STATEMENT OF DEFICIENCIES	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X3) DATE SURVEY COMPLETED
	AL11953349	04/10/2019
NAME OF PROVIDER OR SUPPLIER **LAMPLIGHT INN**	STREET ADDRESS, CITY, STATE, ZIP CODE **1896 PARK MEADOW DRIVE** **FORT MYERS, FL 33907**	

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

0000 - Initial Comments

An unannounced complaint survey for complaint #2019004349, #2019004975 and #2018018463 was conducted on at Lamplight Inn of Fort Myers, an assisted living facility in Fort Myers, Florida.

CCR #2019004349 contained 1 allegation which was substantiated with deficiency.
CCR #2019004975 contained 1 allegation which was substantiated with deficiency.
CCR #2018018463 contained 1 allegation which was substantiated with deficiency.

The following is a description of the deficiencies:

0123 - Fiscal - Resident Trust Funds - 429.27( ) FS; 58A-5.021(2) FAC

Based on record review and staff interview the facility failed to maintain accurate business records when administering the resident trust funds for 2 (Resident #1 and #2) of 6 residents reviewed for resident trust funds.

The findings included:

Record review revealed Resident #1 and #2 were admitted to the facility on . The facility was the representative payee for both residents from Social Security. Each resident was to receive $54 paid into their individual resident trust fund monthly. At the time of admission, the resident trust fund was a written accounting of funds.

In , a new management company began at the facility and an electronic resident trust fund was created for Resident #1 but no trust fund was created for Resident #2.

Resident #1's trust fund had deposits of $54 on and . On , a deposit of $324 was made which was the total of the $54 deposits for , , , , , and . On , two deposits of $54 were made. A final deposit of $54 was made on , Resident #1 was discharged on . On at 11:35 a.m., in a phone interview with the corporate Chief Financial Officer (CFO), she said the two deposits made on represented the $54 deposits for and . She added that Resident #1 should have had another $54 deposited in and did not know why that had not occurred. She confirmed total deposits for Resident #1 from through should have been $648.

There was no electronic trust fund created for Resident #2, who was the wife of Resident #1 but on

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, $359 was deposited into the trust fund of Resident #1. On at 11:35 a.m., in a phone interview, the corporate CFO said the $359 deposited into Resident #1's account on represented Resident #2's $54 deposits from through and said actually it should have been $324. She said she thought maybe an audit discovered Resident #2 was owed the money. Resident #2 was discharged on and the CFO confirmed she should have had deposits of $54 for , , and . She confirmed total deposits for Resident #2 from through should have been $486. The CFO was unable to give a rationale why an electronic resident trust fund was never created for Resident #2 or why Resident #1 did not receive a $54 deposit in . She said the facility owes Resident #1 and Resident #2 a total of $1134.

Class III

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0168 - Resident Refund Policy - 429.24(3)(a) FS; 429.27(7), FS

Based on record review, and staff interview, the facility failed to provide refunds from the resident trust fund accounts within 45 days of discharge for 2 (Resident #1 and #2) of 6 residents reviewed for resident trust funds. In addition, the facility failed to provide 14 days written notification prior to removal of personal belongings from a room for 2 (Resident #5 and #52) of 4 residents reviewed.

The findings included:

1. On , record review revealed Resident #1 and #2 were admitted to the facility on . The facility was the representative payee for both residents from Social Security. Each resident was to receive $54 paid into their individual resident trust fund monthly. At the time of admission, the resident trust fund was a written accounting of funds.

On , a new management company began at the facility and an electronic resident trust fund was instituted in , of 2018. A new electronic resident trust was created for Resident #1 but no trust fund was created for Resident #2.

Resident #1's trust fund had deposits of $54 on and . On , a deposit of $324 was made which was the total of the $54 deposits for , , , , , and . On , two deposits of $54 were made. A final deposit of $54 was made on , Resident #1 was discharged on . On at 11:35 a.m., in a phone interview with the corporate Chief Financial Officer, she said the two deposits made on represented the $54 deposits for and . She added that Resident #1 should have had another $54 deposited in and did not know why that had not

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occurred. She confirmed total deposits for Resident #1 from through should have been $648.

There was no electronic trust fund created for Resident #2, who was the wife of Resident #1 but on , $359 was deposited into the trust fund of Resident #1. On at 11:35 a.m. in a phone interview, the corporate CFO said the $359 deposited into Resident #1's account on represented Resident #2's $54 deposits from through and said actually it should have been $324. She said she thought maybe an audit discovered Resident #2 was owed the money. Resident #2 was discharged on and the CFO confirmed she should have had deposits of $54 for , , . She confirmed total deposits for Resident #2 from through should have been $486. The CFO was unable to give a rationale why an electronic resident trust fund was never created for Resident #2 or why Resident #1 did not receive a $54 deposit in . She said the facility owes Resident #1 and Resident #2 a total of $1134 and confirmed a refund had not been issued within 45 days as required.

