| STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: | (X2) MULTIPLE CONSTRUCTION | (X3) DATE SURVEY COMPLETED |
|---|---|---|---|
| | 0019419 | A. BUILDING: _____ B. WING _____ | 08/09/2024 |

| NAME OF PROVIDER OR SUPPLIER | STREET ADDRESS, CITY, STATE, ZIP CODE |
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| N 000 | Initial Comments<br><br>On 08/09/2024, Surveyor conducted a complaint investigation at Port of Hope. Three deficiencies were identified.<br><br>Complaint was substantiated.<br><br>Census: 7 | N 000 | | |
| N 310 | 83.29(2) Admission agreement include services, charges<br><br>The admission agreement shall be given in writing and explained orally in the language of the prospective resident or legal representative. Admission is contingent on a person or that person ' s legal representative signing and dating an admission agreement. The admission agreement shall include all of the following: (a) An accurate description of the basic services provided, the rate charged for those services and the method of payment; (b) Information about all additional services offered, but not included in the basic services. The CBRF shall provide a written statement of the fees charged for each of these services; (c) The method for notifying residents of a change in charges for services; (d) Terms for resident notification to the CBRF of voluntary discharge. This paragraph does not apply to a resident in the custody of a government correctional agency; (e) Terms for refunding charges for services paid in advance, entrance fees, or security deposits in the case of transfer, death or voluntary or involuntary discharge; (f) A statement that the amount of the security deposit may not exceed one month ' s fees for services, if security deposit is collected; (g) Terms for holding and charging for a resident ' s room during a resident ' s temporary absence. This paragraph does not apply to a resident in the | N 310 | | |

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE

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| N 310 | Continued From page 1<br>custody of a government correctional agency; (h) Reasons and notice requirements for involuntary discharge or transfer, including transfers within the CBRF. This paragraph does not apply to a resident in the custody of a government correctional agency.<br><br>This Rule is not met as evidenced by:<br>Based on record review and interview, the provider did not ensure an admission agreement was signed and dated before or at the time of admission for 1 of 1 resident (Resident 1) record reviewed.<br><br>Findings include:<br><br>On 08/09/2024, Surveyor reviewed Resident 1's record.<br><br>Resident 1 was admitted to the facility on 06/06/2023 and was his/her own person.<br><br>Resident 1's admission agreement was signed on 06/14/2023, 8 days after admission.<br><br>On 08/09/2024, at approximately 1:00 PM, Surveyor interviewed House Manager B. House Manager A stated s/he started employment with the provider in 09/2023 and could not explain why Resident 1's admission agreement was not signed before admission. | N 310 | | |
| N 327 | 83.31(4)(b) Allowable reasons for involuntary discharge.<br><br>Discharge or transfer initiated by CBRF. Reasons for involuntary discharge. The CBRF may not | N 327 | | |

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| N 327 | Continued From page 2<br>involuntarily discharge a resident except for any of the following reasons: 1. Nonpayment of charges, following reasonable opportunity to pay. 2. Care is required that is beyond the CBRF ' s license classification. 3. Care is required that is inconsistent with the CBRF ' s program statement and beyond that which the CBRF is required to provide under the terms of the admission agreement and this chapter. 4. Medical care is required that the CBRF cannot provide. 5. There is imminent risk of serious harm to the health or safety of the resident, other residents or employees, as documented in the resident ' s record. 6. As provided under s. 50.03 (5m), Stats. 7. As otherwise permitted by law.<br><br>This Rule is not met as evidenced by:<br>Based on record review and interview, the provider issued a 30-day discharge notice to 1 of 1 resident for reasons other than nonpayment of charges, inconsistency with the provider's program statement, care concerns, as provided under s. 50.03(5)(m), or as permitted by law.<br><br>On 05/08/2024, Resident 1 was not allowed to return to the facility after hospitalization.<br><br>Findings include:<br><br>This facility is licensed as a class CNA (non-ambulatory) CBRF (community-based residential facility) able to serve up to 8 residents within client groups of advanced aged, terminally ill, emotionally disturbed/mental illness, developmentally disabled, physically disabled and traumatic brain injury. | N 327 | | |

