



Protecting, Maintaining and Improving the Health of All Minnesotans

August 2, 2022

Administrator
Temperance Lake Ridge
410 Fox Lake Avenue
Sherburn, MN 56171

RE: Project Number(s) SL30233015

Dear Administrator:

On July 22, 2022, the Minnesota Department of Health completed a follow-up evaluation of your facility to determine if orders from the April 22, 2022, evaluation were corrected. This follow-up evaluation verified that the facility is in substantial compliance.

It is your responsibility to share the information contained in this letter and the results of this visit with the President of your facility's Governing Body. You are encouraged to retain this document for your records.

Please feel free to call me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jodi Johnson', with a stylized flourish at the end.

Jodi Johnson, Supervisor
State Evaluation Team
Health Regulation Division
85 East Seventh Place, Suite 220
P.O. Box 3879
St. Paul, MN 55101-3879
Telephone: 507-344-2730 Fax: 651-215-9697

PMB



Protecting, Maintaining and Improving the Health of All Minnesotans

Electronically Delivered

May 9, 2022

Administrator
Temperance Lake Ridge
410 Fox Lake Avenue
Sherburn, MN 56171

RE: Project Number(s) SL30233015

Dear Administrator:

The Minnesota Department of Health completed an evaluation on April 22, 2022, for the purpose of evaluating and assessing compliance with state licensing statutes. At the time of the evaluation, the Minnesota Department of Health noted violations of the laws pursuant to Minnesota Statute, Chapter 144G, Minnesota Food Code, Minnesota Rules Chapter 4626, Minnesota Statute 626.5572 and/or Minnesota Statute Chapter 260E.

The enclosed State Form documents the state licensing orders. The Department of Health documents state licensing correction orders using federal software. Tag numbers are assigned to Minnesota state statutes for Assisted Living Facilities. The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state statute number and the corresponding text of the state statute out of compliance are listed in the "Summary Statement of Deficiencies" column. This column also includes the findings that are in violation of the state statute after the statement, "This MN Requirement is not met as evidenced by . . ."

IMPOSITION OF FINES

In accordance with Minn. Stat. § 144G.31, Subd. 4, fines and enforcement actions may be imposed based on the level and scope of the violations and imposed immediately with no opportunity to correct the violation first as follows:

Level 1: no fines or enforcement.

Level 2: a fine of \$500 per violation, in addition to any enforcement mechanism authorized in § 144G.20 for widespread violations;

Level 3: a fine of \$3,000 per violation per incident, in addition to any enforcement mechanism authorized in § 144G.20.

Level 4: a fine of \$5,000 per incident, in addition to any enforcement mechanism authorized in § 144G.20.

In accordance with Minn. Stat. § 144G.20, Subd. 4 (a)(5), the Department of Health imposes fine amounts of either \$1,000 or \$5,000 to licensees who are found to be responsible for maltreatment. The Department of Health imposes a fine of \$1,000 for each substantiated maltreatment violation

that consists of abuse, neglect, or financial exploitation according to Minn. Stat. § 626.5572, Subds. 2, 9, 17. The Department of Health also may impose a fine of \$5,000 for each substantiated maltreatment violation consisting of sexual assault, death, or abuse resulting in serious injury.

In accordance with Minn. Stat. § 144G.31, Subd. 4 (a)(5)(b), when a fine is assessed against a facility for substantiated maltreatment, the commissioner shall not also impose an immediate fine under this chapter for the same circumstance.

Therefore, in accordance with Minn. Stat. §§ 144G.01 to 144G.9999, the following fines are assessed pursuant to this evaluation:

St - 0 - 2070 - 144g.81 Subd. 4 - Awake Staff Requirement = \$3,000

The total amount you are assessed is \$3,000. You will be invoiced after 15 days of the receipt of this notice, subject to appeal.

