



Protecting, Maintaining and Improving the Health of All Minnesotans

Electronically Delivered

July 6, 2022

Administrator
Goodness and Mercy Health Services Incorporated
4000 61st Avenue North
Brooklyn Center, MN 55429

RE: Project Number SL34000015

Dear Administrator:

The Minnesota Department of Health completed an evaluation on June 14, 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, no immediate fines are assessed.

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:

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

Free from Maltreatment reconsideration requests should be addressed to:

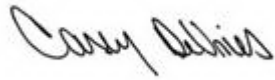
Reconsideration Unit
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Page 3

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,

A handwritten signature in black ink, appearing to read "Casey DeVries".

Casey DeVries, Supervisor
Health Regulation Division
State Evaluation Team
85 East Seventh Place, Suite 220
P.O. Box 3879
St. Paul, MN 55101-3879
Email: casey.devries@state.mn.us
Phone: 651-201-5917 Fax: 651-215-6894

HHH

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
NAME OF PROVIDER OR SUPPLIER GOODNESS AND MERCY HEALTH SERV		STREET ADDRESS, CITY, STATE, ZIP CODE 4000 61ST AVENUE NORTH BROOKLYN CENTER, MN 55429		
(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: SL34000015-0 On June 13, 2022, through June 14, 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 four residents, all of whom received services under the provider's Assisted Living license.	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 interview and record review, the licensee failed to ensure the licensed assisted living director (LALD) was listed as the Director of Record for the licensee. This had the potential to affect all the licensee's four 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 of the residents). The findings include: Licensed assisted living director (LALD)-D obtained an assisted living director license on July 23, 2021. On June 13, 2022, at 9:12 a.m., the surveyor observed the Board of Executives for Long-Term Services and Support (BELTSS) website indicated LALD-D held a current assisted living director license but was not listed as Director of Record for the licensee. On June 13, 2022, at approximately 9:34 a.m., during the entrance conference, LALD-D identified himself as the LALD for the licensee.	0 110		

Minnesota Department of Health

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0 110	Continued From page 2 On June 13, 2022, at approximately 9:35 a.m., LALD-D verified they were not listed as the Director of Record for the licensee and would contact BELTSS for correction. In addition, LALD-D stated they did not know about the Director of Record requirement, however, did know they could only direct 5 facilities within a certain distance. TIME PERIOD FOR CORRECTION: Two (2) days	0 110		
0 460 SS=F	144G.41 Subdivision 1 Minimum requirements (5) provide a means for residents to request assistance for health and safety needs 24 hours per day, seven days per week; (6) allow residents the ability to furnish and decorate the resident's unit within the terms of the assisted living contract; (7) permit residents access to food at any time; (8) allow residents to choose the resident's visitors and times of visits; (9) allow the resident the right to choose a roommate if sharing a unit; (10) notify the resident of the resident's right to have and use a lockable door to the resident's unit. The licensee shall provide the locks on the unit. Only a staff member with a specific need to enter the unit shall have keys, and advance notice must be given to the resident before entrance, when possible. An assisted living facility must not lock a resident in the resident's unit; This MN Requirement is not met as evidenced by: Based on observation and interview, the licensee	0 460		

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0 460	Continued From page 3 failed to provide a means for residents to request assistance for health and safety needs 24 hours a day, seven days a week. 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 is 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 June 13, 2022, at approximately 8:50 a.m., during a facility tour, the surveyor observed no system in place for residents to request staff assistance when needed 24 hours a day. On June 13, 2022, at 9:32 a.m., administrative manager (AM)-C, licensed assisted living director (LALD)-D, registered nurse (RN)-F, and RN-G verified the licensee lacked a system for residents to request staff assistance when needed 24 hours a day. RN-F stated residents were alert and orientated, were independent with mobility and walk out of their rooms to ask for assistance. RN-F stated staff would hear if a resident yelled because of the facility's size and staff conduct two-hour checks on residents. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 460		

Minnesota Department of Health

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0 480	Continued From page 4	0 480		
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 according to the Minnesota Food Code. This had the potential to affect all 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). The findings include:	0 480		

