

Adult Care Home Corrective Action Report (CAR)

I. Facility Name: Somerset Court of Rocky Mount
Address: 918 Westwood Drive Rocky Mount, NC 27803
II. Date(s) of Visit(s): 5/30/25, 6/9/25, 6/26/25, 7/2/25 and 7/14/25

County: Nash
License Number: HAL-064-029
Purpose of Visit(s): Complaint Investigation

Instructions to the Provider (please read carefully):

Exit/Report Date: 07/23/2025

In column **III (b)** please provide a plan of correction to address *each of the rules* which were violated and cited in column **III (a)**. The plan must describe the steps the facility will take to achieve and maintain compliance. In column **III (c)**, indicate a specific completion date for the plan of correction.

*If this CAR includes a **Type B violation**, failure to meet compliance after the date of correction provided by the facility could result in a civil penalty in an amount up to \$400.00 for each day that the facility remains out of compliance.

*If this CAR includes a **Type A1 or an Unabated B violation**, this agency *will* plan to submit an Administrative Penalty Recommendation for the violation(s). If this CAR includes a **Type A2 violation**, this agency *may* submit an Administrative Penalty Recommendation for the violation(s). The facility has an opportunity to schedule an Informal Dispute Resolution (IDR) meeting within **15 working days** from the mailing or delivery of this CAR. If on follow-up survey the **Type A1 or Type A2** violations are not corrected, a civil penalty of up to \$1000.00 for each day that the facility remains out of compliance may be assessed. If on follow-up survey the **Unabated B** violations are not corrected, a civil penalty of up to \$400.00 for each day that the facility remains out of compliance may also be assessed.

III (a). Non-Compliance Identified <i>For each citation/violation cited, document the following four components:</i> - Rule/Statute violated (rule/statute number cited) - Rule/Statutory Reference (text of the rule/statute cited) - Level of Non-compliance (Type A1, Type A2, Type B, Citation, Unabated Type A1, Unabated Type A2, Unabated Type B) - Findings of non-compliance	III (b). Facility plans to correct/prevent: <i>(Each Corrective Action should be cross-referenced to the appropriate citation/violation)</i>	III (c). Date plan to be completed
Rule/Statute Number: 10A NCAC 13F .0909 An adult care home shall assure that the rights of all residents guaranteed under G.S. 131D-21, Declaration of Residents' Rights, are maintained and may be exercised without hindrance. G.S. 131D-21 (4) To be free of mental and physical abuse, neglect, and exploitation.	☒ POC Accepted <i>DSS Initials</i>	_____
Rule/Statutory Reference: Residents Rights	Response to the cited deficiencies do not constitute an admission or agreement by the facility of the truth of the facts alleged or conclusions set forth in the Statement of Deficiencies or Corrective Action Report, the Plan of Correction is prepared solely as a matter of compliance with State law.	
Level of Non-Compliance: A1 Violation		
Findings: Based on observations, record reviews, and interviews, the facility failed to ensure residents' rights were maintained as related to exploitation of 3 of 6 (#1, #2, and #3) sampled residents due to misappropriation of residents' funds. Review of Resident #1's current FL-2 dated 02/25/25 revealed: -Diagnoses of Type 2 diabetes, Chronic Obstructive Pulmonary Disease (COPD), protein malnourishment, dysphagia, right artificial hip replacement, and history of falls. -The Resident was semi-ambulatory with a walker and intermittently disoriented.		