DOCUMENTATION OF ACTION TO COMPLY

Per Minn. Stat. § 144G.30, Subd. 5(c), the licensee must document any action taken to comply with the correction order by the correction order date. A copy of the provider's records documenting those actions may be requested for follow-up evaluations. The licensee is not required to submit a plan of correction for approval.

The correction order documentation should include the following:

- Identify how the area(s) of noncompliance was corrected related to the resident(s)/employee(s) identified in the correction order.
- Identify how the area(s) of noncompliance was corrected for all of the provider's resident(s)/employees that may be affected by the noncompliance.
- Identify what changes to your systems and practices were made to ensure compliance with the specific statute(s).

CORRECTION ORDER RECONSIDERATION PROCESS

In accordance with Minn. Stat. § 144G.32, Subd. 2, you may challenge the correction order issued, including the level and scope, and any fine assessed through the correction order reconsideration process. The request for reconsideration must be in writing and received by the Department of Health within 15 calendar days of the correction order receipt date.

A state licensing order under Minn. Stat. § 144G.91, Subd. 8, Free from Maltreatment is associated with a maltreatment determination by the Office of Health Facility Complaints. If maltreatment is substantiated, you will receive a separate letter with the reconsideration process under Minn. Stat. § 626.557. Please email general reconsideration requests to: **Health.HRD.Appeals@state.mn.us**.

Please address your cover letter for general reconsideration requests to:

Free from Maltreatment reconsideration requests should addressed to:

Reconsideration Unit
Health Regulation Division
Minnesota Department of Health
P.O. Box 64970
85 East Seventh Place
St. Paul, MN 55164-0970

Reconsideration Unit
Health Regulation Division
Minnesota Department of Health
P.O. Box 64970
85 East Seventh Place
St. Paul, MN 55164-0970

REQUESTING A HEARING

Alternatively, in accordance with Minn. Stat. § 144G.31, Subd. 5(d), an assisted living provider that has been assessed a fine under this subdivision has a right to a reconsideration or a hearing under this section and chapter 14. Pursuant to Minn. Stat. § 144G.20, Subd. 14 and Subd. 18, a request for a hearing must be in writing and received by the Department of Health within 15 business days of the correction order receipt date. Requests for hearing may be emailed to

Health.HRD.Appeals@state.mn.us.

To appeal fines via reconsideration, please follow the procedure outlined above. Please note that you may request a reconsideration or a hearing, but not both.

You are encouraged to retain this document for your records. It is your responsibility to share the information contained in this letter and the results of this visit with the President of your organization's Governing Body. If you have any questions, please contact me.

Sincerely,

Jodi Johnson, Supervisor
Health Regulation Division
State Rapid Response Team / State Evaluation Team
85 East Seventh Place, Suite 220
P.O. Box 64970 / P.O. Box 3879
St. Paul, MN 55164-0970 / 55101-3879
Telephone: Fax: 651-281-9796 / 651-215-9697