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0 480	Continued From page 5 Please refer to the additional documentation included in the Food and Beverage Establishment Inspection Reports, dated June 13, 2022. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 480		
0 550 SS=F	144G.41 Subd. 7 Resident grievances; reporting maltreatment All facilities must post in a conspicuous place information about the facilities' grievance procedure, and the name, telephone number, and e-mail contact information for the individuals who are responsible for handling resident grievances. The notice must also have the contact information for the state and applicable regional Office of Ombudsman for Long-Term Care and the Office of Ombudsman for Mental Health and Developmental Disabilities, and must have information for reporting suspected maltreatment to the Minnesota Adult Abuse Reporting Center. This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to post the required information related to the grievance procedure. This had the potential to affect all four 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 of the residents).	0 550		

Minnesota Department of Health

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0 550	Continued From page 6 The findings include: The licensee lacked a posting of the grievance procedure to include the name, telephone number and e-mail contact information for the individuals who were responsible for handling resident grievances. On June 13, 2022, at approximately 8:50 a.m., during a facility tour, the surveyor observed the common areas shared by residents, staff and visitors lacked the required posting of the grievance procedure. On June 13, 2022, at approximately 10:31 a.m., nurse practitioner (NP)-E and registered nurse (RN)-F verified the required content was not posted in the common areas. RN-F stated residents were provided the grievance information upon admission. NP-E stated residents had the grievance information posted in their rooms however, due to mental health issues residents may have removed the grievance postings. The surveyor did not observe grievance posting in resident rooms. The licensee's Grievance policy dated August 1, 2021, indicated the licensee would conspicuously post a copy of the grievance procedure. No further information provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 550			
0 680 SS=F	144G.42 Subd. 10 Disaster planning and emergency preparedness	0 680			

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0 680	Continued From page 7 (a) The facility must meet the following requirements: (1) have a written emergency disaster plan that contains a plan for evacuation, addresses elements of sheltering in place, identifies temporary relocation sites, and details staff assignments in the event of a disaster or an emergency; (2) post an emergency disaster plan prominently; (3) provide building emergency exit diagrams to all residents; (4) post emergency exit diagrams on each floor; and (5) have a written policy and procedure regarding missing tenant residents. (b) The facility must provide emergency and disaster training to all staff during the initial staff orientation and annually thereafter and must make emergency and disaster training annually available to all residents. Staff who have not received emergency and disaster training are allowed to work only when trained staff are also working on site. (c) The facility must meet any additional requirements adopted in rule. This MN Requirement is not met as evidenced by: Based on observation, interview and record review the licensee failed to have a written emergency preparedness plan (EPP) with all the required content and failed to post an emergency preparedness plan prominently. This had the potential to affect all four residents receiving services under the assisted living license. 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	0 680		

Minnesota Department of Health

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0 680	Continued From page 8 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). The findings include: On June 13, 2022, at approximately 8:50 a.m., during a facility tour, the surveyor observed the licensee lacked evidence of signage posted or information regarding the licensee's emergency plan. There were no emergency exit diagrams posted in conspicuous places on each floor as required. The licensee's emergency disaster preparedness plan lacked evidence of the following required content: - current, all-hazards approach facility assessment; - strategies for addressing facility staffing surges/shortages; - a description of the population served by the licensee; - process for emergency plan (EP) collaboration; - subsistence needs for staff and residents; - procedures for tracking of staff and patients; - procedure for medical documents; - procedure for volunteers; - arrangements with other facilities; - names and contact information; - emergency officials contact information; - methods for sharing information; and -emergency prep testing requirements. On June 14, 2022, at 1:57 p.m., administrative manager (AM)-C verified there were no emergency exit diagrams posted in conspicuous	0 680		

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0 680	Continued From page 9 places on each floor as required. AM-C verified multiple areas within the EPP that were not filled in with facility specific information. In addition, AM-C stated the licensee was not familiar with all of the requirements of the EPP. The licensee's Emergency Preparedness policy dated August 1, 2021, indicated the licensee would have a plan in place to assume the safety and well-being of residents and staff during periods of emergency or disaster that disrupts services. In addition, the licensee would post the emergency disaster plan on each floor of the facility. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 680		
0 810 SS=F	144G.45 Subd. 2 (b)-(f) Fire protection and physical environment (b) Each assisted living facility shall develop and 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	0 810		

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0 810	Continued From page 10 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 interview and record review, the licensee failed to develop a fire safety and evacuation plan with required elements, failed to provide required employee and resident training on fire safety and evacuation, and 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 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). On June 13, 2022, between 09:40 a.m. and 11:00 a.m., survey staff toured the facility with the AM-C. During the facility tour, it was observed	0 810		