The facility failed to provide 14 days written notification prior to removal of personal belongings from a room for 1 (Resident #1) of 3 residents reviewed. This had the potential for belongings to be misplaced or lost when the facility packed Resident #1's belongings without the resident and/or resident representative in attendance.

2. On , in a phone conversation, the granddaughter of Resident #5 said her grandmother initially went on vacation with a friend in of 2019. After a few weeks, the family contacted the facility to return and was informed the facility could not accept her as they were on moratorium and could not admit or readmit anyone to the facility.

About 2 weeks ago the family called the facility and made arrangements to come to the facility and pack her belongings on or about . She said on , she came to the facility and was shocked to realize the facility had already packed Resident #5's belongings. While removing the belongings, the granddaughter noted there were personal items missing, including a television, 2 flip phones, a 3 drawer dresser, a small tablet and a . The granddaughter said no one ever notified them the facility was going to pack up Resident #1's belongings.

On , review of the facility contract revealed "ALF shall give 14 days notice prior to clearing the residential unit."

On at approximately 11:30 a.m., the facility Executive Director said she directed the Maintenance Director and Housekeeping Supervisor to pack the belongings of Resident #5 on so she could move another resident in to the room because she knew Resident #5 "Was not coming ."

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She confirmed she did not provide 14 days written notification prior to removing Resident #1's personal belongings.

3. On at 8:15 a.m., Resident #52's ex-spouse said the family was notified about the , but did not receive written notification about the removal of his belongings.

On at 2:40 p.m., the Administrator said that in the contract and on admission the resident/or family are given a form that ask them to fill out an inventory form and sign a theft and loss prevention program policy.
In the case of Resident #52, the son was the POA and opted not to fill out an inventory list on admission to the facility and sign off on the theft and loss prevention program sheet on when he was admitted to the facility. The resident's son also signed off on form that was titled "Filing a claim" on . The form gives instruction on what to do if the experience a loss of personnel property. It outlines that resident or family should submit a letter stating the fact that the item is lost or mission and the amount of the items. However, the property was not lost, the resident .
In the dent agreement that was signed by the son and POA,it that records that any personal property left after resident discharges shall be removed and stored and a written letter will be sent to estate and given 14 days to claim the property. If the property is not claimed within 45 days following the notice, the property will be disposed of.

On , at 8:53 a.m., the Administrator said the policy is to hold property for 30 days. After 30 days if not claimed we dispose of it. It's in the contract, we do not send a specific notification. We verbally communicate with family. As far as Resident #52, I don't even know him. Record review revealed the discharge date was after at the hospital. This management company has been in place since .

On at 1:12 p.m. in an interview, the administrator when asked, "Did you send a letter about his possessions to the family?" The administrator replied, "I don't know anything about a letter." When asked, "What happened to his possessions?" The Administrator replied, "I don't know, I know nothing."

Review of facility refund policy: Resident or responsible party, if any, is entitled to a prorated refund based on the daily rate for any unused portion of payment beyond the date of termination of residency after all charges, including but not limited to the cost of any damages to the residential unit resulting from circumstances other than normal use, have been paid to assisted living facility (ALF). The termination date shall be the date the unit is vacated by resident and cleared of all personal belongings. If resident's belongings are not removed by the date the unit is vacated by resident and the ALF can find appropriate storage, the facility may clear the unit and charge RESIDENT, responsible party, if any,

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resident's representative or resident's estate for moving and storing the items at a rate equal to the actual cost to ALF not to exceed 20% of the regular rate for the unit. In such cases, ALF shall give 14 days' notice prior to clearing the residential unit. If resident's possessions are not claimed within 45 days after notification by ALF, ALF may dispose of them as they see fit ... ...If any refund is due to resident, then such reimbursement will be paid to resident or responsible party, if any, within 45 after the residential unit is vacated in the case of transfer, discharge or . . . . of resident.

Record review revealed no evidence the facility provided 14 day notice prior to clearing the unit. No evidence of any communication to the family about the return of resident's possessions.

On at 3:30 p.m., the ex-spouse said she knew her ex-husband had a set of Bose brand speakers and other items, but the family has never made any contact about the return of the belongings to his son, POA. She said an on-line search suggested that the facility can hold unclaimed items for 2 years.

Class III