PMB

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 30233	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 04/22/2022
NAME OF PROVIDER OR SUPPLIER TEMPERANCE LAKE RIDGE		STREET ADDRESS, CITY, STATE, ZIP CODE 410 FOX LAKE AVENUE SHERBURN, MN 56171		
(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
0 000	Initial Comments Initial comments *****ATTENTION***** ASSISTED LIVING PROVIDER LICENSING CORRECTION ORDER(S) In accordance with Minnesota Statutes, section 144G.08 to 144G.95, these correction orders are issued pursuant to a survey. Determination of whether violations are corrected requires compliance with all requirements provided at the Statute number indicated below. When Minnesota Statute contains several items, failure to comply with any of the items will be considered lack of compliance. INITIAL COMMENTS: SL#30233015 On, April 19, 2022, through April 22, 2022, the Minnesota Department of Health conducted a survey at the above provider, and the following correction orders are issued. At the time of the survey, there were 54 residents; 52 receiving services under the provider's Assisted Living with Dementia Care license. On April 20, 2022, the immediacy of correction order 2070 was removed; however, non-compliance remains at a scope and level of I, level three, widespread.	0 000	Minnesota Department of Health is documenting the State Licensing Correction Orders using federal software. Tag numbers have been assigned to Minnesota State Statutes for Assisted Living License Providers. The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state Statute number and the corresponding text of the state Statute out of compliance is listed in the "Summary Statement of Deficiencies" column. This column also includes the findings which are in violation of the state requirement after the statement, "This Minnesota requirement is not met as evidenced by." Following the surveyors' findings is the Time Period for Correction. PLEASE DISREGARD THE HEADING OF THE FOURTH COLUMN WHICH STATES,"PROVIDER'S PLAN OF CORRECTION." THIS APPLIES TO FEDERAL DEFICIENCIES ONLY. THIS WILL APPEAR ON EACH PAGE. THERE IS NO REQUIREMENT TO SUBMIT A PLAN OF CORRECTION FOR VIOLATIONS OF MINNESOTA STATE STATUTES. The letter in the left column is used for tracking purposes and reflects the scope and level issued pursuant to 144G.31 subd. 1, 2, and 3.	
0 110 SS=F	144G.10 Subdivision 1a Assisted living director license required	0 110		

Minnesota Department of Health

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

TITLE

(X6) DATE

Minnesota Department of Health

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0 110	Continued From page 1 Each assisted living facility must employ an assisted living director licensed or permitted by the Board of Executives for Long Term Services and Supports. This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to ensure licensed assisted living director (LALD)-A was listed as the Director of Record for the licensee. This had the potential to affect all the licensee's residents, staff, and visitors. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all the residents). The findings include: On April 19, 2022, at 10:25 a.m. the Minnesota Board of Executives for Long-Term Services and Support (BELTSS) website indicated executive director (ED)-A currently held a licensed assisted living director (LALD) license effective through October 31, 2022; however, ED-A's license lacked an organization listed as the Director of Record for the licensee. On April 19, 2022, at 10:25 a.m. ED-A acknowledged they were not listed as Director of Record with BELTSS and stated they were not aware they needed to be registered as Director of Record for licensee.	0 110		

Minnesota Department of Health

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0 110	Continued From page 2 No further information was provided. TIME PERIOD FOR CORRECTION: Two (2) days	0 110		
0 480 SS=F	144G.41 Subd 1 (13) (i) (B) Minimum requirements (13) offer to provide or make available at least the following services to residents: (i) at least three nutritious meals daily with snacks available seven days per week, according to the recommended dietary allowances in the United States Department of Agriculture (USDA) guidelines, including seasonal fresh fruit and fresh vegetables. The following apply: (B) food must be prepared and served according to the Minnesota Food Code, Minnesota Rules, chapter 4626; and This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to ensure food was prepared and served according to the Minnesota Food Code. This had the potential to affect all residents residing at the facility. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to	0 480		

Minnesota Department of Health

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0 480	Continued From page 3 cause serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). The findings include: Please refer to the included document titled, Food and Beverage Establishment Inspection Report dated April 21, 2022, for the specific Minnesota Food Code deficiencies. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	0 480		
0 780 SS=F	144G.45 Subd. 2 (a) (1) Fire protection and physical environment (a) Each assisted living facility must comply with the State Fire Code in Minnesota Rules, chapter 7511, and: (1) for dwellings or sleeping units, as defined in the State Fire Code: (i) provide smoke alarms in each room used for sleeping purposes; (ii) provide smoke alarms outside each separate sleeping area in the immediate vicinity of bedrooms; (iii) provide smoke alarms on each story within a dwelling unit, including basements, but not including crawl spaces and unoccupied attics; (iv) where more than one smoke alarm is required within an individual dwelling unit or sleeping unit, interconnect all smoke alarms so that actuation of one alarm causes all alarms in the individual dwelling unit or sleeping unit to operate; and	0 780		

