

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: HAL092131	(X2) MULTIPLE CONSTRUCTION A. BUILDING: 01 B. WING _____	(X3) DATE SURVEY COMPLETED 08/17/2023
NAME OF PROVIDER OR SUPPLIER PHOENIX ASSISTED CARE		STREET ADDRESS, CITY, STATE, ZIP CODE 201 WEST HIGH STREET CARY, NC 27513		
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C 000	Initial Comments Report of a Construction Section Biennial Survey by Suzanna Fay conducted on August 17, 2023. This facility was licensed for licensure on August 1, 1988 and is currently licensed for 120 Beds including a 36 Bed Special Care Unit. Therefore, this facility was surveyed for conformance with the applicable portions of the 2005 Rules for Licensing of Adult Care Homes of Seven or More Beds and applicable portions of the 1978 (Revision 9) Edition of the North Carolina Building Code(s), Institutional Occupancy and the 1987 Rules for Licensing of Adult Care Homes of Seven or More Beds in effect at the time of initial licensure. Deficiencies have been cited and a Plan of Correction is required.	C 000		
C 101	Existing Licensed Fac- No less than '71 Rules SECTION .0300 - PHYSICAL PLANT 10A NCAC 13F .0301 APPLICATION OF PHYSICAL PLANT REQUIREMENTS The physical plant requirements for each adult care home shall be applied as follows: (2) Except where otherwise specified, existing licensed facilities or portions of existing licensed facilities shall meet licensure and code requirements in effect at the time of construction, change in service or bed count, addition, renovation, or alteration; however in no case shall the requirements for any licensed facility where no addition or renovation has been made, be less than those requirements found in the 1971 "Minimum and Desired Standards and Regulations" for "Homes for the Aged and Infirm", copies of which are available at the Division of Health Service Regulation at no cost;	C 101		

Division of Health Service Regulation

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

Mitchell Moran



TITLE

Maintenance Director

(X6) DATE

9/29/2023

Division of Health Service Regulation

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C 101	Continued From page 1 This Rule is not met as evidenced by: 1. Observations revealed that the facility does not meet licensure and code requirements in effect at the time of construction, change in service or bed count, addition, renovation or alteration. Electromagnetic locks shall have an on/off emergency release switch capable of interrupting power to all electromagnetically locked doors in the facility. Release switches shall be located and properly identified at each nurses station serving the locked unit. An additional emergency release switch shall be provided for each locked door and located within 3 feet of the door. Findings on August 17, 2023: a. The emergency release switch in the SCU did not release the two exit doors to the courtyard. b. Neither of the master emergency release switches in the SCU and in the AL Med Room were labeled. 2. Observations revealed that the facility is not in compliance with code requirements in effect at the time of construction, change in service or bed count, addition, renovation or alteration. Delayed egress doors shall have a sign provided on the door located above and within 12 inches of the release device reading: PUSH UNTIL ALARM SOUNDS. DOOR CAN BE OPENED IN 15 SECONDS. Findings on August 17, 2023: a. Laundry - the exterior door is a delayed egress door and there is no signage indicating it as such. 3. Observations revealed that the facility does not meet licensure and code requirements in	C 101	Release switch will be repaired. Master emergency switch has been labeled. Signage has been added to notify of delayed egress.	10/6/2023 9/21/2023 9/21/2023

Division of Health Service Regulation

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C 101	Continued From page 2 effect at the time of construction, change in service or bed count, addition, renovation or alteration. Facilities equipped with either delayed egress locks or special locking shall be protected throughout by an automatic sprinkler system or approved smoke or heat detection which includes closets. Findings on August 17, 2023: a. The bedroom closets on the AL side up to the fire barrier walls are not protected by an automatic fire detection device.	C 101	The facility was originally built in 1988 with a conversion to part of the building into Special Care Unit in the 2000s. The SCU construction initiated the installation of automatic fire detection devices in the area of the building that had updates. Maintenance Director is in consultation with DHSR Construction Supervisor regarding this rule area.	10/1/2023
C 150	Corridors-Free of equipment and Obstructions SECTION .0300 - PHYSICAL PLANT 10A NCAC 13F .0305 PHYSICAL ENVIRONMENT (g) The requirements for corridors are: (4) Corridors shall be free of all equipment and other obstructions. This Rule is not met as evidenced by: 1. Observations revealed that the corridors were not free of all obstructions. Exits should remain clear and easily accessible during a fire or other emergency. Findings on August 17, 2023: a. The exit door by the Activity Room required excessive force to open. b. The exit on the short hall by the Activity Director's Office required excessive force to open.	C 150		
C 155	Floors-Non-skid, in Good Repair SECTION .0300 - PHYSICAL PLANT 10A NCAC 13F .0305 PHYSICAL	C 155		Doors has been adjusted to open properly. 9/14/2023