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0 810	Continued From page 11 that evacuation maps were not provided in the facility. On June 13, 2022, between 09:40 a.m. and 11:00 a.m., the AM-C failed to provide documents for review. Documents were reviewed by survey staff on June 13, 2022, between 09:40 a.m. and 11:00 a.m. 1. Evacuation maps were not available at the time of the survey. 2. The licensee failed to provide employee training logs for fire safety and evacuation. 3. The licensee failed to provide the required employee training frequency. 4. The licensee failed to provide annual fire safety and evacuation training for residents. Training documentation were requested by survey staff but were not provided. AM-C verbally confirmed survey staff observations during the facility tour. No additional information was provided	0 810			
0 970 SS=E	144.50 Subd. 5 Waivers of liability prohibited The contract must not include a waiver of facility liability for the health and safety or personal property of a resident. The contract must not include any provision that the facility knows or should know to be deceptive, unlawful, or unenforceable under state or federal law, nor include any provision that requires or implies a lesser standard of care or responsibility than is required by law.	0 970			

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
NAME OF PROVIDER OR SUPPLIER GOODNESS AND MERCY HEALTH SERV		STREET ADDRESS, CITY, STATE, ZIP CODE 4000 61ST AVENUE NORTH BROOKLYN CENTER, MN 55429		
(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
0 970	Continued From page 12 This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the assisted living contract did not include language waiving the facility's liability for health, safety, or personal property of a resident for two of four residents (R2, R3) 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 a pattern scope (when more than a limited number of residents are affected, more than a limited number of staff are involved, or the situation has occurred repeatedly; but is not found to be pervasive). The findings include: R2 R2 admitted for service on March 4, 2022, and began receiving assisted living services. R3 R3 admitted for service on January 19, 2019, under the comprehensive home care license and began receiving assisted living services on August 1, 2021. R2 and R3's Assisted Living Contracts were signed August 1, 2021. R2 and R3's Assisted Living Contract, page 13, included two sections titled indemnification and liability. The sections indicated the resident would waive the facility's liability for injury, death or property damage occurring on the providers	0 970		