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0 780	Continued From page 4 (v) ensure the power supply for existing smoke alarms complies with the State Fire Code, except that newly introduced smoke alarms in existing buildings may be battery operated; This MN Requirement is not met as evidenced by: Based on observation and interview, the licensee failed to comply with the provisions of the Minnesota State Fire Code and failed to provide smoke alarms in all sleeping rooms. This deficient condition had the ability to affect all staff and residents. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). Findings include: On a facility tour on April 20, 2022, at approximately 9:50 a.m. with Maintenance Director (MD)-I and Maintenance Assistant (MA)-H, it was observed that exit door #19 from the memory care wing was blocked due the licensee using the exit vestibule as a storage room. The door leading to the vestibule and the door were both clearly labeled and equipped with exit signage. An interview conducted at the time of discovery indicated that this exit door does not release the locking mechanism upon actuation of fire alarm as required by Minnesota State Fire Code and it was indicated that they only way to access this door in the time of emergency is by a	0 780		

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0 780	Continued From page 5 combination of entering the access code and use of a key. It was also observed that room #120 in the memory care was not equipped with a smoke alarm in the sleeping room. All sleeping rooms observed in memory care had the single station smoke alarms removed and replaced with smoke detectors and horns or horns strobes as part of the central fire alarm system. Room #120 had a smoke detector and was equipped with a horn strobe but had no audible alarm or fire indication for the occupant. An interview with MD-I and MA-H verified these deficient findings at the time of discovery. TIME PERIOD FOR CORRECTION: Seven (7) days.	0 780		
0 800 SS=D	144G.45 Subd. 2 (a) (4) Fire protection and physical environment (4) keep the physical environment, including walls, floors, ceiling, all furnishings, grounds, systems, and equipment in a continuous state of good repair and operation with regard to the health, safety, comfort, and well-being of the residents in accordance with a maintenance and repair program. This MN Requirement is not met as evidenced by: Based on observation and interview, the licensee failed to maintain the physical environment, including walls, floors, ceiling, all furnishings, grounds, systems, and equipment in a continuous state of good repair and operation with regard to the health, safety, comfort, and well-being of the	0 800		

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0 800	Continued From page 6 residents. This deficient condition had the ability to affect a limited number of staff and residents. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved, or the situation has occurred only occasionally). Findings include: On a facility tour on April 20, 2022, at approximately 9:50 a.m. with Maintenance Director (MD)-I and Maintenance Assistant (MA)-H, it was observed that the fire separation wall between the south wing mechanical room and the adjacent resident room had the sheetrock cut open for a plumbing repair and not replaced which negated any fire rating for the wall. It was also observed that south wing mechanical room had mold on the sheetrock behind ductwork from a previous moisture issue creating a potential for mold to be distributed through air handling system. An interview with MD-I and MA-H verified these deficient findings at the time of discovery. TIME PERIOD FOR CORRECTION: Seven (7) days.	0 800		
0 810 SS=F	144G.45 Subd. 2 (b)-(f) Fire protection and physical environment (b) Each assisted living facility shall develop and	0 810		

Minnesota Department of Health

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0 810	Continued From page 7 maintain fire safety and evacuation plans. The plans shall include but are not limited to: (1) location and number of resident sleeping rooms; (2) employee actions to be taken in the event of a fire or similar emergency; (3) fire protection procedures necessary for residents; and (4) procedures for resident movement, evacuation, or relocation during a fire or similar emergency including the identification of unique or unusual resident needs for movement or evacuation. (c) Employees of assisted living facilities shall receive training on the fire safety and evacuation plans upon hiring and at least twice per year thereafter. (d) Fire safety and evacuation plans shall be readily available at all times within the facility. (e) Residents who are capable of assisting in their own evacuation shall be trained on the proper actions to take in the event of a fire to include movement, evacuation, or relocation. The training shall be made available to residents at least once per year. (f) Evacuation drills are required for employees twice per year per shift with at least one evacuation drill every other month. Evacuation of the residents is not required. Fire alarm system activation is not required to initiate the evacuation drill. This MN Requirement is not met as evidenced by: Based on a record review and interview, the licensee failed to conduct required evacuation drills. This had the potential to affect all staff, residents, and visitors. This practice resulted in a level two violation (a	0 810		

