Division of Health Improvement

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	5772	A. BUILDING _____ B. WING _____	C 07/20/2011

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
ADOBE ASSISTED LIVING #1 (THE)	1111 E MOUNTAIN AVENUE LAS CRUCES, NM 88001

(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 The following deficiency is the result of a complaint survey completed on 07/20/11 for the state requirements of 7 NMAC 8.2, Regulations for Assisted Living. Complaint NM28063 was unsubstantiated with deficiencies cited.	A 000 Scanned 8/01/11 MC	A 070 **SECOND SET** All incident reports will be filed with the New Mexico Department of Health within 24 hours per regulations noted.	7/20/11
A 070	7 NMAC 8.2.70 Incorporated and Related Rules and Codes INCORPORATED AND RELATED RULES AND CODES: The facilities that are subject to this rule are also subject to other rules, codes and standards that may, from time to time, be amended. This includes the following: A. Health Facility Licensure Fees and Procedures, New Mexico Department of Health, 7.1.7 NMAC. B. Health Facility Sanctions and Civil Monetary Penalties, New Mexico Department of Health, 7.1.8 NMAC. C. Adjudicatory Hearings for Licensed Facilities, New Mexico Department of Health, 7.1.2 NMAC. D. Caregiver's Criminal History Screening Requirements, 7.1.9 NMAC. E. Employee Abuse Registry 7.1.12 NMAC. F. Incident Reporting, Intake Processing and Training Requirements 7.1.13 NMAC. [7.8.2.70 NMAC - N, 01/15/2010] This REQUIREMENT is not met as evidenced by: Refer to 7.8.2.70 INCORPORATED RULES AND CODES 7.1.13.8 INCIDENT MANAGEMENT SYSTEM REPORTING REQUIREMENTS FOR LICENSED HEALTH CARE FACILITIES: A. Duty To Report:	A 070	All staff was retrained June 13-14, 2011, on the regulations regarding incident reports and time frame for filing of same. The administrator, or designated employee if the administrator is not available, will assure incident report is faxed within designated time frame.	

RECEIVED AUG 2011 HEALTH FACILITY LICENSURE & CERTIFICATION BUREAU

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE _____ TITLE Director (X6) DATE 7.29.2011

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A 070	Continued From page 1 (1) All licensed health care facilities shall immediately report abuse, neglect or misappropriation of property to the adult protective services division. (2) All licensed health care facilities shall report abuse, neglect, misappropriation of property, and injuries of unknown sources to the division within a twenty-four (24) hour period. (3) All licensed health care facilities shall ensure that the reporter with direct knowledge of an incident has immediate access to the division incident report form to allow the reporter to respond to, report, and document incidents in a timely and accurate manner. B. Notification: (1) Incident Reporting: Any consumer, employee, family member or legal guardian may report an incident either independently or through the licensed health care facility to the division by telephone call, written correspondence or other forms of communication utilizing the division ' s incident report form. The incident report form and instructions for the completion and filing are available at the division's website, http://dhi.health.state.nm.us/elibrary/ironline/ir.php or may be obtained from the department by calling the toll free number (insert toll free number). (2) Division Incident Report Form and Notification by Licensed Health Care Facilities: The licensed health care facility shall report incidents utilizing the division ' s incident report form consistent with the requirements of the division ' s incident management system guide and CMS regulations as applicable. The licensed health care facility shall ensure all incident report forms alleging abuse, neglect or misappropriation of consumer property submitted by a reporter with direct knowledge of an incident are completed on the division ' s incident report form and received by	A 070		

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A 070	Continued From page 2 the division within twenty-four (24) hours of an incident or allegation of an incident or the next business day if the incident occurs on a weekend or a holiday. The licensed health care facility shall ensure that the reporter with the most direct knowledge of the incident prepares the incident report form. C. Incident Policies: All licensed health care facilities shall maintain policies and procedures which describes the licensed health care facility ' s immediate response to all reported allegations of incidents involving abuse, neglect, misappropriation of consumer property, injuries of unknown sources, and deaths, as applicable. D. Retaliation: Any individual who, without false intent, reports an incident or makes an allegation of abuse, neglect or exploitation will be free of any form of retaliation. F. Quality Improvement System for Licensed Health Care Facilities: The licensed health care facility shall establish and implement a quality improvement system for reviewing alleged complaints and incidents. The incident management system shall include written documentation of corrective actions taken. The provider shall maintain documented evidence that all alleged violations are thoroughly investigated, and shall take all reasonable steps to prevent further incidents. [7.1.13.8 NMAC - N, 02/28/06] Refer to 7.1.13.8 A. (2) All licensed health care facilities shall report abuse, neglect, misappropriation of property, and injuries of unknown sources to the division within a twenty-for (24) period. Based on record review and interview the facility failed to report injuries of unknown sources to the Division of Health Improvement (DHI) within 24 hours of having knowledge of the incident for one	A 070		

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A 070	Continued From page 3 resident (#1). This failed practice is likely to impede the investigation of possible abuse being completed in a timely manner. The findings are: A. Review of an incident report for resident #1 revealed multiple bruises and laceration injurie of unknown source from 05/27/11 through 05/30/11. The fax conformation reveals the facility did not send the report to DHI until 06/09/11; 10 days after the last incident and 13 days after the first incident. B. In an interview with the Regional Coordinator and the administrator on 07/20/11 at 3:00 pm, both acknowledged the incident report for resident #1 was not sent within 24 hours as required.	A 070	A 070 All incident reports will be filed with the New Mexico Department of Health within 24 hours per regulations noted. All staff was retrained June 13-14, 2011, on the regulations regarding incident reports and time frame for filing of same. The administrator, or designated employee if the administrator is not available, will assure incident report is faxed within designated time frame.	7/20/11