Minnesota Department of Health

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0 970	Continued From page 13 premises unless caused solely by negligence of licensee. On June 14, 2022, at approximately 2:15 p.m., administrative manager (AM)-C stated the licensee believed the contract was "good" because the licensee had received the contract from a consultant. In addition, AM-C stated the licensee had a new contract, which the licensee had not yet implemented, that did not include waivers of liability. The surveyor observed the new contract which did not include a waiver of liability. No further information provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	0 970		
01470 SS=F	144G.63 Subd. 2 Content of required orientation (a) The orientation must contain the following topics: (1) an overview of this chapter; (2) an introduction and review of the facility's policies and procedures related to the provision of assisted living services by the individual staff person; (3) handling of emergencies and use of emergency services; (4) compliance with and reporting of the maltreatment of vulnerable adults under section 626.557 to the Minnesota Adult Abuse Reporting Center (MAARC); (5) the assisted living bill of rights and staff responsibilities related to ensuring the exercise and protection of those rights; (6) the principles of person-centered planning	01470		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
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01470	Continued From page 14 and service delivery and how they apply to direct support services provided by the staff person; (7) handling of residents' complaints, reporting of complaints, and where to report complaints, including information on the Office of Health Facility Complaints; (8) consumer advocacy services of the Office of Ombudsman for Long-Term Care, Office of Ombudsman for Mental Health and Developmental Disabilities, Managed Care Ombudsman at the Department of Human Services, county-managed care advocates, or other relevant advocacy services; and (9) a review of the types of assisted living services the employee will be providing and the facility's category of licensure. (b) In addition to the topics in paragraph (a), orientation may also contain training on providing services to residents with hearing loss. Any training on hearing loss provided under this subdivision must be high quality and research based, may include online training, and must include training on one or more of the following topics: (1) an explanation of age-related hearing loss and how it manifests itself, its prevalence, and the challenges it poses to communication; (2) health impacts related to untreated age-related hearing loss, such as increased incidence of dementia, falls, hospitalizations, isolation, and depression; or (3) information about strategies and technology that may enhance communication and involvement, including communication strategies, assistive listening devices, hearing aids, visual and tactile alerting devices, communication access in real time, and closed captions. This MN Requirement is not met as evidenced by:	01470		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
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01470	Continued From page 15 Based on interview and record review, the licensee failed to ensure three of three employees (unlicensed personnel (ULP)-A, ULP-B and licensed assisted living director (LALD)-D) received orientation to assisted living facility licensing requirements and regulations 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 include: ULP-A had a hire date of May 25, 2007. ULP-B had a hire date of January 18, 2021. LALD-D had a hire date of April 20, 2006. ULP-A, ULP-B and LALD-D's personnel records lacked evidence to indicate the employees had received orientation to include the following topics: - review of the types of assisted living services the employee will be providing and the facility's category of licensure; - consumer advocacy services; and - review of types of assisted living services the employee will provide and provider's scope of license. On June 13, 2022, at approximately 10:43 a.m., LALD-D verified the employee's records lacked the content listed above. LALD-D stated prior to	01470		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
NAME OF PROVIDER OR SUPPLIER GOODNESS AND MERCY HEALTH SERV		STREET ADDRESS, CITY, STATE, ZIP CODE 4000 61ST AVENUE NORTH BROOKLYN CENTER, MN 55429		
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01470	Continued From page 16 August 1, 2021, the licensee provided a general orientation in person when staff were hired. In addition, LALD-D stated the licensee started assisted living licensure this year and had transitioned to using EduCare for training needs. The licensee's Staff Orientation and Education policy dated August 1, 2021, indicated personnel would receive orientation that included contents listed above. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	01470		
01490 SS=F	144G.63 Subd. 4 Training required relating to dementia All direct care staff and supervisors providing direct services must demonstrate an understanding of the training specified in section 144G.64. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure required dementia care training was completed for two of three employees (unlicensed personnel (ULP)-A, ULP-B) with employee 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 a widespread scope (when problems are pervasive or represent a systemic	01490		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