Minnesota Department of Health

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0 810	Continued From page 8 violation that did not harm a resident's health or safety but had the potential to have harmed a resident 's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). Findings include: A record review and interview were conducted on April 20, 2022, at approximately 11:40 a.m. with Assistant Executive Director (AED)-D on the fire safety and evacuation plan, fire safety and evacuation training, and evacuation drills for the facility. Record review of the available documentation indicated that that the licensee did not have documentation indicating that evacuation drills had been conducted every other month as required. During interview, AED-D stated that there may be additional drill documentation to provide, but would need to consult with the Executive Director (ED)-A. At approximately 12:45 p.m. AED-D returned to the interview with drill documentation titled "Tornado - Severe Weather Report" for the missing months to meet the every other month requirement. A review of these provided documents determined that there were a lack of details indicating evacuations were done as part of the performed drills and that the actions taken in sheltering for severe weather did not qualify as an evacuation as required by statute. TIME PERIOD FOR CORRECTION: Twenty-one (21) days.	0 810		

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01760	Continued From page 9	01760		
01760 SS=D	144G.71 Subd. 8 Documentation of administration of medication Each medication administered by the assisted living facility staff must be documented in the resident's record. The documentation must include the signature and title of the person who administered the medication. The documentation must include the medication name, dosage, date and time administered, and method and route of administration. The staff must document the reason why medication administration was not completed as prescribed and document any follow-up procedures that were provided to meet the resident's needs when medication was not administered as prescribed and in compliance with the resident's medication management plan. This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to ensure medications were administered as ordered for one of four residents (R4) with records reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The findings include: R4's diagnoses includes multiple sclerosis (a disease of the central nervous system), disorder	01760		

Minnesota Department of Health

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01760	Continued From page 10 of vitamin B12 (disease leaving the body low in iron), major depressive disorder (mental health disorder), and essential hypertension (high blood pressure). R4's service plan dated February 22, 2022, identified R4 received medication management services. R4's April 2022, medication administration record indicated the following medications were given at 9:00 a.m. every morning: docusate/senna (for constipation) 50-8.6 milligrams (mg) tablet, duloxetine (for anxiety) capsule 60 mg daily, folic acid (supplement) tablet 1000 microgram (mcg), levothyroxine (for low thyroid) 25 mcg tablet, lisinopril (for high blood pressure) 10 mg tablet, magnesium oxide (supplement) 400 mg tablet, and vitamin B-12 (supplement) 1000 mcg tablet. On April 20, 2022, at 10:30 a.m. surveyor observed unlicensed personnel (ULP)-B place all of R4's 9:00 a.m. medications in a medication cup and administer the medications to R4. The medication administration was 1.5 hours after it was scheduled. On April 20, 2022, at 2:30 p.m. registered nurse (RN)-J stated medications could be given one hour before and one hour after the scheduled time frame. (RN)-J further indicated medications not given within that time frame would be considered a medication error. On April 21, 2022, at approximately 2:45 p.m. executive director (ED)-A confirmed medications could only be administered up to one hour before and one hour after the scheduled medication time.	01760		

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01760	Continued From page 11 No further information was provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01760		
01890 SS=D	144G.71 Subd. 20 Prescription drugs A prescription drug, prior to being set up for immediate or later administration, must be kept in the original container in which it was dispensed by the pharmacy bearing the original prescription label with legible information including the expiration or beyond-use date of a time-dated drug. This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to ensure medications were maintained bearing the original prescription label with legible information for one of four residents (R5) with medication storage reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The findings include: On April 19, 2022, at 2:15 p.m. unlicensed personnel (ULP)-E was observed administering eye drops to R6.	01890		