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| N 327 | Continued From page 3<br><br>On 05/14/2024, the department received a complaint alleging the facility would not allow a resident to return to the facility after a hospitalization.<br><br>On 08/09/2024, Surveyor reviewed Resident 1's record.<br><br>Resident 1 was admitted to the facility on 06/06/2023 with diagnoses including cerebral palsy, neurogenic bladder with chronic catheter, anxiety, and Clostridioides difficile (C-diff) [bacteria that creates inflammation of the colon] carrier.<br><br>Resident 1's medical records, dated 05/04/2024, documented:<br>"Patient presents from group home for 'feeling like crap.' [S/he] has Cerebral Palsy, though able to communicate and describe symptoms. States [s/he] did not feel well starting last night, has felt fatigued and tired with nausea, vomiting. Today [s/he] also feels lightheaded, body aches. [S/he] has not eaten well. ... [S/he] was recently discharged on April 1 for severe sepsis due to UTI (urinary tract infection)."<br><br>Resident 1's 30-day discharge notice documented:<br>"Due to your health and safety of [Resident 1] as documented in the resident's records, [Provider] located at [address] and [Resident 1's] request to be voluntarily discharged from [Provider] on 04/15/2024, we have decided in the best interest of [Resident 1] and [his/her] safety at this home to discharge [him/her] from our facility due to the following reasons which we are required to supply you with; DHS 83.31(b)(2) - Care is required that is beyond the CBRF's license classification; DHS | N 327 | | |

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| N 327 | Continued From page 4<br><br>83.31 (b)(3) - Care is required that is inconsistent with the CBRF's program statement and beyond that which the CBRF is required to provide under the terms of the admission agreement and this chapter; DHS 83.31(4)(b)4 - Medical care is required that the CBRF cannot provide."<br><br>Resident 1's Admission Agreement, dated 06/14/2023, documented:<br>"Personal care shall be provided or arranged by the CBRF/AFH where indicated by the needs of the residents. These services shall be identified in the resident's individual service plan. When the needs of the resident must be met by personal care services ordered by a physician and supervised by a registered professional nurse, referral for services shall be made to an agency approved by the department ..."<br>"[Licensee] requires that an assessment be done by our staff to assure that the person could be served appropriately. A physical including a free from communicable disease will be required or arranged for."<br>"Where services are to terminate or a client is to be transferred, a 30-day written notice will be given if the following conditions exist: Illness requiring a need for more intensive health needs; Refusal to participate in development of an ISP (individual service plan); Refusal to follow house rules; Resident chooses another program; Residents level of independence makes them more suitable for a more independent living situation; Death of resident; Resident poses a serious risk to self or others in house; Non-payment of charges, following reasonable opportunity to pay any deficiencies."<br>"A resident temporarily transferred to a hospital or nursing home for treatment not allowed from the CBRF shall not be involuntarily discharged from the CBRF when the resident's absence is for 21 | N 327 | | |

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| N 327 | Continued From page 5<br>days or less."<br><br>Resident 1's ISP, dated 02/04/2024, documented:<br>"Nursing Procedures: None"<br>"General Health: Cerebral Palsy, HX (history) UTI, Indwelling Foley (catheter). Daily monitoring for change of condition. To receive proper medical intervention."<br>"Chronic Illnesses: Physical disability, Allergic rhinitis (allergies), anemia (iron deficiency), ASHD (atherosclerotic heart disease), osteoarthritis, cerebral palsy, COPD (chronic obstructive pulmonary disease), idiopathic scoliosis (curvature of the spine), obesity, chronic pain syndrome, insomnia, GERD (gastroesophageal reflux disease), dysphagia (difficulty swallowing), hiatal hernia, neurogenic bowel, neurogenic bladder, hyperlipidemia (high cholesterol), vitamin D deficiency, carpal tunnel, weakness, muscle spasticity, polyneuropathy (peripheral nerve damage), sleep apnea, paraplegia due to CP (cerebral palsy), recurrent UTIs, anxiety, bipolar disorder, major depressive disorder."<br>"Toileting: Catheter - 2 assist with bowel. Caregiver empties catheter bag as needed. To continue healthy hygiene."<br><br>Resident 1's Behavior Support Plan (BSP), which was reviewed and signed by Licensee A on 08/02/2023, documented:<br>"Since 2008, [Resident 1] had multiple hospitalizations, moves, and changes in managed care organizations. ... [Resident 1] recently lived at [provider name] where [s/he] received a 30-day notice for non-compliance with cares within a month of living there. ..."<br>"Verbal Aggression: [Resident 1] can be verbally abusive to peers, staff, and housemates."<br>"Disruptive: [Resident 1] will refuse cares such as changing clothing, showering, eating, catheter | N 327 | | |