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01490	Continued From page 17 failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: ULP-A had a hire date of May 25, 2007. ULP-B had a hire date of January 1, 2018. ULP-A and ULP-B's employee record lacked at least eight hours of initial dementia training within 120 working hours of the employment start date including: (1) an explanation of Alzheimer's disease and other dementias; (2) assistance with activities of daily living; (3) problem solving with challenging behaviors; (4) communication skills; and (5) person-centered planning and service delivery. On June 14, 2022, at 10:50 a.m., licensed assisted living director (LALD)-D verified ULP-A and ULP-B's employee records lacked the required initial dementia care training. LALD-D stated the licensee believed they needed 4 hours initially, then 2 hours annually thereafter. In addition, LALD-D stated newer employees would have completed the training as licensee now used EduCare for training. On June 14, 2022, at approximately 1:00 p.m., administrative manager (AM)-C stated they had assigned all staff members on EduCare for dementia training however, employees who had worked for the company prior to the new assisted living license had only been assigned 2 hours of dementia training. In addition, AM-C stated they did not know there were specific topics every employee must take related to dementia.	01490		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
NAME OF PROVIDER OR SUPPLIER GOODNESS AND MERCY HEALTH SERV		STREET ADDRESS, CITY, STATE, ZIP CODE 4000 61ST AVENUE NORTH BROOKLYN CENTER, MN 55429		
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01490	Continued From page 18 The licensee's Dementia Education policy dated August 1, 2021, indicated direct care employees must complete eight hours of initial education within 160 working of employment on the topics listed above. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	01490		
01620 SS=F	144G.70 Subd. 2 (c-e) Initial reviews, assessments, and monitoring (c) Resident reassessment and monitoring must be conducted no more than 14 calendar days after initiation of services. Ongoing resident reassessment and monitoring must be conducted as needed based on changes in the needs of the resident and cannot exceed 90 calendar days from the last date of the assessment. (d) For residents only receiving assisted living services specified in section 144G.08, subdivision 9, clauses (1) to (5), the facility shall complete an individualized initial review of the resident's needs and preferences. The initial review must be completed within 30 calendar days of the start of services. Resident monitoring and review must be conducted as needed based on changes in the needs of the resident and cannot exceed 90 calendar days from the date of the last review. (e) A facility must inform the prospective resident of the availability of and contact information for long-term care consultation services under section 256B.0911, prior to the date on which a prospective resident executes a contract with a facility or the date on which a prospective resident moves in, whichever is earlier.	01620		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
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01620	Continued From page 19 This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the registered nurse (RN) completed ongoing resident reassessments that did not exceed 90 days for two of four residents (R2, R4) as required. In addition, the licensee failed to ensure ongoing resident reassessment included all areas required on the uniform assessment tool for one of four residents (R3) 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 include: ASSESSMENTS EXCEEDED 90 DAYS R2 R2's service plan, dated March 4, 2021, indicated R2 received services including driving for activities, meals, laundry, medical appointment assistance, light housekeeping, social outings, activities, vital signs, supervision of RN and medication management. R2's 90-day reassessments titled Nurse Reassessment dated June 1, 2021, November 6, 2021, and March 23, 2022, indicated 158 days and 137 days, respectively, had passed between reassessments. R4	01620		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____		(X3) DATE SURVEY COMPLETED 06/14/2022
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01620	Continued From page 20 R4's service plan, dated October 8, 2018, indicated R4 received services including driving for activities, meals, laundry, medical appointment assistance, light housekeeping, social outings, activities, vital signs, supervision of RN and medication management. R4's 90-day reassessments titled Nurse Reassessment dated October 28, 2022, and January 29, 2022, indicated 93 days passed between reassessments. On June 14, 2022, at approximately 11:50 a.m., RN-G stated they did not know why assessments had not been completed timely but verbalized assessments should be completed upon admission, 14 days, every 90 days and when there is a change of condition. ASSESSMENT NOT INCLUDING UNIFORM ASSESSMENT TOOL R3's service plan, dated January 25, 2021, indicated R3 received services including driving for activities, meals, activities of daily living when needed, laundry, medical appointment assistance, light housekeeping, social outings, behavior monitoring, activities, vital signs, RN supervision and medication management. R3's 90-day reassessments titled Progress Notes dated July 20, 2021, September 28, 2021, and December 26, 2021, lacked the following areas required on the uniform assessment tool: - the resident's personal lifestyle preferences; - activities of daily living; - physical health status; - instrumental activities of daily living; - communication and sensory capabilities; - pain; - skin conditions;	01620			