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01890	Continued From page 12 R6's artificial tears were stored in a drawer within a locked medication cart and labeled with R6's name and date opened. The eye drop lacked the original prescription label with information regarding the directions for use, medication name, medication dosage, and the pharmacy in which it had been dispensed. On April 19, 2022, at 2:15 p.m. both ULP-E and registered nurse (RN)-F confirmed the above findings. RN-F verified all medication should have original prescription labels and suggested someone may have thrown away the eye drop box bearing the label. The licensee's Medication & Treatments policy revised March 2021, identified information on the MAR (medication administration record) should match the label on the medication container, and be in both places: -individual tenant's name -name of medication -strength and dosage of medication -route -time that the medication should be given -any special instructions No further information was provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01890		
02040 SS=F	144G.81 Subdivision 1 Fire protection and physical environment An assisted living facility with dementia care that has a secured dementia care unit must meet the requirements of section 144G.45 and the following additional requirements:	02040		

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02040	Continued From page 13 (1) a hazard vulnerability assessment or safety risk must be performed on and around the property. The hazards indicated on the assessment must be assessed and mitigated to protect the residents from harm; and (2) the facility shall be protected throughout by an approved supervised automatic sprinkler system by August 1, 2029. This MN Requirement is not met as evidenced by: Based on record review and interview, the licensee failed to provide hazard vulnerability assessment or safety risk assessment of the physical environment on and around the property for the facility. This deficient practice had the ability to affect all staff, residents, and visitors. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). Findings include: A record review and interview were conducted on April 20, 2022, at approximately 12:50 p.m. with Assistant Executive Director (AED)-D on the hazard vulnerability assessment for the physical environment of the facility. Record review of the available documentation indicated that the licensee had not performed a hazard vulnerability assessment with mitigation factors on and around the property. During	02040		

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02040	Continued From page 14 interview, AED-D stated that the licensee may have a hazard vulnerability assessment but was not aware of it and would need to consult with the Executive Director (ED)-A on if one had been performed. At approximately 1:20 p.m. AED-D returned to the interview with a hazard vulnerability assessment that lacked identification of hazards on and around the property and any mitigation factors. AED-D stated the facility had no other hazard vulnerability assessments. TIME PERIOD FOR CORRECTION: Twenty-one (21) days.	02040		
02070 SS=I	144G.81 Subd. 4 Awake staff requirement An assisted living facility with dementia care providing services in a secured dementia care unit must have an awake person who is physically present in the secured dementia care unit 24 hours per day, seven days per week, who is responsible for responding to the requests of residents for assistance with health and safety needs, and who meets the requirements of section 144G.41, subdivision 1, clause (12). This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the facility was staffed 24 hours a day, seven days a week in the locked memory care unit. This had the potential to affect all residents residing at the facility and resulted in an immediate correction order on April 20, 2022, at 10:56 a.m. This practice resulted in a level three violation (a violation that harmed a resident's health or safety, not including serious injury, impairment, or death,	02070		

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02070	Continued From page 15 or a violation that has the potential to lead to serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). The findings include: The facility was licensed as an assisted living facility with dementia care. On April 19, 2022, at approximately 10:25 a.m. during the entrance conference, executive director (ED)-A, identified there were two staff on during the night shift, one for the memory care and one for the assisted living. On April 19, 2022, at 3:00 p.m. unlicensed personnel (ULP)- B stated she worked the night shift when needed. ULP-B indicated there were residents on the assisted living side that were two person assists. ULP-B further stated she has left the memory care unit to help on the assisted living side during the night, leaving the locked memory care unattended. On April 19, 2022, at 3:32 p.m. ED-A stated ULP-C just told her memory care staff leave the locked unit to assist on the assisted living side when needed. ED-A indicated she was not aware of the 24/7 staffing requirement of a locked dementia care unit and stated "why wouldn't corporate tell us this?" On April 19, 2022, at 3:36 p.m. ULP-C stated she worked nights as needed. ULP-C stated there have been times when the memory care is unattended because the assisted living side will call for help. ULP-C indicated she has left the	02070		

