

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 08/31/2010
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 14G195	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 03/04/2010
NAME OF PROVIDER OR SUPPLIER OLSON TERRACE			STREET ADDRESS, CITY, STATE, ZIP CODE 3006 ALIDA STREET ROCKFORD, IL 61103		
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W 154	Continued From page 41 reports made to the Illinois Department of Public Health for change of condition? E1 stated "No not since survey 1-21-10". Any incidents or accidents for the last 4 months? E1 replied no will look to see for R9. Any falls in last 4 months? E1 replied no Any bruises or injuries of unknown origin? E1 replied no When E1 was asked when was the most recent safety committee meeting held? E1 replied one was for R9 held in January 2010. E1 replied it is only done if something happens. Any incidents to review? E1 replied "no". Any other progress notes or incident reports found E1 replied no What is the policy for physical injury and illness? E1 replied the policy is in the book. This surveyor was not given any reproducible information for which the allegations of abuse by R4 were investigated.	W 154			
W9999	FINAL OBSERVATIONS LICENSURE VIOLATIONS 350.620a) 350.1060e) 350.1060j) 350.3240a) 350.3240d) Section 350.620 Resident Care Policies a) The facility shall have written policies and procedures governing all services provided by the facility which shall be formulated with the involvement of the administrator. The policies shall be available to the staff, residents and the	W9999			

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W9999	<p>Continued From page 42</p> <p>public. These written policies shall be followed in operating the facility and shall be reviewed at least annually.</p> <p>Section 350.1060 Training and Habilitation Services</p> <p>e) An appropriate, effective and individualized program that manages residents' behaviors shall be developed and implemented for residents with aggressive or self-abusive behavior. Adequate, properly trained and supervised staff shall be available to administer these programs.</p> <p>j) Appropriate records shall be maintained for each resident functioning in these programs. These shall show appropriateness of the program for the individual, resident's response to the program and any other pertinent observations and shall become a part of the resident's record.</p> <p>Section 350.3240 Abuse and Neglect</p> <p>a) An owner, licensee, administrator, employee or agent of a facility shall not abuse or neglect a resident. (Section 2-107 of the Act)</p> <p>d) A facility administrator, employee, or agent who becomes aware of abuse or neglect of a resident shall also report the matter to the Department. (Section 3-610 of the Act)</p> <p>These Regulations were not met as evidenced by the following:</p> <p>Based on record review and interview the facility failed to ensure oversight and implement policies and procedures to ensure individuals residing at this facility are free from client to client abuse</p>	W9999			

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W9999	<p>Continued From page 43 impacting 1 of 3 clients in the sample (R3) and 3 outside the sample (R5, R6, and R8).</p> <p>Findings include:</p> <p>Per review of the Physician Order Sheet dated 2-1-10 through 2-28-10, R3 is a 50 year old female who is verbal and ambulatory. R3 functions in the Moderate Range of Mental Retardation. R3's list of diagnoses includes Hypertension, Generalized Anxiety Disorder, and Depression.</p> <p>Per review of the Physician Order Sheet dated 2-1-10 through 2-28-10, R5 is a 41 year old female who is verbal and ambulatory. R5 functions in the Moderate Range of Mental Retardation. R5's list of diagnoses includes Anxiety Disorder and Bipolar Disorder.</p> <p>According to the review of the Individual Service Plan dated 9-3-09, R4 is a 48 year old male who is verbal and ambulatory. R4 functions in the Moderate Range of Mental Retardation. R4's list of diagnoses includes Bipolar Disorder (Manic Type) and Intermittent Explosive Disorder.</p> <p>Per record review of incidents from Day Training not given to surveyor by the facility:</p> <p>The Antecedent Behavior Consequence (ABC) card dated 1-29-10 at 11:30 A.M. states behavior, physical aggression R4 hit R6.</p> <p>The ABC card dated 2-8-10 at 11:45 A.M. states R4 displayed physical aggression and agitation. R4 returned to the room after lunch and R6 was sitting in the seat he was in before. He became agitated. As I got him to switch seats, he</p>	W9999			