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____		(X3) DATE SURVEY COMPLETED 06/14/2022
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(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
01620	Continued From page 21 - nutritional and hydration status preferences; and - risk indicators. On June 14, 2022, at approximately 11:50 a.m., RN-G stated R3's 90-day assessments were located in the progress notes. The surveyor observed the narrative assessment within the progress notes which lacked the above information. RN-G stated the licensee did not know it was required to use areas from the uniform assessment tool. In addition, RN-G stated the licensee had developed a new assessment tool. The licensee's Assessment and Reassessment policy dated August 1, 2021, indicated an ongoing resident assessment must be conducted by an RN and cannot exceed 90 days from the last date of assessment. The policy did not address the requirement to include information from the uniform assessment tool. No further information provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	01620			
01650 SS=F	144G.70 Subd. 4 (f) Service plan, implementation and revisions to (f) The service plan must include: (1) a description of the services to be provided, the fees for services, and the frequency of each service, according to the resident's current assessment and resident preferences; (2) the identification of staff or categories of staff who will provide the services; (3) the schedule and methods of monitoring assessments of the resident;	01650			

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
NAME OF PROVIDER OR SUPPLIER GOODNESS AND MERCY HEALTH SERV		STREET ADDRESS, CITY, STATE, ZIP CODE 4000 61ST AVENUE NORTH BROOKLYN CENTER, MN 55429		
(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
01650	Continued From page 22 (4) the schedule and methods of monitoring staff providing services; and (5) a contingency plan that includes: (i) the action to be taken if the scheduled service cannot be provided; (ii) information and a method to contact the facility; (iii) the names and contact information of persons the resident wishes to have notified in an emergency or if there is a significant adverse change in the resident's condition, including identification of and information as to who has authority to sign for the resident in an emergency; and (iv) the circumstances in which emergency medical services are not to be summoned consistent with chapters 145B and 145C, and declarations made by the resident under those chapters. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the service plan included the required content 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, 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 the potential to affect a large portion or all of the residents). The findings include: R1	01650		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
NAME OF PROVIDER OR SUPPLIER GOODNESS AND MERCY HEALTH SERV		STREET ADDRESS, CITY, STATE, ZIP CODE 4000 61ST AVENUE NORTH BROOKLYN CENTER, MN 55429		
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01650	Continued From page 23 R1's diagnoses included schizophrenia (mental disorder characterized by delusions, hallucinations, disorganized thoughts, speech and behavior), psychosis (mental disorder in which thought, and emotions are so impaired that contact is lost with external reality), depression with psychotic feature, borderline intellectual functioning, post-traumatic stress disorder (PTSD) and attention deficit hyperactivity disorder (ADHD). R1's service plan, dated January 21, 2022, indicated R1 received services including driving for activities, meals, laundry, medical appointment assistance, light housekeeping, social outings, activities, vital signs, supervision of registered nurse (RN), medication management. R2 R2's diagnoses included alcohol dependence, cannabis dependence, and schizoaffective disorder (disorder in which a person experiences a combination of symptoms of schizophrenia and mood disorder). R2's service plan, dated March 4, 2021, indicated R2 received services including driving for activities, meals, laundry, medical appointment assistance, light housekeeping, social outings, activities, vital signs, supervision of RN and medication management. R3 R3's diagnosis included traumatic brain injury (TBI). R3's service plan, dated January 25, 2021, indicated R3 received services including driving for activities, meals, activities of daily living when	01650		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
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01650	Continued From page 24 needed, laundry, medical appointment assistance, light housekeeping, social outings, behavior monitoring, activities, vital signs, RN supervision and medication management. R4 R4's diagnoses included schizoaffective disorder and bipolar (mental illness characterized by extreme mood swings). R4's service plan, dated October 8, 2018, indicated R4 received services including driving for activities, meals, laundry, medical appointment assistance, light housekeeping, social outings, activities, vital signs, supervision of RN and medication management. R1, R2, R3 and R4's service plan lacked the following required content: - methods of monitoring assessments of the resident; and - the schedule and methods of monitoring staff providing services. On June 14, 2022, at 12:32 p.m., licensed assisted living director (LALD)-D verified R1, R2, R3 and R4's service plan lacked the above content. LALD-D stated the assessment form indicated if an assessment was done in person or by phone. In addition, LALD-D stated residents know when a nurse supervised an unlicensed professional (ULP) by visualizing the nurse with the ULP when cares were provided. The licensee's Service Plan policy dated August 1, 2021, indicated the licensee would include the schedule and method of monitoring assessments of residents and of staff providing services. No further information was provided.	01650		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
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01650	Continued From page 25	01650		
	TIME PERIOD FOR CORRECTION: Twenty-One (21) days			
01730 SS=F	144G.71 Subd. 5 Individualized medication management plan (a) For each resident receiving medication management services, the assisted living facility must prepare and include in the service plan a written statement of the medication management services that will be provided to the resident. The facility must develop and maintain a current individualized medication management record for each resident based on the resident's assessment that must contain the following: (1) a statement describing the medication management services that will be provided; (2) a description of storage of medications based on the resident's needs and preferences, risk of diversion, and consistent with the manufacturer's directions; (3) documentation of specific resident instructions relating to the administration of medications; (4) identification of persons responsible for monitoring medication supplies and ensuring that medication refills are ordered on a timely basis; (5) identification of medication management tasks that may be delegated to unlicensed personnel; (6) procedures for staff notifying a registered nurse or appropriate licensed health professional when a problem arises with medication management services; and (7) any resident-specific requirements relating to documenting medication administration, verifications that all medications are administered as prescribed, and monitoring of medication use	01730		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 34000	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/14/2022
NAME OF PROVIDER OR SUPPLIER GOODNESS AND MERCY HEALTH SERV		STREET ADDRESS, CITY, STATE, ZIP CODE 4000 61ST AVENUE NORTH BROOKLYN CENTER, MN 55429		
(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
01730	Continued From page 26 to prevent possible complications or adverse reactions. (b) The medication management record must be current and updated when there are any changes. (c) Medication reconciliation must be completed when a licensed nurse, licensed health professional, or authorized prescriber is providing medication management. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to develop an individualized medication management plan with the required content for two of two residents (R1, R2) 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 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 include: R1 R1's service plan, dated January 21, 2022, indicated R1 received services including driving for activities, meals, laundry, medical appointment assistance, light housekeeping, social outings, activities, vital signs, supervision of registered nurse (RN) and medication management. R1's medication administration record (MAR),	01730		