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02070	Continued From page 16 memory care to assist in repositioning of hospice patients on the assisted living side. ULP-C further stated she was told she could leave the memory care unattended for a 15 minute period, but doesn't know who told her that. April 20, 2022, at 7:02 a.m. registered nurse (RN)-F stated night staff would leave the locked memory care unit unattended to assist on the assisted living side if needed. RN-F further indicated she was new to the facility and was not aware a locked unit could not be left unattended. April 20, 2022, at 7:36 a.m. ULP-G stated she worked the night shift and verified there are only two staff on duty at night. ULP-G stated the assisted living side was not suppose to call the memory care for help, but verified she has done it and they will come to help, but its only been for a "brief split second." The daily staff posting from April 1 through April 19, 2022, was reviewed. Only two staff were scheduled for the night shift. The licensee's Staffing Requirements policy revised October 2021, identified secured dementia units must have an awake staff person who is physically present in the secured dementia unit 24 hours per day, seven days a week, who is responsible for responding to the request of residents for assistance with health and safety needs, and who meets the requirements listed in 144G.41. No further information was provided. TIME PERIOD FOR CORRECTION: Immediate	02070		

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02070	Continued From page 17 On April 20, 2021, at approximately 3:20 p.m. a plan for correction was received from the facility, and observations and interviews determined the immediacy could be removed; however, noncompliance remains at a scope and severity of level three, widespread (I).	02070		
02110 SS=F	144G.82 Subd. 3 Policies (a) In addition to the policies and procedures required in the licensing of all facilities, the assisted living facility with dementia care licensee must develop and implement policies and procedures that address the: (1) philosophy of how services are provided based upon the assisted living facility licensee's values, mission, and promotion of person-centered care and how the philosophy shall be implemented; (2) evaluation of behavioral symptoms and design of supports for intervention plans, including nonpharmacological practices that are person-centered and evidence-informed; (3) wandering and egress prevention that provides detailed instructions to staff in the event a resident elopes; (4) medication management, including an assessment of residents for the use and effects of medications, including psychotropic medications; (5) staff training specific to dementia care; (6) description of life enrichment programs and how activities are implemented; (7) description of family support programs and efforts to keep the family engaged; (8) limiting the use of public address and intercom systems for emergencies and evacuation drills only; (9) transportation coordination and assistance to	02110		

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02110	Continued From page 18 and from outside medical appointments; and (10) safekeeping of residents' possessions. (b) The policies and procedures must be provided to residents and the residents' legal and designated representatives at the time of move-in. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure policies and procedures required in the licensing of assisted living facilities with dementia care were provided to each resident and/or the resident's legal and designated representative at the time of move-in for four of four residents (R1, R2, R3, R4) with records reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings included: The licensee was licensed as an Assisted Living with Dementia Care facility on August 1, 2021. R1, R2, R3, and R4's records lacked documentation for receipt of the required Assisted Living with Dementia Care policies and procedures at the time of resident move-in, to include: - philosophy of how services were provided based upon the assisted living facility licensee's values, mission, and promotion of person-centered care	02110		

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02110	Continued From page 19 and how the philosophy shall be implemented; - evaluation of behavioral symptoms and design of supports for intervention plans, including nonpharmacological practices that were person-centered and evidence-informed; - wandering and egress prevention that provides detailed instructions to staff in the event a resident elopes; - medication management, including an assessment of residents for the use and effects of medications, including psychotropic medications; - staff training specific to dementia care; - description of life enrichment programs and how activities were implemented; - description of family support programs and efforts to keep the family engaged; - limiting the use of public address and intercom systems for emergencies and evacuation drills only; - transportation coordination and assistance to and from outside medical appointments; and - safekeeping of residents' possessions. On April 21, 2022, at 3:23 p.m. executive director (ED)-A verified the above policies were not provided to the resident/resident representative as required. No further information provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) day	02110		