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	0016344	A. BUILDING: _____ B. WING _____	C 09/12/2023

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
ACORN HILL	430 ORBITING DR MOSINEE, WI 54455

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U 000	INITIAL COMMENTS On 08/09/2023, Surveyor conducted three complaint investigations at Acorn Hill. Information was reviewed through 09/12/2023. One of 3 complaints was substantiated. One deficiency was identified. Census: 30	U 000		
U 269	89.34(18) TENANT RIGHTS Rights of tenants. A tenant of a residential care apartment complex shall have all the rights listed in this section. These rights in no way limit or restrict any other rights of the individual under the U.S. Constitution, civil rights legislation or any other applicable statute, rule or regulation. Tenant rights are all of the following: (18) FREEDOM FROM ABUSE. To be free from physical, sexual or emotional abuse, neglect or financial exploitation or misappropriation of property by the facility, its staff or any service provider under contract with the facility. This Rule is not met as evidenced by: Based on observation, record review and interview, the provider did not protect the tenants from misappropriation of property when Former Staff Member (FSM) D and FSM E took prescribed schedule II and IV controlled medications from at least 5 tenants. This was discovered for Tenant 1, 2, 3, 4, and 5.	U 269		

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

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U 269	Continued From page 1 On 07/26/2023, the department received a complaint alleging the medications of 2 of the tenants were found off site and in the possession of FSM D and FSM E. Finding include: On 05/29/2007, the department issued a memo to providers titled, "Medication Return, Donation, and Disposal." The memo outlined the regulations and provided the following guidance: "Federal law currently prohibits controlled substances to be returned from a non-DEA (drug enforcement agency) registrant, such as a resident in an assisted living facility, to a DEA registrant, such as a pharmacy. therefore, all controlled substances need to be destroyed ... Records shall be kept of all medication returned to the pharmacy for credit or destruction. Any medication not returned for credit or destruction shall be destroyed in the facility and a record of the destruction shall be witnessed, signed and dated by at least 2 of the following: the administrator or designee, a registered nurse or a pharmacist and one other employee." On 08/15/2023, Surveyor reviewed the medication policy and procedure for destruction and security of medication at the time FSM E and FSM D were employees, and the current procedures with the new management company as of 07/17/2023. The provider's undated policy and procedure at the time of the diversion stated, "Ensure medications are destroyed as directed. When a med needs to be destroyed, due to expiration or other reasons: a. Call the pharmacy to see if they need the medication returned for repackaging or if the	U 269		

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medication should be destroyed.
b. If to be destroyed, take the med pack out of the med cart.
c. Enter the medication on the Medication Destruction Record.
d. This must have 2 signatures, so make sure to do this at shift change or when the administrator/office staff is present.
e. Pop the bubble pack meds to be destroyed into a disposable cup.
f. Both staff to destroy by adding into a bottle of Vinegar, then when full, seal and destroy in regular garbage.
...Upon death of tenants, all narcotics will be destroyed with the hospice RN and staff working the shift and signed and recorded on the Individual Tenant Controlled Substance Record.
c. Staff will document all administered controlled substances on the electronic record.
d. Every shift, all controlled substances will be counted by 2 staff under Narc count in the electronic record.
e. In the event of a missing controlled substance, the Administrator is to be notified immediately to ensure investigation into the reason for the missing controlled medication. Disciplinary measures will be determined from this investigation."

The current policy and procedure of the management company was originally dated 04/13/15. It indicated staff were to have a witness put the medications in a plastic bag, make a slurry with water and kitty litter and put it in the garbage. The staff member and witness were to document this on the destruction sheet.

On 08/09/2023 at 12:20 PM, Administrator A showed Surveyor how medications still in the blister packs, were destroyed. Staff were to make

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a photocopy of the actual card and 2 staff were to sign that copy and put the medications in the locked drawer. Administrator A stated that every Friday s/he would destroy the medications with another staff member. Administrator A indicated there was one key to the locked medication drawer and it was in a locked drawer in his/her desk.

On 08/14/2023, Surveyor reviewed a local police report, dated 07/11/2023. The report stated FSM D and FSM E were arrested for drug and child neglect charges. On 08/14/2023 at 8:55 AM, surveyor interviewed Person L. Person L went through the details of the initial arrest report. Person L stated the investigation was ongoing as prescription medications labeled with Acorn Hill and the names of tenants were also discovered at a former residence of FSM E and FSM D.

On 08/14/2023, Surveyor reviewed Registered Nurse (RN) C's report sent to the Office of Caregiver Quality (OCQ) on 07/27/2023. The report indicated that on 07/15/2023 and 07/16/2023, two bubble pack cards of medications were found unsecured in FSM E's former office tucked in a 3-ring binder when FSM E's office was cleaned out. The medications were destroyed on 07/17/2023 by Registered Nurse (RN) C and Caregiver M.

