Office of Inspector General

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	100190	A. BUILDING: _____ B. WING _____	C 02/29/2024

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
MADISONVILLE REST HOME I LLC	140 GIVENS STREET MADISONVILLE, KY 42431

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
P 000	Initial Comments AMENDED A Complaint Survey investigating Complaints KY41922, KY41943, KY41744, KY41742, KY41736, KY41734, and KY41451, was initiated on 02/28/2024 and concluded on 02/29/2024. There were no regulatory violations identified with KY41922, KY41943, KY41744, KY41742, KY41736, KY41734, and KY41451. The facility census was forty (40).	P 000		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE 03/22/24

Office of Inspector General

FORM APPROVED 03/14/2024

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P 000	Initial Comments AMENDED A Complaint Survey investigating Complaints KY41922, KY 41943, KY41744, KY41742, KY41736, KY41734, and KY41451, was initiated on 02/28/2024 and concluded on 02/29/2024. Deficient practice was identified with KY00041922 and a deficiency was cited. There were no regulatory violations identified with KY41943, KY41744, KY41742, KY41736, KY41734, and KY41451. The facility census was forty (40).	P 000		
P 015	902 KAR 20:036 3(1)(a-d) Section 3. Administration and Operation (1) Licensee. The licensee shall be legally responsible for: (a) The operation of the PCH or SPCH; (b) Compliance with federal, state, and local laws and administrative regulations pertaining to the operation of the facility; (c) The development and implementation of policies related to administration and operation of the facility; and (d) If the licensee is an SPCH, the development and implementation of written transition procedures to ensure cooperation with an individual or entity that assists with transitioning residents with an SMI to community living arrangements.	P 015	Madisonville Rest Home will continue to comply with the PCH regulations in determining when a background check needs to be completed. As is stated in the regulation, a background check is to be completed on an individual who is employed by a long term care facility in a direct care position.	

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE Jessica Farrell TITLE Administrator (X6) DATE

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P 015	Continued From page 1	P 015		

This requirement is not met as evidenced by:
Based on interview, record review, and review of 906 KAR 1:190, it was determined the facility failed to maintain compliance with administrative regulations pertaining to the operation of the facility.

It was determined that the facility's ownership contracted with an individual, Contracted Maintenance #1, to provide maintenance work at the facility. Contracted Maintenance #1 was determined to be ineligible to work around residents, however, due to a disqualifying offense. Record review revealed there had been no background check conducted on Contracted Maintenance #1. Upon being informed by the State Ombudsman for the facility of Contracted Maintenance #1's background and ineligibility to work in long-term care settings, the facility's ownership took no action.

The findings include:

Review of 906 KAR 1:190 Kentucky Applicant Registry and Employment Screening Program, (4) "Disqualifying Offense" revealed it included individuals guilty of a felony offense as described in Kentucky Revised Statute (KRS) 507, which included charges of Reckless Homicide.
Continued review of 906 KAR 1:190 defined "Employee" as an individual who was hired directly or through contract by an employer of a long-term care facility and had duties that involved or might involve one-on-one (1:1)

Jessica Darnell Administator

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P 015	Continued From page 2 contact with a patient, resident, or client. In an interview with Kentucky Medication Aide (KMA) #1 on 02/29/2024 at 4:00 PM, she stated she has seen Contracted Maintenance #1 come to the facility a couple of times to repair things and fix things. She further stated that the facility does not have on-site maintenance at this time. In an interview with the Administrator on 02/29/2024 at 3:00 PM, she stated the facility currently did not have on-site maintenance and Contracted Maintenance #1 was a corporate employee who was hired by the owner of the facility. She further stated Contracted Maintenance #1 would be the boss over maintenance. The Administrator stated that he would come into the facility and perform maintenance tasks. She stated he was at the facility on 02/22/2024 and 02/23/2024. The Administrator stated that she has nothing to do with the hiring of corporate employees so she is not sure if there was a criminal background check performed on Contracted Maintenance #1 as he was already hired by the facility before she came on as the Administrator. The Administrator further stated that she was unaware of Contracted Maintenance #1's criminal background. In an interview with Contracted Maintenance #1 on 02/28/2024 at 8:38 AM, he stated that he was an independent contractor with a local Limited Liability Company (LLC), was self-employed, and does not work for the facility or its parent company. He further stated the number of people working for him at a job site can vary depending on what type of work was being done. Contracted Maintenance #1 stated after jobs were completed by his staff he would go in and inspect them for completion. He further stated if	P 015		

Jessica Darnell Administrator

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P 015	Continued From page 3 he wasn't supposed to be in the buildings he could have someone else go in and check the job. In an interview with the Facility Owner on 02/26/2024 at 4:03 PM, she stated that she was in compliance because they were not required to do background checks on independent contracted personnel. She stated Contracted Maintenance #1 was not employed by the company, was completely independent and not paid by a healthcare facility. The Facility Owner further stated they do not participate in the Cares Act, and that she had been advised by legal counsel that she was in compliance with this matter. She stated Contracted Maintenance #1's only job was to provide maintenance services as needed	P 015		

Jessica Darnell Administrator