Division of Public and Behavioral Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	10355	A. BUILDING _____ B. WING _____	11/30/2022

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
MERRILL GARDENS AT GREEN VALLEY RANCH	1935 PASEO VERDE PARKWAY, HENDERSON, NEVADA ,89012

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0000	Initial Comments Inspector Comments: This Statement of Deficiencies was generated as a result of a State Licensure Annual Grading survey conducted at your facility on 11/30/22, in accordance with Nevada Administrative Code (NAC) Chapter 449, Residential Facility for Groups. The facility is licensed for 108 Residential Facility for Group beds which provide assisted living services for elderly and disabled persons and/or persons with chronic illnesses, Category II residents. The census at the time of the survey was 101. Twenty-five resident files and ten employee files were reviewed. The facility received a grade of A. The findings and conclusions of any investigation by the Division of Public and Behavioral Health shall not be construed as prohibiting any criminal or civil investigations, actions or other claims for relief that may be available to any party under applicable federal, state, or local laws. The following regulatory deficiencies were identified:	0000		

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0065 SS= D	Qualifications of Caregivers-Age-Eng-Training - NAC 449.196 Qualifications and training of caregivers. (NRS 449.0302) 1. A caregiver of a residential facility must: (a) Be at least 18 years of age; (b) Be responsible and mature and have the personal qualities which will enable him or her to understand the problems of elderly persons and persons with disabilities; (c) Understand the provisions of NAC 449.156 to 449.27706, inclusive, and sign a statement that he or she has read those provisions; (d) Demonstrate the ability to read, write, speak and understand the English language; (e) Possess the appropriate knowledge, skills and abilities to meet the needs of the residents of the facility; and (f) Receive annually not less than 8 hours of training related to providing for the needs of the residents of a residential facility. Inspector Comments: Based on interview and record review, the facility failed to ensure caregiver training was completed annually for 1 of 10 employees (Employee #10). Employee #10 was hired on 11/09/21. Employee #10 last completed caregiver training on 11/09/21. The Business Office Director confirmed Employee #10 had not completed caregiver training annually. Severity: 2 Scope: 1	0065	A. The identified employee #10 completed caregiver training on 11/30/22. B. Staff education will occur on 12/22/22 on the required compliance with caregiver education. C. The business office director and/or designee will audit the current employee roster to ensure the applicable employees have completed the appropriate annual caregiver training weekly for four weeks then monthly for 12 months. Any findings will be discussed in morning meeting for recommendatins, suggestions or comments. D. Business office director and/or designee will be responsible for compliance.	12/22/2022
0074 SS= D	Elder Abuse Training - NRS 449.093 Training to recognize and prevent abuse of older persons: Persons required to receive; frequency; topics; costs; actions for failure to complete. 1. An applicant for a license to operate a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care must receive training to recognize and prevent the abuse of older persons before a license to operate such a facility, agency or home is issued to the applicant. If an applicant has completed such training within the year preceding the date of the application for a license and the application includes evidence of the training, the applicant shall be deemed to have complied with the requirements of this	0074	A. The identified employee #10 completed the required Elder Abuse training on 11/30/22. B. Staff education will occur 12/22/22 on the required compliance with Elder Abuse Training. C. The business office director and/or designee will audit the current employee roster to ensure all employees have completed the required Elder Abuse training weekly for four weeks then monthly for 12 months. Any findings will be discussed in morning meeting for recommendations, suggestions or comments. D. Business office director and/or designee will be responsible for compliance.	12/22/2022