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W9999	<p>Continued From page 44 punched R6 in the arm.</p> <p>The ABC card for 1-8-10 at 9:35 A.M. states R4 displayed physical aggression, screaming, yelling, threatening, teasing and provoking others. R4 came at R8 and myself with a closed fist and said he would hit both of us. He threatened R8 and myself saying he was going to hit us and beat R8 up at home. R4 was told to stop teasing R8 and continued to do so. R4 kept saying things to R8 to get him upset.</p> <p>The ABC card dated 1-8-10 at 11:40 A.M. states R4 was screaming, yelling, threatening, repeated non compliance, teasing and provoking others. R4 was threatening R8 saying that he was going to beat him up at home. R4 was told to stop and wouldn't. R4 was saying and making inappropriate gestures to R8 and myself at lunch.</p> <p>The ABC card dated 2-11-10 at 1:40 P.M. states R4 was physically aggressive. R5 walked over by R4. R4 said he didn't want her close by and hit R5 as she was walking away.</p> <p>The ABC card dated 11-6-09 at 9:30 A.M. states R4 was physically aggressive, screaming, yelling, and threatening. R4 went after R3. I got in the middle of them to stop him from hitting her. He then grabbed my shirt and kicked me in the shins repeatedly. He was threatening staff and punching his closed fist into his open hand. He was asked repeatedly to stop chasing R3. He was asked repeatedly to stop kicking staff and to let go of staff's shirt.</p> <p>The ABC card dated 11-5-09 at 11:30 A.M. states R4 was screaming, yelling, threatening, teasing and provoking others. R4 was verbally teasing</p>	W9999			

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W9999	<p>Continued From page 45</p> <p>R3. R4 held up his fist after her. I got between them and had R3 stay with me.</p> <p>The ABC card dated 1-5-09 states R4 was screaming, yelling, and threatening. I saw R4 go after R3 with a closed fist. I got them to go in different directions.</p> <p>The ABC card dated 11-6-09 at 9:40 A.M. states R4 was physically aggressive, screaming, yelling, threatening, agitation, and stripping. R4 became agitated in the break room. R4 picked up a chair over his head threatening to throw it at R3. R4 was told to put the chair down. R4 complied. R4 picked up a napkin holder threatening to throw it and tried to upset tables. R4 was asked to stop and sit down. R4 physically grabbed hold of staff, tried to bite and hurt staff, pushing staff.</p> <p>The ABC card dated 11-10-09 at 11:40 A.M. states R4 was screaming, yelling, and threatening. When R3 was coming out of the bathroom R4 went after her. I asked R3 to stay by me. R4 came after me with a closed fist threatening to punch me. He then sat down at a table with his peers.</p> <p>The ABC card dated 11-10-09 at 11:45 A.M. states R4 was physically aggressive, screaming, yelling, and threatening. I saw R4 walking toward R3 and I stepped between them. R4 pushed me and called me some profanities then sat down for lunch.</p> <p>The ABC card dated 12-10-09 at 1:40 P.M. states R4 was teasing and provoking others. During break R4 was teasing R3. I separated them and asked them to go to opposite ends of the room.</p>	W9999			

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W9999	<p>Continued From page 46</p> <p>The ABC card dated 12-10-09 at 2:20 P.M. states R4 was displaying behaviors of physical aggression and agitation. R4 swung at and tried to hit R3. R4 was asked to stop.</p> <p>The ABC card dated 12-10-09 at 2:50 P.M. states R4 was physically aggressive. R4 tried to hit R3 and was blocked then hit staff.</p> <p>The ABC card dated 11-5-09 at 1:40 P.M. states R4 was displaying physical aggression, screaming, yelling, threatening, and agitation. R4 was upset with another consumer. I blocked R4's advances towards others. R4 started screaming at me, picked up a chair threatening me with the chair. I tried to problem solve with R4 but he would not listen. R4 set chair down and I removed the chair. R4 came towards me and grabbed my arms, and digging his fingernails into my arms, drew blood. Staff helped me with R4.</p> <p>Per interview with Z4 (Qualified Mental Retardation Professional at Day training) on 2-24-10 at 10:59 A.M., when asked whether R4 hits people he replied, "yes he has hit quite a few people and also hit R5 and 5 or 6 people if I had to guess." Z4 states he has been really great lately. Z4 stated that R4 can be fine all day and it is usually when he gets mad and there is usually a reason to it which causes physical aggression. Z4 stated the ABC card is marked on the behavior form and a copy is given to Z5 (Director Rehabilitation Services), Z7 (Director of Community Services), and the facility.</p> <p>Per interview with Z5 (Director of Rehabilitation Services) on 2-24-10 he stated that they are working on a behavior intervention plan for R4 and that E4 (RSD) came out to talk with Z7</p>	W9999			

