MSDH - Health Facilities Licensure and Certification

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	47TM	A. BUILDING: _____ B. WING _____	C 10/01/2024

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
GREAT OAKS REHABILITATION AND HEALTHCARE C	111 CHASE STREET BYHALIA, MS 38611

(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
M 000	Initial Comments The State Agency (SA) conducted a complaint investigation (CI) MS #26086, CI MS #26215, and CI MS #26410 at the facility from 09/30/24 through 10/01/24. During the survey, the SA determined the facility was not in compliance with the Minimum Standards of Operation for Institutions for the Aged or Infirm, state licensure requirements. The SA investigated CI MS #26086 for misappropriation of resident funds and cited M500. The SA investigated CI MS #26215 for facility staffing and CI MS #26410 related to a fall with injury and there were no deficiencies cited. . At the time of the survey the facility held a census of 45 and was licensed for 60 beds.	M 000		
M 500	45.17.2 Residents' Rights Residents' Rights. The residents' rights policies and procedures ensure that each resident admitted to the facility: 1. is fully informed, as evidenced by the resident's written acknowledgment, prior to or at the time of admission and during stay, of these rights and is given a statement of the facility's rules and regulations and an explanation of the resident's responsibility to obey all reasonable regulations of the facility and to respect the personal rights and private property of other residents; 2. is fully informed, and is given a written statement prior to or at time of admission and during stay, of services available in the facility, and of related charges including any charges for services covered by the facility's basic per diem rate; 3. is assured of adequate and appropriate	M 500		11/7/24

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M 500	Continued From page 1	M 500		

medical care, is fully informed by a physician or nurse practitioner/physician assistant of his medical conditions unless medically contraindicated (as documented by a physician or nurse practitioner/physician assistant in his medical record), is afforded the opportunity to participate in the planning of his medical treatment, to not be limited in his/her choice of a pharmacy or pharmacist provider in accordance with state law, as referenced in House Bill 1439, which states that the facility shall not limit a resident ' s choice of pharmacy or pharmacy provider if that provider meets the same standards of dispensing guidelines required of long term care facilities, to refuse to participate in experimental research, and to refuse medication and treatment after fully informed of and understanding the consequences of such action;

4. is transferred or discharged only for medical reasons, or for his welfare or that of other residents, or for nonpayment for his stay (except as prohibited by sources of third-party payment), and is given a two weeks advance notice in writing to ensure orderly transfer or discharge. A copy of this notice is maintained in his medical record;

5. is encouraged and assisted, throughout his period of stay, to exercise his rights as a resident and as a citizen, and to this end may voice grievances, has a right of action for damages or other relief for deprivations or infringements of his right to adequate and proper treatment and care established by an applicable statute, rule, regulation or contract, and to recommend changes in policies and services to facility staff and/or to outside representatives of his choice, free from restraint, interference, coercion,

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M 500	Continued From page 2 discrimination, or reprisal; 6. may manage his personal financial affairs, or is given at least a quarterly accounting of financial transactions made on his behalf should the facility accept his written delegation of this responsibility to the facility for any period of time in conformance with State law; 7. is free from mental and physical abuse; 8. is free from restraint except by order of a physician or nurse practitioner/physician assistant, or unless it is determined that the resident is a threat to himself or to others. Physical and chemical restraints shall be used for medical conditions that warrant the use of a restraint. Restraint is not to be used for discipline or staff convenience. The facility must have policies and procedures addressing the use and monitoring of restraint. A physician order for restraint must be countersigned within 24 hours of the emergency application of the restraint; 9. is assured security in storing personal possessions and confidential treatment of his personal and medical records, and may approve or refuse their release to any individual outside the facility, except, in the case of his transfer to another health care institution, or as required by law of third-party payment contract; 10. is treated with consideration, respect, and full recognition of his dignity and individuality, including privacy in treatment and in care for his personal needs; 11. is not required to perform services for the facility that are not included for therapeutic purposes in his plan of care;	M 500		