Minnesota Department of Health

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01730	Continued From page 27 dated June 2022, indicated R1 received atomoxetine 80 milligrams (mg) one time per day, haloperidol 10 mg two times per day, benztropine 1 mg two times per day, Cal-Gest 500 mg to 1000 mg as needed (PRN), melatonin 1 mg PRN and senna 8.6 mg PRN. R1's individual medication management plan dated January 1, 2022, lacked the following required content: - documentation of specific resident instructions relating to the administration of medications; and - procedures for staff notifying a registered nurse or appropriate licensed health professional when a problem arises with medication management services. R2 R2's service plan, dated March 4, 2021, indicated R2 received services including driving for activities, meals, laundry, medical appointment assistance, light housekeeping, social outings, activities, vital signs, supervision of RN and medication management. R2's MAR, dated June 2022, indicated R2 received olanzapine 10 mg one time per day, venlafaxine extended release (ER) 75 mg one time per day, buspirone 15 mg PRN, nicotine 2 mg chewing gum PRN, melatonin 10 mg PRN and trazodone 100 mg PRN. R2's individual medication management plan dated March 4, 2021, lacked the following required content: - documentation of specific resident instructions relating to the administration of medications; - procedures for staff notifying a registered nurse or appropriate licensed health professional when a problem arises with medication management	01730		

Minnesota Department of Health

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01730	Continued From page 28 services; and - medication reconciliation must be completed when a licensed nurse, licensed health professional, or authorized prescriber is providing medication management. On June 14, 2022, at approximately 12:52 p.m., licensed assisted living director (LALD)-D verified R1 and R2's individual medication management plan lacked required content and all resident's individual medication management plans would lack when to contact a licensed health professional when a problem arises with medication management. LALD-D stated the licensee had a reference book that described changes of condition the unlicensed personnel (ULP) may see and if observed the ULP would call a nurse. The surveyor observed the reference book which included general physical and mental changes that could occur with a resident. In addition, LALD-D stated ULP's are trained on when to call a nurse upon hire. The licensee's Assessment of Medication policy dated August 1, 2021, indicated a nurse would complete a face-to-face assessment with resident and complete a medication reconciliation. In addition, the medication management plan would include procedures for notifying the RN or licensed health profession regarding problems arising with medication management services. No further information was provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01730		
01790 SS=F	144G.71 Subd. 10 Medication management for residents who will	01790		

Minnesota Department of Health

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01790	Continued From page 29 (2) for unplanned time away, when the pharmacy is not able to provide the medications, a licensed nurse or unlicensed personnel shall provide medications in amounts and dosages needed for the length of the anticipated absence, not to exceed seven calendar days; (3) the resident must be provided written information on medications, including any special instructions for administering or handling the medications, including controlled substances; and (4) the medications must be placed in a medication container or containers appropriate to the provider's medication system and must be labeled with the resident's name and the dates and times that the medications are scheduled. (b) For unplanned time away when the licensed nurse is not available, the registered nurse may delegate this task to unlicensed personnel if: (1) the registered nurse has trained the unlicensed staff and determined the unlicensed staff is competent to follow the procedures for giving medications to residents; and (2) the registered nurse has developed written procedures for the unlicensed personnel, including any special instructions or procedures regarding controlled substances that are prescribed for the resident. The procedures must address: (i) the type of container or containers to be used for the medications appropriate to the provider's medication system; (ii) how the container or containers must be labeled; (iii) written information about the medications to be provided; (iv) how the unlicensed staff must document in the resident's record that medications have been provided, including documenting the date the	01790		

Minnesota Department of Health

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01790	Continued From page 30 medications were provided and who received the medications, the person who provided the medications to the resident, the number of medications that were provided to the resident, and other required information; (v) how the registered nurse shall be notified that medications have been provided and whether the registered nurse needs to be contacted before the medications are given to the resident or the designated representative; (vi) a review by the registered nurse of the completion of this task to verify that this task was completed accurately by the unlicensed personnel; and (vii) how the unlicensed personnel must document in the resident's record any unused medications that are returned to the facility, including the name of each medication and the doses of each returned medication. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the registered nurse (RN) developed training and competencies for unlicensed personnel (ULP) providing medications to residents for unplanned time away from home when the licensed nurse was not available for two of two employees, (ULP-A, ULP-B) 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).	01790		