Division of Health Service Regulation
STATE FORM

Division of Health Service Regulation

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C 160	Outside Premises-Clean, Safe SECTION .0300 - PHYSICAL PLANT 10A NCAC 13F .0305 PHYSICAL ENVIRONMENT (m) The requirements for outside premises are: (1) The outside grounds of new and existing facilities shall be maintained in a clean and safe condition; This Rule is not met as evidenced by: 1. Observations revealed that the outside premises were not maintained in a safe condition. SCU should have a secure outdoor area to prevent elopement. Findings on August 17, 2023: a. The first gate was not secured and opened without a code or switch release.	C 160	Gate has been repaired	8/17/2023
C 164	Housekeeping and Furnishings-Clean, Repaired SECTION .0300 - PHYSICAL PLANT 10A NCAC 13F .0306 HOUSEKEEPING AND FURNISHINGS (a) Adult care homes shall: (1) have walls, ceilings, and floors or floor coverings kept clean and in good repair; (2) have no chronic unpleasant odors; (3) have furniture clean and in good repair; (e) This Rule shall apply to new and existing facilities. This Rule is not met as evidenced by: 1. Observations revealed that the furniture is not in good repair. Findings on August 18, 2023:	C 164		

Division of Health Service Regulation

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C 164	Continued From page 5 a. Front Porch - the arm is broken on one of the rocking chairs. 2. Observations revealed that the walls, ceilings and floors were not kept clean and in good repair. Findings on August 18, 2023: a. Kitchen - there are a number of the ceramic floor tiles that are cracked or broken around the dishwashing area. b. Kitchen Restroom - the hinges are loose and the door has to be lifted to close. c. Room 6 - the room has an excessive amount of bags, boxes, seasonal decorations and trash in the floor of the bedroom and bathroom limiting egress and creating a fire hazard. d. RCC Office - moisture is getting into the exterior wall. There are yellow water stains around the CMU blocks and there is a black mildew substance on the face of the block. e. RCC Office - there is a 6" diameter dark gray spot on the ceiling in front of the window and there is a 12" diameter light gray stain beside it with a yellow water stain in the center. f. RCC Office - there are small black dots in the rear corner that begin at the crown molding and travel down the face of the wall about 20". The dots appear to be fecal stains from bed bugs or another type of pest. g. Room 63 Shared Bath - the finish on the wall by the sink is damaged and pieces of the finish are falling off. h. Room 63 Shared Bath - the popcorn ceiling finish in the shower is beginning to flake and peel. i. SCU Women's Bath - the popcorn finish is torn and peeling over the shower. j. SCU Women's Bath - there was a pair of soiled brown sweat pants laying across the tub. 3. Observations revealed that the facility was not	C 164	Rocking chair has been removed Floor will be repaired. Door has been repaired Room will be cleaned and decluttered. Ceiling, walls and trim have been cleaned, repaired and painted. Ceilings and walls will be repaired. Soiled clothes were removed from bath.	8/18/2023 11/10/2023 8/21/2023 10/20/2023 9/4/2023 11/16/2023 8/17/2023

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C 164	Continued From page 6 free of chronic unpleasant odors. Findings on August 17, 2023: a. SCU - there was an unpleasant odor upon entering the SCU. When the surveyor entered the Men's Bath, the odor was very strong and the surveyor observed soiled adult diapers in an open container.	C 164	Bathroom was cleaned.	8/17/2023
C 166	Housekeeping-Maintained Free of Hazards SECTION .0300 - PHYSICAL PLANT 10A NCAC 13F .0306 HOUSEKEEPING AND FURNISHINGS (a) Adult care homes shall: (5) be maintained in an uncluttered, clean and orderly manner, free of all obstructions and hazards; (e) This Rule shall apply to new and existing facilities. This Rule is not met as evidenced by: 1. Observations revealed that the facility was not free of all obstructions and hazards. Locking devices on the exterior doors of shared bathrooms create a potential hazard of trapping an occupant in the bathroom. Findings on August 17, 2023: a. Room 63 Bath - there were hook and eye locks on the exterior of both doors of the shared bath. One of the locks was removed at the time of survey.	C 166		
C 185	Fire Safety-Rehearsals on Each Shift SECTION .0300 - PHYSICAL PLANT 10A NCAC 13F .0309 PLAN FOR	C 185	Locks were removed.	8/17/2023