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M 500	Continued From page 3 12. may associate and communicate privately with persons of his choice, may join with other residents or individuals within or outside of the facility to work for improvements in resident care, and send and receive his personal mail unopened, unless medically contraindicated (as documented by his physician or nurse practitioner/physician assistant in his medical record); 13. may meet with, and participate in activities of, social, religious and community groups at his discretion, unless medically contraindicated (as documented by his physician or nurse practitioner/physician assistant in his medical record); 14. may retain and use his personal clothing and possessions as space permits, unless to do so would infringe upon rights of other residents, unless medically contraindicated (as documented by his physician or nurse practitioner/physician assistant in his medical record); 15. if married, is assured privacy for visits by his/her spouse; if both are inpatients in the facility, they are permitted to share a room, unless medically contraindicated (as documented by the attending physician or nurse practitioner/physician assistant in the medical record); and 16. is assured of exercising his civil and religious liberties including the right to independent personal decisions and knowledge of available choice. The facility shall encourage and assist in the fullest exercise of these rights. This Statute is not met as evidenced by: Level II	M 500	Preparation and submission of this plan of	

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M 500	Continued From page 4 Based on staff and resident interview, record review and facility policy review the facility failed to protect a resident's right to be free from misappropriation of property for one (1) of five (5) sampled residents. Resident #1. Findings include: Record review of the facility's, "Abuse Prohibition Policy" with revision date of 11/07/23 revealed, "The facility will prohibit neglect, mental or physical abuse, including involuntary seclusion and the misappropriation of property or finances of residents." Record review of the facility policy, "Resident Rights" with a revision date of February 2021 revealed, "Federal and state laws guarantee certain basic rights to all residents of this facility. These rights include the resident's right to ... ...c. be free from abuse, neglect, misappropriation of property, and exploitation .." Record review of the facility "Investigation" of the allegation reported to Administrator by Resident #1 revealed that she had previously allowed Certified Nursing Assistant (CNA) #1 to order her some food on her food application (app) on her phone because she did not have a way to place the order. She gave CNA #1 her debit card number to use and then discovered on 08/04/24 that there was a pending charge of $9.99 on her bank account from the same food delivery service that the CNA had used prior. During the investigation, they found that when Resident #1's card was uploaded, it was set up for a monthly trial subscription and if canceled before the trial	M 500	correction by Great Oaks Rehabilitation and Healthcare Center does not constitute an admission or agreement by the provider of the truth of the facts alleged or the correctness of the conclusions set forth on the statement of deficiencies. The plan of correction is prepared and submitted solely pursuant to the requirements under state and federal laws. 1. Facility failed to protect a resident□s right to be free from misappropriation of property for one (1) of five (5) sampled residents. On 8/6/24 Certified Nursing Assistant (CNA) 1 paid Resident 1 (R1) $20.00. On 8/6/24 Uber Eats was called to have the $9.99 subscription fee reimbursed to R1. Uber initiated the return on 8/6/24. During the investigation Surveyor identified other charges when interviewing R1. $71.25 was reimbursed by CNA 1 on 10/4/24. 2. All residents have the potential to be affected by Abuse, Neglect, or Misappropriation of personal funds. Social Services conducted Satisfaction Rounds on 8/7/24 to ensure there were not any other residents affected by	