On 08/09/2023 at 9:15 AM and 11:38 AM, Surveyor interviewed Licensee B and RN C about the information in their report. Both Licensee B and RN C stated the arrests and charges were a complete surprise and that FSM D and FSM E had been employed for several years and were exemplary employees. Licensee B stated that at the time of their arrest, FSM D and FSM E were working at both this facility and another facility

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owned by Licensee B. After the arrests, Caregiver N was cleaning out the lower level and living quarters of FSM D and FSM E at the other facility and discovered a suitcase in a crawl space cupboard that contained close to 90 doses of morphine oral syringes with the names of Tenant 3 and Tenant 5 on them. Licensee B and RN C stated the expected procedure was when a tenant passes away, two staff sign off on the log sheets that the medications were destroyed. The medications were put in the locked drawer in FSM E's former office and destroyed with the hospice nurse if the resident is on hospice. The key to the locked drawer was in Licensee B and RN C's office in an unlocked cubby. The cubby was only accessible to staff that had a key to the suite of offices. FSM E had keys as s/he was the assistant administrator and his/her office was within the suite of offices that contained the locked drawer for overflow of controlled drugs and medications that were to be destroyed. FSM D had keys to the suite of offices as s/he was the maintenance worker. RN C stated his/her investigation also found medication cards for Tenant 1 and Tenant 2 were hidden in a binder in FSM E's former office. These medications were destroyed. RN C stated that it appeared FSM E and FSM D took the medications from tenants that had passed away and the medication destruction was to be co-signed by the hospice nurse. RN C stated s/he had called RN H and was told by RN H that s/he only signs them if s/he is a witness and that RN C stated s/he trusted FSM E to do things right.

On 08/09/2023 at 12:15 PM and 1:28 PM, Surveyor interviewed Caregiver G. Caregiver G stated s/he was unfamiliar with the process of medication destruction as it happened in the offices. Caregiver G stated the medications were

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put in vinegar but when s/he had to destroy a dose due to dropping it or a tenant refusing, s/he would destroy them with hand sanitizer. Caregiver G stated that s/he would write "no pass" and add that it was destroyed. Caregiver G stated s/he had heard through the grapevine that medications were found in FSM E's office when it was being cleaned. Caregiver G stated Caregiver M had found them and had showed them to him/her and sent a picture to Licensee B and RN C.

On 08/09/2023 at 12:30 PM and 1:16 PM, Surveyor interviewed Caregiver F. Caregiver F stated s/he was aware of "a couple" of instances in which there were questions about medication destruction. One instance involved Tenant 1's medications about 2 months ago when FSM D and FSM E were trying to blame another co-worker they said took the medications. Caregiver F stated s/he was unsure if this instance was related to the medications taken from Resident 1 in June. Caregiver F indicated s/he did not recall the details of the other instance.

On 8/15/2023 at 10:30 AM, Surveyor interviewed Caregiver I. Caregiver I stated s/he was aware of the procedure for two people to sign off that the medications were destroyed and put it in the locked drawer so it could be destroyed in a jug of vinegar in FSM E's office. FSM D and FSM E took care of the destructions. Caregiver I stated it was Caregiver M and herself that found the medication card in the hospice binder "a week after it was all going down." Caregiver 1 stated s/he was wondering why the binder would be in the office and opened it to find the card of medications. Caregiver 1 stated FSM E and FSM D shared an office. FSM D kept his/her tools in there and those were taken out.

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U 269	Continued From page 6 On 08/15/2023 at 11:37 AM, Surveyor interviewed RN H from hospice. RN H stated s/he did not sign unless s/he witnessed the destruction. RN H stated RN C had talked to her about the medication destruction and being "shocked" by the incident. On 08/15/2023 at 12:12 PM, Surveyor interviewed RN J. RN J also stated s/he would not sign a destruction sheet unless s/he saw the destruction. On 08/15/2023, Surveyor reviewed the "Controlled Substance Log" for the 5 Tenants. The logs for Tenant 1 indicated 30 ½ tablets of Oxycodone 5 milligrams (mg) that had been received on 06/20/2023 were put in the office lock drawer by Caregiver M and Caregiver D. These medications were found a week later in a 3-ring binder. RN C and another staff destroyed the medications. The logs for Tenant 2 indicated the provider received 70 tablets of hydrocodone 5 mg /325 acetaminophen from his/her previous placement on 04/03/2023, and 120 tablets on 05/13/23. The log sheets indicated the drugs were put in the locked drawer and the medication cart. The logs indicated that all the medications were eventually put in the cart to be given to the tenant. Eight of those tablets were later found in the 3-ring binder in FSM E's office. . On 08/14/2023, Surveyor reviewed the "Controlled Substance Log" for 3 other tenants. The medication destruction records frequently showed FSM D and FSM E were the co-signed witnesses of medication destruction. The	U 269		

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medications were destroyed as they could not be returned to the pharmacy based on the regulations that oversee pharmacies; Wis. Stat. Ch. 7 Pharmacy services, 7.10(2).

The "Controlled Substance Log" for Tenant 3 indicated that several medications were destroyed after his/her death and signed by both FSM E and FSM D. Tenant 3 died on 04/01/2023. There was a destruction log sheet signed by FSM E and FSM D for 94 morphine syringes. Caregiver N found approximately 90 syringes in the crawl space cupboard in a suitcase with Tenant 3's name.

The logs for Tenant 4 indicated that 10 morphine syringes were destroyed by FSM E and FSM D on 5/21. FSM E wrote a note on the log indicating they would be destroyed at a later date with RN C as they were found in the locked drawer with no documentation. There was no documentation the syringes were destroyed and signed off by RN C.

The logs for Tenant 5 indicated that on 04/28/2023, FSM E destroyed 33 syringes of morphine and 45 tablets of lorazepam with RN J signing as a witness to the destruction. Several morphine syringes were found at FSM E's and FSM D's residence with Tenant 5's name on them, according to Licensee B. RN J also signed as a witness for the destruction of 20 additional lorazepam tablets.

FSM E and FSM D took prescribed Schedule II and Schedule IV medications from 5 tenants.