Minnesota Department of Health

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01790	Continued From page 31 The findings include: ULP-A had a hire date of May 25, 2007. ULP-B had a hire date of January 1, 2018. ULP-A and ULP-B's employee records lacked documentation of training and competencies for unplanned time away when the RN is not available. On June 14, 2022, at 10:46 a.m., licensed assisted living director (LALD)-D verified ULP-A and ULP-B's record lacked training and competencies for unplanned time away. LALD-D stated the licensee trained ULP's upon hire to call an RN for instructions if a resident wanted to leave the facility and needed medication. In addition, LALD-D stated ULP's complete a form that included when the resident left the facility, what medication were sent, instructions on how to take the medication, and who medication were sent with. The surveyor asked how they document training for unplanned time away. LALD-D stated licensee did not document training however, believed if a ULP filled out a resident's form, it would show training had been completed. The licensee's Medication Management Plan for Residents Away from Home policy dated August 1, 2021, indicated the licensee would train ULP's and would determine the ULP's competency to follow procedures for giving medications to residents. No further information provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01790		



Minnesota Department of Health
Food Pools & Lodging Services
P.O. Box 64975
St Paul, MN 55164-0975
651 201 4500

Type: Full
Date: 06/13/22
Time: 10:04:23
Report: 8058221109

Food and Beverage Establishment Inspection Report

Page 1

Location:

Goodness And Mercy Health Serv
4000 61st Avenue North
Brooklyn Center, MN55429
Hennepin County, 27

Establishment Info:

ID #: 0038907
Risk:
Announced Inspection: No

License Categories:

Expires on: / /

Operator:

Phone #: 6516312535
ID #:

The violations listed in this report include any previously issued orders and deficiencies identified during this inspection. Compliance dates are shown for each item.

The following orders were issued during this inspection.

3-500B Microbial Control: hot and cold holding

3-501.16A2

**** Priority 1 ****

MN Rule 4626.0395A2 Maintain all cold, TCS foods at 41 degrees F (5 degrees C) or below under mechanical refrigeration.

COOLER SIDE OF SPLIT FRONT REFRIGERATOR THERMOSTAT ADJUSTED DURING INSPECTION

Comply By: 06/13/22

Food and Equipment Temperatures

Process/Item: WHOLE TOMATO

Temperature: 47 Degrees Fahrenheit - Location: COOLER

Violation Issued: No

Process/Item: MILK

Temperature: 47 Degrees Fahrenheit - Location: COOLER

Violation Issued: Yes

Total Orders	In This Report	Priority 1	Priority 2	Priority 3
		1	0	0

ESTABLISHMENT IS A RENOVATED SINGLE FAMILY HOME SET IN A RESIDENTIAL NEIGHBORHOOD.

HRD INSPECTOR ASHLEY CREWS
ESTABLISHMENT REP. ADGEBOLA OGUNDIPE

KITCHEN EQUIPMENT IS RESIDENTIAL IN NATURE, CABINETS ARE WOOD

Type: Full
Date: 06/13/22
Time: 10:04:23
Report: 8058221109

Goodness And Mercy Health Serv

Food and Beverage Establishment Inspection Report

Page 2

SPLIT FRONT REFRIGERATOR, FREEZER SIDE ALL ITEMS FROZEN UNTIL SOLID WHILE COOLER SIDE ADJUSTMENT KNOB WAS SET TO THE WARMEST POSSIBLE SETTING.

ITEMS IN COOLER SIDE OF SPLIT FRONT REFRIGERATOR CONSIST OF COMMERCIAL DRESSINGS, MILK, RAW EGGS, WHOLE UNCUT VEGETABLES AND FLAVORED WATER MIXES

-AN ADJUSTMENT TO THE COOLERS THERMOSTAT WAS MADE DURING THE INSPECTION AND AN ANALOG FOOD THERMOMETER WAS PLACED INTO A CUP OF WATER WITHIN THE COOLER TO MONITOR FOOD TEMP

NOTE: Plans and specifications must be submitted for review and approval prior to new construction, remodeling or alterations.

I acknowledge receipt of the Minnesota Department of Health inspection report number 8058221109 of 06/13/22.

Certified Food Protection Manager: ADGEBOLA OGUNDIPE

Certification Number: 109377 Expires: 01/20/25

Inspection report reviewed with person in charge and emailed.

Signed: _____
Establishment Representative

Signed:  _____
Inspector Number 8058
Sanitarian 3
MDH Metro Office
651 201 4500
health.foodlodging@state.mn.us