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M 500	Continued From page 5 was over, it would not charge the monthly fee. It was also found that CNA #1 asked Resident #1 to buy her lunch on 07/07/24 and she would pay her back. As of 08/06/24, CNA #1 had not paid Resident #1 back. On 08/06/24, CNA #1 came into the facility and brought the money owed and it was given to Resident #1. Resident #1 was also reimbursed for the monthly subscription fee of $9.99. This incident was reported to State Agency, Attorney General's Office, the Local Police, the Medical Director, Ombudsman, and Resident #1's spouse. Staff were in-serviced on Abuse/Neglect, Resident Rights and Misappropriation. Life Satisfaction Rounds were completed with no other negative findings. CNA #1 was suspended pending investigation and then terminated. On 09/30/24 at 9:55 AM, an interview with Director of Nursing (DON) revealed that CNA #1 used Resident #1's debit card on 07/07/24 ordered some sushi and never paid the resident back. She revealed that Resident #1 reported to her that CNA #1 had told the resident that she had been on vacation and needed to borrow money for food. The DON revealed that Resident #1 allowed CNA #1 to order food with her debit card and CNA #1 agreed to pay her back on payday. The DON stated that Resident #1's husband noticed a pending charge on their bank account and called Resident #1 and discovered that it was a charge that she had not incurred. During the investigation, they found that CNA #1 had used Resident #1's debit card several times without her permission and ordered food and had it delivered. The DON confirmed that they called CNA #1 to come to in and she paid Resident #1 the $20.00 that she owed her, and they terminated CNA #1. She revealed that CNA #1 knew that she was not supposed to take anything	M 500	the deficient practice. No other negative findings were noted. 3. On 7/17/23 Staff Development Coordinator (SDC) initiated an in-service to staff on Abuse Prohibition Policy. SDC initiated another in-service on Abuse Prohibition on 10/16/24. New hires will be inserviced on Abuse/Neglect/Misappropriation during orientation beginning 10/1/24. 4. Administrator, who serves as the Abuse Coordinator, will investigate any new allegations of abuse, neglect, mis-appropriation and will report the results of the investigation to the state agencies within required time frames. Administrator will bring results of investigations to Quarterly Quality Assurance beginning November 2024. Social Service Director will conduct weekly Satisfaction rounds beginning the week of 10/21/24 with residents with Brief Interview for Mental Status (BIMS) score of 12 or higher to determine if any Abuse, Neglect, or Misappropriation has occurred. These rounds will be conducted weekly for four weeks	

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M 500	Continued From page 6 from a resident and was not supposed to use a resident's debit card for any purchases. DON revealed that they provided training on abuse, neglect and misappropriation of resident property upon hire and routinely and had just had a training a couple months ago. On 09/30/24 at 11:45 AM, an interview with Staff Development Coordinator (SDC), revealed that she conducted an in-service on Abuse, Neglect, and Misappropriation of Property with all staff 07/17/24 through 07/18/24 and CNA #1 attended. She revealed that using someone's debit card was unacceptable and it was misappropriation of a resident's funds. The SDC revealed that CNA #1 used Resident #1's personal debit card to order food and some of the food was for herself. She also revealed that some of the staff had witnessed CNA #1 asking other staff members to buy her lunch. SDC revealed that CNA #1 was suspended immediately pending investigation and was terminated later. On 10/01/24 at 8:35 AM, an interview with CNA #3, revealed that she worked the night that CNA #1 used Resident #1's debit card. CNA #3 stated that she came into the facility and CNA #1 was eating sushi and told her that she had ordered it through a food delivery service. CNA #3 revealed that a couple weeks later, Resident #1 told a staff member that her husband questioned a charge on her bank statement, they investigated and found that CNA #1 had saved Resident #1's debit card information on her cell phone and used it to buy herself food. CNA #3 revealed that CNA #1 came in, paid the money back to Resident #1, and they terminated her. CNA #3 confirmed that this was a misappropriation of resident property and was a major issue. She revealed that they were not supposed to accept anything from a	M 500	then monthly thereafter for 2 months. Grievances will be reviewed daily by Administrator, Social Service Director, DON, or ADON. This is ongoing. Results will be brought to the Quarterly Quality Assurance meeting beginning November 7, 2024 for 2 quarters.	

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resident.

On 10/01/24 at 9:38 AM, an interview with the Administrator (ADM) revealed that when hired, all staff members completed training on Abuse, Neglect and Misappropriation of Property. He revealed that the staff knew not to take anything from a resident, not even a piece of peppermint. He stated that CNA #1 knew better but did it anyway. He revealed that they reported it to the State Agency and to the Attorney General's Office, suspended her immediately pending investigation and then terminated her.

