a poor attitude. Staff socialize and close themselves in the fitness there not available for resident use when they are in there. Some staff use a foreign language when speaking with each other in the hallways. Residents often have to wait at the table up to a half hour to be served. There is often a long wait before staff come when we press our call buttons.		

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8. During an interview on _____ at 8:00 p.m., Resident #21 said that one evening while taking a shower and receiving assistance from one aide, three other staff came into the _____. The three staff started speaking in a foreign language. The resident kept signaling for them to leave but they did not leave. Resident #21 stated, "This made me feel ill at ease." Resident #21 also said that many times while walking in the hall around 9:30 p.m. there will be a group of 4 to 5 staff together speaking in a foreign language. 9. During an interview on _____ at 2:30 p.m., Resident # 13's responsible party said that when residents are in an activity, staff are not paying attention. She said they are often playing on their cell phones instead of interacting with the residents. At shift change and during activities, staff at times converse amongst themselves in a foreign language. 10. During an interview on _____ at 3:00 p.m., Resident #14's family member said that at times staff can be heard speaking in a foreign language in the laundry _____. She said during the hurricane they evacuated the resident and locked the apartment. Upon return, they noticed that someone had been using the apartment. The toilet seat was in the up position and a telephone charger was plugged into an outlet. They discussed their concerns with the facility's administrator. 11. During an interview on _____ at 3:30 p.m., Resident # 15's family member said that once in a while staff can be heard conversing among themselves in the hallway in a foreign language. 12. During an interview on _____ at 8:10 p.m., when asked if residents felt intimidated, Caregiver Staff L did not answer and appeared _____. After a pause and through the remainder of the interview she leaned in and spoke in hushed tones about fear of a nurse on the 3- 11 shift. She was reluctant to talk and did not provide any names. In interviews on _____ between 8:30 and 9:00 p.m., Staff C, Staff L, Staff Q, and Staff R acknowledged they were direct care staff. They each said that the facility policy was to only speak English in the building, except perhaps in the employee break _____. 13. During an interview on _____ at 11:25 a.m., Resident #2 said the staff "always speak another language in front of me; that Haitian language. I think they talk about me. It was one time there were two of them helping me take a shower and they were talking to each other laughing. I felt very uncomfortable. I thought they were talking about me." 14. During an interview on _____ at 11:40 a.m., when asked if staff speak in a foreign language in front of her, Resident #3 said, "I wish they did not speak Creole, some times they do. It is uncomfortable.		

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I don't know if they talk about me." 15. During an interview on at 12:40 p.m., when asked if staff speak in a foreign language in front of her, Resident #5 said, "Yes, they do sometimes. Sometimes when there are two of them here to help me for whatever I need; they speak their own language. That makes me feel very uncomfortable. I assume they speak about me." 16. During an interview on at 12:50 p.m., Resident #4 said, "Some of the staff here speaks to each other Haitian. Of course it happened in front of me. I don't like that. I have no idea what they are talking about. It is rude to say the least. I think they talk to each other about me. I think the proper thing to do is to speak only English at work." Class III		