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	subsection. 2. A licensee who holds a license to operate a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care must annually receive training to recognize and prevent the abuse of older persons before the license to operate such a facility, agency or home may be renewed. 3. If an applicant or licensee who is required by this section to obtain training is not a natural person, the person in charge of the facility, agency or home must receive the training required by this section. 4. An administrator or other person in charge of a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care must receive training to recognize and prevent the abuse of older persons before the facility, agency or home provides care to a person and annually thereafter. 5. An employee who will provide care to a person in a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care must receive training to recognize and prevent the abuse of older persons before the employee provides care to a person in the facility, agency or home and annually thereafter. 6. The topics of instruction that must be included in the training required by this section must include, without limitation: (a) Recognizing the abuse of older persons, including sexual abuse and violations of NRS 200.5091 to 200.50995, inclusive; (b) Responding to reports of the alleged abuse of older persons, including sexual abuse and violations of NRS 200.5091 to 200.50995, inclusive; and (c) Instruction concerning the federal, state and local laws, and any changes to those laws, relating to: (1) The abuse of older persons; and (2) Facilities for intermediate care, facilities for skilled nursing, agencies to provide personal care services in the home, facilities for the care			

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	of adults during the day, residential facilities for groups or homes for individual residential care, as applicable for the person receiving the training. 7. The facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care is responsible for the costs related to the training required by this section. 8. The administrator of a facility for intermediate care, facility for skilled nursing or residential facility for groups who is licensed pursuant to chapter 654 of NRS shall ensure that each employee of the facility who provides care to residents has obtained the training required by this section. If an administrator or employee of a facility or home does not obtain the training required by this section, the Division shall notify the Board of Examiners for Long-Term Care Administrators that the administrator is in violation of this section. 9. The holder of a license to operate a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care shall ensure that each person who is required to comply with the requirements for training pursuant to this section complies with such requirements. The Division may, for any violation of this section, take disciplinary action against a facility, agency or home pursuant to NRS 449.160 and 449.163. Inspector Comments: Based on interview and record review, the facility failed to ensure elder abuse training was completed annually for 1 of 10 employees (Employee #10). Employee #10 was hired on 11/09/21. Employee #10 last completed elder abuse training on 11/09/21. The Business Office Director confirmed Employee #10 had not completed elder abuse training annually. Severity: 2 Scope: 1			

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0106 SS= D	Personnel File - 1st Aid & CPR - NAC 449.200 Personnel files 2. The personnel file for a caregiver of a residential facility must include, in addition to the information required pursuant to subsection 1: (a) A certificate stating that the caregiver is currently certified to perform first aid and cardiopulmonary resuscitation; Inspector Comments: Based on interview and record review, the facility failed to ensure cardiopulmonary resuscitation (CPR) training was completed within 30 days of hire, for 1 of 10 employees (Employee #9). Employee #9 was hired on 08/24/21. There was no documented CPR training in the record of Employee #9. The Business Office Director confirmed Employee #9 had not completed CPR training within 30 days of hire. Severity: 2 Scope: 1	0106	A. The identified employee #9 completed the required CPR training on 11/30/22. B. Staff education will occur 12/22/22 on the required compliance with CPR training. C. The business office director and/or designee will audit the current employee roster to ensure all employees have completed the required CPR training weekly for four weeks, then monthly for 12 months. Any findings will be discussed in morning meeting for immediate actions, recommendations, suggestions or comments. D. Business office director and/or designee will be responsible for compliance.	12/22/2022
1540 SS= F	Cultural Competency Training Inspector Comments: Based on interview and record review, the facility failed to: submit an application for a cultural competency training program, in compliance with R016-20; and ensure 10 of 10 employees were in compliance with Nevada Revised Statues (NRS) 449.103, regarding annual cultural competency training. Documented Cultural Competency training was conducted by a non-approved training program. The Business Office Director confirmed the Cultural Competency training provided was from an unapproved program and had not been submitted for approval by the Bureau. Severity: 2 Scope: 3	1540	A. The identified employees #1, 2, 3, 4, 5, 6, 7, 8, 9, 10 completed the required state approved cultural competency training on 12/01/22. B. Staff Education will occur 12/22/22 on the required compliance with state approved cultural competency training. C. The business office director and/or designee will audit the current employee roster to ensure all employees have completed the required cultural competency training weekly for four weeks then monthly for 12 months. General Manager and/or designee will work with "Relias" education provider to gain state approval for cultural competency education. Any findings will be discussed in morning meeting for immediate action, recommendations, suggestions or comments. D. General Manager and/or designee will be responsible for compliance.	12/22/2022