Division of Health Improvement

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	2154	A. BUILDING _____ B. WING _____	C 12/09/2011

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
TENDER HEART ASSISTED LIVING	4308 TULANE DRIVE NE ALBUQUERQUE, NM 87107

(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
A 000	Initial Comments A Complaint investigation was completed for intake #NM000 28015 for NMAC 7.8.2 regulations governing Assisted Living facilities. The Complaint was Substantiated.	A 000 Scanned 04-18-12 J.D		
A 032	7 NMAC 8.2.32 Reporting of Incidents REPORTING OF INCIDENTS: A. The facility shall insure that all suspected cases or known incidents of resident abuse, neglect or exploitation are reported in accordance with 7.1.13 NMAC. (1) The facility shall also report any incident or unusual occurrence which has or could threaten the health, safety, or welfare of the residents and staff to the licensing authority complaint hotline within twenty-four (24) hours or by the next business day, if it is a weekend or a holiday. (2) The facility shall not delay a report to the complaint hotline while an internal investigation is conducted. B. The facility is responsible for conducting and documenting the investigation of all incidents within five (5) business days and shall submit a copy of the investigation report to the licensing authority. A copy of the report and the documentation, including the date and time that it was submitted to the licensing authority, shall be maintained on file at the facility. The investigation shall include the following: (1) a narrative description of the incident; (2) the result of the facility's investigation shall be recorded on the state approved incident report form for the current year, pursuant to 7.1.13 NMAC; and (3) plans for further actions in response to the incident. [7.8.2.32 NMAC - Rp, 7.8.2.33 NMAC,	A 032		

Tracy Ayers TITLE Representative (X6) DATE 4/10/12

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

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A 032	Continued From page 1 01/15/2010] This REQUIREMENT is not met as evidenced by: Refer to 7.8.2.32(A)(1) - Reporting of Incidents The facility shall report any incident or unusual occurrence which has or could threaten the health, safety, or welfare of the residents and staff to the licensing authority complaint hotline within twenty-four (24) hours or by the next business day, if it is a weekend or a holiday. Based on record review and interview, the facility failed to ensure that incidents were reported to the licensing authority as required. The findings are: A. New Mexico Department of Health Intake 28015 indicated that the following incidents had occurred at the facility within the last calendar year; armed invasion of the facility on 03/15/11 at 6:18 am which was reported to The Department of Health on 05/05/2011 by a complainant who called the intake hotline. B. On 12/06/11 review of records from the local police department narrative dated 03/15/2011 indicated aggravated burglary with a deadly weapon and kidnapping, with Caregiver #1 being held at knifepoint intermittently during the time the facility was robbed of televisions and prescription medications on 03/15/11 at 6:18 am. D. On 12/06/11 at 1:35 pm during interview with the Administrator, she acknowledged that the incident had, in fact occurred. Verbal request was made at that time for incident reports regarding the incident alleged in the intake.	A 032		

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A 032	Continued From page 2 E. On 12/07/11 at 8:58 am, a follow up request was made via email to the Administrator and the Manager for documentation surrounding the facility invasion. F. On 12/09/11 review of the NM Department of Health Complaint Database revealed that these incident had not been reported to the Department of Health via the hotline as required.	A 032	With regards to NMAC 8.2.32, this facility will continue to report all incidents to the appropriate agency within 24 hours, or by the next business day, that have or could threaten the health, safety, or welfare of the residents and staff to the licensing authority complaint hotline. Furthermore, this facility will ensure that a copy of the report and documentation, along with a fax confirmation page and/or other documentation recording date and time it was submitted, will be kept at the facility. This action will be effective immediately. It should also be noted, that a hearing regarding this matter per 7.1.8.25NMAC has been requested in writing through Ms. Judy Parks, Acting Director, Division of Health Improvement.	