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C 185	Continued From page 7 EVACUATION (b) There shall be rehearsals of the fire plan quarterly on each shift in accordance with the requirement of the local Fire Prevention Code Enforcement Official. (c) Records of rehearsals shall be maintained and copies furnished to the county department of social services annually. The records shall include the date and time of the rehearsals, the shift, staff members present, and a short description of what the rehearsal involved. (f) This Rule shall apply to new and existing facilities. This Rule is not met as evidenced by: 1. Review of records revealed that the quarterly fire rehearsals did not include a short description of what the rehearsal involved. Findings on August 17, 2023: a. The rehearsals did not include a short description of what the rehearsal involved.	C 185		
C 188	Electrical Outlets in Wet Locations SECTION .0300 - PHYSICAL PLANT 10A NCAC 13F .0310 ELECTRICAL OUTLETS All adult care home electrical outlets in wet locations at sinks, bathrooms and outside of building shall have ground fault interrupters. This Rule is not met as evidenced by: 1. Based on observation not all electrical outlets in wet locations at sinks, bathrooms and outside of building have function ground fault interrupters. This is a potential shock hazard if receptacles near water sources do not function to provide shock protection.	C 188	Maintenance Supervisor re-trained Administrator/designee on requirements of fire rehearsal logs.	9/21/2023 & ongoing

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C 188	Continued From page 8 Findings on August 17, 2023: a. Room 20 Bath - the GFCI outlet at the sink is not working. b. Room 32 Bath - the GFCI outlet at the sink is not tripping. c. Janitor's Closet by Room 37 - the outlet is not functioning.	C 188	GFCI receptacles will be replaced.	10/13/2023
C 189	Building Equipment Maintained Safe, Operating SECTION .0300 - PHYSICAL PLANT 10A NCAC 13F .0311 OTHER REQUIREMENTS (a) The building and all fire safety, electrical, mechanical, and plumbing equipment in an adult care home shall be maintained in a safe and operating condition. (k) This Rule shall apply to new and existing facilities with the exception of Paragraph (e) which shall not apply to existing facilities. This Rule is not met as evidenced by: 1. Based on observation the facility's fire safety equipment is not maintained in operating condition. Failure to maintain the sprinkler system in operating condition could effect occupants of the facility if the equipment failed to engage to suppress a fire. Findings on August 17, 2023: a. Due to a sprinkler pipe breaking in the Kitchen, the sprinkler system has currently been turned off to make repairs. The facility is currently on a Fire Watch. 2. Based on observation the facility did not maintain electrical emergency/safety lighting	C 189	Sprinkler system was repaired.	9/21/2023

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C 189	Continued From page 10 e. Courtyard Mechanical - there are cracks and holes in the fire resistant rated ceiling and the ceiling has been improperly patched using 1x4's. f. Canteen - one of the ceiling vents is bent leaving gaps on either side in the fire resistant rated ceiling. g. Room 63 - there is an unsealed cable penetration where the nurse call was installed. There is a pattern of unsealed nurse call penetrations where new calls were installed. h. Laundry - the interior door is heavily damaged at the door hardware, compromising the integrity of the door rating. i. Room 51 Bath - there is a large, 6" hole in the ceiling caused by a leak and a section of the ceiling material is hanging loosely from the ceiling. 5. Based on observation fire safety equipment has not been inspected to assure it has been maintained in a safe and operable condition. Occupants of the facility could be effected if fire safety equipment in the smoke compartment did not operate when needed to provide fire protection. Findings on August 17, 2023: a. Exterior Mechanical outside of Kitchen - the fire extinguisher did not get serviced during the most recent inspection. 6. Based on observation there is a failure to maintain the facility's fire safety equipment in a safe condition. In order to resist the passage of smoke resident room doors must not have gaps between the door and the door frame stops. Findings on August 17, 2023: a. Spa across from Room 7 - there is a 3/4" gap at the top of the door between the door and the	C 189	Ceiling will be repaired and painted Ceiling vent has been repaired Fire barrier sealant was put around cables Door will be repaired Ceiling will be repaired and painted Fire Extinguisher has been inspected	11/16/2023 9/5/2023 9/7/2023 10/20/2023 11/16/2023 9/5/2023

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STATE FORM

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C 189	Continued From page 13 a safe operating condition. Any unapproved device used to keep a door open is an impediment to quickly closing the door. The occupants in the facility could be effected if doors cannot be closed as required so as to limit the spread of smoke and/or fire to the area of origin. Findings on August 17, 2023: a. SCU Living Room - there was an armchair in front of the door preventing it from closing quickly. The chair was moved at the time of survey.	C 189		