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| N 327 | Continued From page 6 | N 327 | | |

changes and grooming when offered, then demand them at a later time when staff are busy. [S/he] will call everyone until [s/he] gets the response or result [s/he] is looking for. If [Resident 1] feels that [s/he] doesn't control the situation due to rules and regulations, [s/he] becomes disruptive and disrespectful verbally with others."

Resident 1's "Observations" for 2024 documented:
01/07 - Started arguing with staff
02/02 - Didn't have a good morning. [S/he] refused to be washed up and have [his/her] linen changed due to [him/her] thinking something was wrong with [his/her] catheter. [S/he] also refused breakfast and lunch.
02/03 - Refused breakfast and lunch. No concerns.
02/15 - Resident in bed upon my arrival asleep. Went in to do cares and shower resident refused. Requesting to get up on second shift.
02/20 - Refused lunch
03/05 - Refused all meals
03/14 - [Resident 1] got irritated due to outside issues. [S/he] refused dinner. ... giving them attitude.
04/08 - Refused [his/her] shower this morning.
04/22 - Refused [his/her] shower this morning.
04/25 - Resident was very rude and disrespectful to with staff and called [him/her] out [his/her] name during [his/her] shower.

On 08/09/2024, at approximately 1:00 PM, Surveyor interviewed House Manager B. Surveyor reviewed the language listed in Resident 1's 30-day notice and compared the concerns to his/her BSP, ISP, and observation notes. House Manager B stated Resident 1's behaviors would come and go; they were not

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| N 327 | Continued From page 7<br>consistent. House Manager B stated s/he had delivered Resident 1's 30-day notice to him/her at the hospital on 05/06/2024. Surveyor asked House Manager B to explain the behaviors that required an immediate emergency discharge from the facility. House Manager B stated, "[Resident 1] refused cares or would not tell staff that [s/he] had soiled [him/herself] which would result in [him/her] not receiving adequate peri-care, leading to numerous UTIs. [S/he] was verbally abusive to staff. [S/he] would play mind games with the staff. For instance, [s/he] would deny a shower and when the next shift would show up, [s/he] would say the staff wouldn't give [him/her] a shower." House Manager B stated Resident 1's behavioral concerns should have been reviewed prior to admittance and behavioral concerns, once admitted, should have been documented better. House Manager B stated that based on the documentation the Surveyor reviewed, it did not look like Resident 1 was an emergency discharge.<br><br>Cross Reference: N0389 DHS 83.35(3)(d) Service Plans Updated Annually Or On Changes | N 327 | | |
| N 389 | 83.35(3)(d) Service plans updated annually or on changes<br><br>Individual service plan review. Annually or when there is a change in a resident ' s needs, abilities or physical or mental condition, the individual service plan shall be reviewed and revised based on the assessment under sub. (1). All reviews of the individual service plan shall include input from the resident or legal representative, case manager, resident care staff, and other service providers as appropriate. The resident or resident ' s legal representative shall sign the | N 389 | | |