On 10/01/24 at 10:45 AM, an interview with Licensed Practical Nurse (LPN) #1 revealed that CNA #1 initially ordered food for a resident and for herself using Resident #1's debit card. She revealed that Resident #1 told her that CNA #1 had asked on another occasion to order her some food again and that she would pay her back, but she never did. LPN #1 revealed that CNA #1 continued to use Resident #1's debit card and had it saved in her own phone. LPN #1 revealed that CNA #1 did not pay the resident back until they confronted her about it. LPN #1 revealed that CNA #1 asked frequently for people to buy her food and asked for donations for her daughter. She revealed that she had used Resident #1's card more than once. LPN #1 confirmed that they investigated this and CNA #1 was fired.

On 10/01/24 at 12:34 PM, a phone interview with Resident #1 revealed that she had been in that facility three different times and really enjoyed it. She revealed that when she was in the facility this last time, CNA #1 took right up with her, and she thought she was her friend. Resident #1 revealed that one night she decided to order three or four

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pizzas for the night shift because they had been good to her and she wanted to show her appreciation. She stated, "That's just how I am." Resident #1 revealed that CNA #1 offered to order through her phone application (app) and have it delivered for me. Resident #1 confirmed that CNA #1 took her debit card information and placed the order for her. CNA #1 told Resident #1 that her phone was "messing up" so she would just use her own cell phone to place the order. Resident #1 revealed that CNA #1 took her debit card and placed the order. Resident #1 stated that on another day, CNA #1 told her that she had just returned from vacation and didn't have any money and asked her if she could order her some food and she would pay her back when she got paid. Resident #1 revealed that on 07/07/24, CNA #1 ordered food using Resident #1's debit card, for both Resident #1 and herself, but CNA #1 did not pay her back. Resident #1 revealed that on 08/05/24, her husband called questioning her about a pending charge on her bank account and she reported to the Administrator that she had allowed CNA #1 to order food on her app because she did not have one. She revealed that they researched it and found that CNA #1 had used Resident #1's debit card and signed her up for a monthly subscription to have the food delivery service and that her debit card was linked to CNA #1's email address. Resident #1 stated, "I did not give my card to her to do what she wanted with it." Resident #1 revealed that she thought CNA #1 was her friend and that she shouldn't take from people. Resident #1 also revealed that CNA #1 was real smart about it and she felt sorry for CNA #1 and she didn't press charges because she knew she had a little girl and didn't want her to suffer because of it. Resident #1 revealed that when the Administrator called CNA #1 in, she reimbursed

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her twenty dollars, and she revealed that the subscription fee of $9.99 was reimbursed as well. Resident #1 revealed that CNA #1 was fired, and she hoped that she never did anyone else like that. Resident #1 confirmed that the food receipt dated May 23, 2024, for the total amount of $31.59 was for the food that was ordered for she and CNA #1 and confirmed that CNA #1 had paid what she owed for her part on that charge. Resident #1 also confirmed the last four digits of her Visa debit card. During the interview, Resident #1 revealed that she had not approved the charges to her card on 06/02/2024 for $64.89 which was a food order placed by CNA #1. She revealed that she didn't eat sushi and that she had only agreed to let CNA #1 order using her card two times, the very first time when she ordered pizza and then again on 07/07/24 when CNA #1 asked her to buy her lunch. Resident #1 revealed that she had missed this somehow and she hadn't been reimbursed for this charge. When asked about the $3.00 and the $3.36 tip charges to her debit card on the food receipts from an order placed by CNA #1 dated June 02, 2024, Resident #1 revealed that she was not aware of those charges and had not been reimbursed for that amount.