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Review of Resident 1's Resident Register revealed Resident #1 was admitted to the facility on 06/7/22.		
Review of Resident #1's 24-hour Health Care Personnel Registry (HCPR) Investigation. Initial report dated 06/05/25 revealed: -Administrator on 06/05/25 contacted Resident #1's insurance benefit card and received information that funds had been used on 02/09/25 without permission. -Alleged former Resident Care Coordinator (RCC) misappropriated funds of Resident #1 while employed at facility.	The facility has obtained possession of all U cards of residents without POAs and without the ability to handle financial responsibilities on there own behalf. They are locked in the ED office.	07/24/2025
Review of Resident #1's 5-day HCPR Investigation report dated 06/10/25 revealed: -An estimated value of \$622.00 was misappropriated by a former RCC. -The funds were used outside of the facility without the permission of Resident #1 or their responsible party.	The Executive Director and the Business Office Manager will total out all receipts at the end of the month with the resident, ED and BOM signatures.	07/24/2025
Review of the local Police Department Incident Report dated 06/5/2025 revealed: -An insurance benefit card for Resident #1 was used on 02/09/25 at a local grocery store with a transaction in the amount of \$217.82 -The insurance benefit card for Resident #1 was used on 03/07/2025 at a local establishment in the amount of \$253.88. -The insurance benefit card for Resident #1 was used on 04/14/25 at a local grocery store in the amount of \$150.00. -Total unauthorized use of the card was: \$621.70	An in-service was given on Resident Rights with total staff given by the Ombudsman.	08/12/2025
Interview with Resident #1 on 07/14/25 revealed: -Resident #1 was not aware of how anyone obtained funds from him. -Resident #1 reported he had 2 sons who handled his money. -Resident #1 did not recall anything about money being taken		
Interview with Law Enforcement on 06/26/25 revealed: -The officer had been called out to the facility on 04/30/25 and on 06/05/25 regarding a stolen card from a resident. -Video surveillance was obtained, and the former RCC was identified by the Administrator. -The identified employee was interviewed and admitted that she obtained insurance benefit cards from the mail and used the cards for food.		

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-She was having a "hard time" financially when incident occurred.
-Advised she has the following pending legal charges: Identity Theft (3x), Larceny of Chose in Action, Obtaining Property by False Pretense (3x)

Verified on 06/18/25 Health Care Personal Registry Section received allegations of misappropriation of residents' property and fraud against a resident by former staff.

Telephone Interview with Responsible Party of Resident #1 on 7/17/25 revealed:

- He is the son who handled all funds for Resident #1.
- He was not aware of any insurance benefit card that had funds available to Resident #1.
- He was advised there had been an incident regarding a former staff member regarding Resident #1's account but he was not aware of the details.
- He had never had a copy of the card and had not permitted any funds to be used without his knowledge.

Interview with the Administrator on 06/5/25 revealed:

- After initial interview on 05/30/25 it was discovered on 06/5/25 that the former RCC had access to the insurance benefit card for Resident #1.
- Resident #1 was not aware of having an insurance benefit card and had not given permission to anyone to use his benefits
- Resident #1's family was not aware card was being used

2. Review of Resident #2's current FL-2 dated 02/25/25 revealed:

- Diagnoses included rhabdomyolysis, history of falls, muscle weakness, type 2 diabetes, gastroesophageal reflux disease, and gastrointestinal hemorrhage.

Review of Resident #2's Resident Register revealed they were admitted to the facility on 05/22/23.

Review of a local Police Department Incident Report dated 06/5/2025 revealed:

- An insurance benefit card for Resident #2 was used on 01/22/25 at a local grocery store with a transaction in the amount of \$266.52
- An insurance benefit card for Resident #2 was used on 02/2/25 at a local grocery store in the amount of \$144.68.
- Total unauthorized use of the card was: \$411.20.

Interview with Resident #2 on 05/30/25 at 3:30 pm revealed:

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- Resident advised that he doesn't have a physical card, but he has a picture of it on his phone.
- He stated the card was normally with the Administrator or business office manager for when he needed anything.
- He was unsure of the balance on the card.

Telephone interview with Law Enforcement on 06/26/25 revealed:

- The officer had been called out to the facility on 04/30/25 and on 6/5/25 regarding a stolen card from a resident.
- Video surveillance was obtained, and the former Resident Care Coordinator was identified by the administrator.
- The identified employee was interviewed and admitted that she obtained insurance benefit cards from the mail and used the cards for food.
- The employee admitted she was having a "hard time" financially.
- Criminal charges pending: Identity Theft (2x), Larceny of Chose in Action, Obtaining Property by False Pretense (2x)

Interview with Administrator on 05/30/25 revealed:

- If the facility holds residents' cards, they are always kept in a box in the administrator's office.
- Resident #2's card was not in the box on this date.

Follow-up interview with Administrator on 06/5/25 revealed:

- After the initial interview on 05/30/25, it was discovered on 06/5/25 that the former employee had access to the insurance benefit card for Resident #2.
- The resident had not permitted anyone to use his benefits.
- The family was not aware the card was being used.

3. Review of Resident #3's current FL-2 dated 02/26/25 revealed:

- Diagnoses included acute osteomyelitis and difficulty walking.
- Bowel and bladder continent and intermittently disoriented.