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| N 389 | Continued From page 8<br>individual service plan, acknowledging their involvement in, understanding of and agreement with the individual service plan.<br><br>This Rule is not met as evidenced by:<br>Based on record review and interview, the provider did not ensure 1 out of 1 resident individual service plan (ISP) reviewed was updated when there was a change in condition.<br><br>Resident 1's ISP did not document that s/he displayed defiant behaviors regarding cares/assistance.<br><br>Findings include:<br><br>On 09/14/2023, Surveyor reviewed Resident 1's record.<br><br>Resident 1 was admitted to the facility on 06/06/2023 with diagnoses including cerebral palsy, neurogenic bladder with chronic catheter, anxiety, and Clostridioides difficile (C-diff) [bacteria that creates inflammation of the colon] carrier.<br><br>Resident 1's "Observations" for 2024 documented:<br>01/07 - Started arguing with staff<br>02/02 - Didn't have a good morning. [S/he] refused to be washed up and have [his/her] linen changed due to [him/her] thinking something was wrong with [his/her] catheter. [S/he] also refused breakfast and lunch.<br>02/03 - Refused breakfast and lunch. No concerns.<br>02/15 - Resident in bed upon my arrival asleep. Went in to do cares and shower resident refused. | N 389 | | |

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| N 389 | Continued From page 9 | N 389 | | |

Requesting to get up on second shift.
02/20 - Refused lunch
03/05 - Refused all meals
03/14 - [Resident 1] got irritated due to outside issues. [S/he] refused dinner. ... giving them attitude.
04/08 - Refused [his/her] shower this morning.
04/22 - Refused [his/her] shower this morning.
04/25 - Resident was very rude and disrespectful to with staff and called [him/her] out [his/her] name during [his/her] shower.

Resident 1's "Behavior Notes" documented:
03/14/2024 - Resident refused dinner so staff told [him/her] that they would be back at 6:05 PM. Staff went back and [Resident 1] told staff that they could finish eating and that [s/he] was kinda hungry. Staff told [him/her] well whenever you figure out if your eating or not or if you think of what you want to come let us know [S/he] paged at 7pm all irritated asking staff if they were done. Staff said yes that they were waiting on [him/her]. [S/he] got an attitude tried arguing with staff. Staff said drop it then [s/he] stopped.
04/05/2024 - Resident paged staff member to be cleaned up. Staff stated that they figured [s/he] wasn't done when they laid [him/her] down. [S/he] then with a snappy attitude said you guys need to stop coming to work with attitudes.
04/09/2024 - Resident paged at 6:30 PM to get ready for bed but both staff members were busy after staff finished one went into get [him/her] ready the other staff member came into [his/her] room to ask if after [s/he] got changed if they could just put [resident] in bed before we got [him/her] in bed since [s/he] was on the edge of [his/her] chair. Staff offered to put [him/her] first but [s/he] gave attitude and said just go do [him/her] first no part in starting then stopping ... [S/he] then started said [s/he] tired of being

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rushed because staff asked [him/her] what they are doing because they did have a shower. Started saying [s/he] tired of the attitude that it should stay at home."

Resident 1's ISP, dated 02/04/2024, documented:
"Eating: Feeds self with the assistance of cutting up food."
"Bathing: Shower (as scheduled) Full bed bath (daily) 2 times per week. To continue healthy hygiene."
"Toileting: Catheter - 2 assist with bowel. Daily as needed. Caregiver empties cathether bag as needed. To continue healthy hygiene."
"Self Concepts: Overall positivity. To continue having overall positivity within self/amongst others."
"Attitude: Overall positive attitude. Keeps a positive attitude. To remain having a positive attitude/being able to balance changes."
"Interaction With Others: Interacts appropriately. To continue interacting appropriately."

On 08/09/2024, at approximately 1:00 PM, Surveyor interviewed House Manager B. Surveyor and House Manager B reviewed Resident 1's ISP. House Manager B stated Resident 1's behaviors would come and go; they were not consistent. House Manager B stated, "[Resident 1] refused cares or would not tell staff that [s/he] had soiled [him/herself] which would result in [him/her] not receiving adequate peri-care, leading to numerous UTIs. [S/he] was verbally abusive to staff. [S/he] would play mind games with the staff. For instance, [s/he] would deny a shower and when the next shift would show up, [s/he] would say the staff wouldn't give [him/her] a shower." House Manager B stated Resident 1's behavioral concerns were not identified in his/her ISP.

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