On 10/01/24 at 12:55 PM, a phone interview with CNA #1, revealed that on 06/2/24, Resident #1 asked her to order her food through her phone app and she used the resident's debit card to pay for it. CNA #1 revealed that another day, CNA #1 asked Resident #1 if she could order herself some food and stated, "I said I'd pay her back." CNA #1 revealed that Resident #1's debit card was charged for a monthly subscription fee and she didn't know how that happened. CNA #1 revealed that Resident #1 left the facility before she could pay her back, and she felt bad about it.

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CNA #1 revealed that one day the Administrator called her into the facility, she went in and paid Resident #1 back. She revealed that she knew she was not supposed to use a resident's debit card to order her food, and she knew she shouldn't have asked the resident to buy her food even if she was going to pay her back. CNA #1 stated, "I'm sorry that it happened and never intended it to happen like that. I felt bad that it happened." She revealed that if she had it to do over, she would refer Resident #1 to eat in the cafeteria and not order out. CNA #1 agreed that this was a misappropriation of resident funds and that this was a serious offense. She confirmed that she had been in-serviced on this and that she knew better. CNA #1 confirmed that she had training during orientation on resident abuse, neglect, and misappropriation of resident property and that she knew she was not supposed to take anything from a resident. She revealed that the first two times she used Resident #1's debit card, that the resident offered to buy my food, and I let her. CNA #1 revealed that she didn't know how those other charges for tips got charged to the resident's card and denied having Resident #1's debit card information saved to her phone. She stated, "I don't know how that happened."

On 10/04/24 at 8:23 AM, after exit from the building and further record review it was reported to Administrator by phone that during the investigation, it was found that other amounts including $64.89, $3.00, and $3.36 were charged to Resident #1's debit card on 06/02/24. Administrator revealed that he was not aware of these other charges, he would put in a request for the total amount of $71.25 and get it reimbursed to her.

Record review of the food receipt dated 06/02/24

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revealed that $64.89 charged to Resident #1's debit card and that CNA #1 placed the order for delivery. There was also a $3.00 charge and a $3.36 charge to Resident #1's debit card on 06/02/24 and was documented as tips.

Record review of the food receipt dated 07/07/24 revealed that $3.00 was charged to Resident #1's debit card for the food ordered by CNA #1 and the food was delivered to the facility.

Record review of CNA #1's "Personnel Action Form" revealed that she was suspended on 08/05/24 and that she was terminated on 08/08/24.

Record review of CNA #1's "Disciplinary Action Record" dated 08/08/24 revealed that she was terminated for misappropriation of funds.

Record review of CNA #1's "Statement" received on 08/06/24 over the phone by administrator revealed that on 06/02/24, Resident #1 asked CNA #1 to order her some food off of a phone app. She then ordered again through the phone app and Resident #1 ordered CNA #1 food as well on 07/07/24. CNA #1 had told Resident #1 she would pay her back. CNA #1 didn't know that Resident #1's card was set up for the monthly subscription fee. Resident #1's card has been taken off of CNA #1's account and the monthly subscription fee is being refunded. CNA revealed that she didn't know it was charging her because she thought her card was deleted.

Record review of CNA #1's Time Card dated 05/23/24 through 07/07/24 revealed that she worked on 05/23/24, 06/02/24, and 07/07/24 and was clocked in at the facility at the time Resident #1's debit card was used to purchase food

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	47TM	A. BUILDING: _____ B. WING _____	C 10/01/2024

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
GREAT OAKS REHABILITATION AND HEALTHCARE C	111 CHASE STREET BYHALIA, MS 38611

(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
M 500	Continued From page 12 delivery. Record review of CNA #1's Time Card dated 07/25/24 through 08/07/24 revealed that she last worked the night shift on 08/04/24. She clocked in at 6:54 PM and clocked out at 7:09 AM on 08/05/24. Record review of Resident #1's "Admission Record" revealed an original admission date of 05/06/24. Record review of Resident #1's Minimum Data Set (MDS) with Assessment Reference Date (ARD) of 07/10/24 under Section C revealed a Brief Interview for Mental Status (BIMS) score of 15 which indicated that she was cognitively intact.	M 500		