Review of Resident 3's Resident Register revealed they were admitted to the facility 06/8/23.

Review of the local Police Department Incident Report dated 04/21/2025 revealed:

- An insurance benefit card for Resident #3 was used on 03/23/25 at a local grocery store with a transaction for \$77.12

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- The insurance benefit card for Resident #3 was used on 03/31/25 at a local grocery store for \$180.66.
- The insurance benefit card for Resident #3 was used on 04/8/25 for \$73.83
- Total unauthorized use of the card was: \$331.61
- On 05/2/25, information indicated that the employee admitted to using the card and stated it was the first time she had done this and she paid Resident #3 back. The card had been obtained from the mailbox.

Interview with Resident #3 on 05/30/25 at 3:50 pm revealed:

- He reported his family member, who often helped him purchase items, had checked his card balance and saw funds had been spent.
- The only person who had authorization to use his card was his family member.
- It was determined that a former employee had taken his card
- He did not want to press charges but did want his money back and that was obtained.
- The staff member was no longer there and he was no longer concerned
- It wasn't known how staff obtained his card other than via the mail.

Interview with Law Enforcement on 06/26/25 revealed:

- The officer had been called out to the facility on 04/30/25 and on 06/5/25 regarding a stolen card from a resident.
- Video surveillance was obtained, and the former Resident Care Coordinator was identified by the Administrator.
- The identified employee was interviewed and admitted that she obtained insurance benefit cards from the mail and used the cards for food.
- She admitted she was having a "hard time" financially
- Pending Charges: Identity Theft (3x), Larceny of Chose in Action, Obtaining Property by False Pretense (3x)

Review of a correspondence letter dated 05/14/25 by Health Care Personal Registry Section regarding allegations of misappropriation of residents' property and fraud against a resident by former staff.

Interview with Administrator on 05/30/25 at 2:27 pm revealed:

- Information was brought to her attention regarding use of insurance benefit card by a family member of Resident #3 regarding inconsistencies with transactions.
- The Administrator called the insurance company and obtained dates and balances of transactions.

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- Local law enforcement was contacted, who obtained video footage of an individual using an insurance card, and the Administrator confirmed it was the RCC.
- During the process of the facility
- The staff was a long-term employee of the facility, and the Administrator had no idea anything had occurred until resident #3 addressed the concern, and the Administrator immediately began an investigation.
- The business office manager (BOM) and Administrator were the only staff who were allowed access to a resident's funds.
- The staff identified as the person who had obtained the insurance benefit card was the RCC who had access to all of Resident #3's medical information.
- The RCC admitted to taking the card from the mailbox and using the card without resident#3's knowledge. She paid the resident back, and on 05/05/25, the RCC resigned.
- 5-day report was substantiated

The facility failed to protect residents (#1, #2, and #3) from exploitation, which resulted in the misappropriation of funds by a former RCC who was not authorized to use funds and obtained access to funds by facility mail. The former employee did not have consent from the residents or their family for a total amount of: \$1364.51 in unauthorized transactions. The facility's failure resulted in exploitation of the residents and constitutes a Type A1 Violation.

The facility provided a plan of protection in accordance with G.S. 131D-34 on 07/03/25 for this violation.

CORRECTION DATE FOR THE TYPE A1 VIOLATION
SHALL NOT EXCEED 08/22/2025.

Rule/Statute Number: _____	☐ POC Accepted _____ DSS Initials	_____
Rule/Statutory Reference:		
Level of Non-Compliance:		
Findings:		

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IV. Delivered Via:	Facility visit	Date: 7.23.25
DSS Signature:	[Signature]	Return to DSS By: 8/13/25

V. CAR Received by:	Administrator/Designee (print name): Sonya Porter	Date: 7/23/25
	Signature: [Signature]	
	Title: Executive Director	

VI. Plan of Correction Submitted by:	Administrator (print name): Sonya Porter	Date: 08/13/2025
	Signature: [Signature]	

VII. Agency's Review of Facility's Plan of Correction (POC)		
☐ POC Not Accepted	By:	Date:
Comments:		
☒ POC Accepted	By: [Signature]	Date: 8-14-25
Comments:		

VIII. Agency's Follow-Up	By:	Date:
	Facility in Compliance: ☐ Yes ☐ No	Date Sent to ACLS:
Comments:		
*For follow-up to CAR, attach Monitoring Report showing facility in compliance.		

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