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W9999	<p>Continued From page 47</p> <p>(DCS) in regards to his behavior. Z5 stated most of his behavior issues are at the facility home rather than here at day training. When asked why, Z5 replied look at the issues in his behavior program written for him like teasing peers and agitating peers.</p> <p>A Consultation Report dated 3-27-09 states as follows: R4 has been having problems with temper, running off and mouthy. Pulled a butter knife on a case worker who is new and frightened of him. He came home upset and had behaviors at home.</p> <p>A Consultation Report dated 10-27-09 states that R4 elopes to see how far he can push staff before they react.</p> <p>The QMRP Summary Program Progress Notes Dated March 2009 states R4 had an onset of increasing behaviors from the middle of March to the end of March. His behaviors include several of his targeted behaviors, which involved targeting a particular resident and a particular staff. These behaviors resulted in a return visit to E9 (Psychiatrist) to assess this situation. R4 12 incidents of teasing peers, 7 incidents of agitating peers, and 5 incidents of physical aggression this month.</p> <p>Per record review of the QMRP Summary Program Progress Notes dated February 2009 states R4 had 12 incidents of teasing peers, 7 incidents of agitating peers, and 5 incidents of physical aggression.</p> <p>Per record review of the QMRP Summary Program Progress Notes dated January 2009</p>	W9999			

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W9999	<p>Continued From page 48</p> <p>states R4 had 1 incident of teasing peers, 2 incidents of agitating peers, and 1 incident of Physical aggression.</p> <p>The record review of the Behavior Program Form with a start dated 10-1-09 contains the following information: Individual Program Assessment R4's current diagnoses is Bipolar Disorder (Manic Type) and Intermittent Explosive Disorder. R4's behaviors include threatening others, yelling, teasing, calling names, exposing genitals, disrobing and/or urinating in the common areas of the home, self-abusive, shaving his head and hitting both staff and peers. Program setting is wherever maladaptive behaviors occur. Programming Methods and Instruction states before a behavior escalates to physical aggression, R4 shows signs ahead of time that something is bothering him. These signs include: mild teasing of peers, pacing, covering his hands over his ears and leaving the room, or a look of agitation on his face. When R4 shows these signs, staff will approach R4 and ask them what they can help him do to calm down. Should R4 escalate to the point of aggression, staff will ensure the safety of peers by removing them from the immediate vicinity. Staff should ignore R4's behavior as long as it does not pose a threat to others. If he gets to the point of harming others the RSD should be called immediately for further instruction. R4 often will become less aggressive in the presence of a person in a position of authority. Staff should stress to R4 how smart he is and how he is able to make these decisions for himself and that hopefully next time he will make a better decision. R4 should be reminded of these opportunities as soon as he displays early</p>	W9999			

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W9999	<p>Continued From page 49 signs of behaviors.</p> <p>Per record review of the Maladaptive Behavior Form dated February 1 to February 28 2010 for teasing and agitation of peers: 2-11-10 from 6:45 A.M. to 7:35 A.M. R4 was teasing peers and agitating peers. This form does not identify who the peer or peers being teased or agitated.</p> <p>Per record review of the Maladaptive Behavior Form dated January 1 to January 31 2010 for teasing and agitation of peers: 1-25-10 from 5:30 P.M. to 8:00 P.M. R4 was teasing peers, agitating peers, and physical aggression 1-28-10 from 5:00 P.M. to 5:06 P.M. R4 was teasing peers 1-30-10 from 5:30 P.M. to 5:37 P.M. R4 was teasing peers, agitating peers, and physical aggression 1-30-10 from 7:45 P.M. to 7:47 P.M. R4 was teasing peers, agitating peers, and physical aggression 1-30-10 from 8:05 P.M. to 8:07 P.M. R4 was teasing peers, agitating peers, and physical aggression 1-31-10 from 4:30 P.M. to 4:32 P.M. R4 was teasing peers, agitating peers 1-31-10 from 7:45 P.M. to 8:05 P.M. R4 was teasing peers, agitating peers, and physical aggression This form does not identify the peers who are being teased, agitated, and physical aggression.</p> <p>Per record review of the Maladaptive Behavior Form dated December 1 to December 31 2009 for teasing and agitating peers is as follows: 12-3-09 no time documented R4 was teasing</p>	W9999			

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W9999	<p>Continued From page 50</p> <p>peers. 12-4-09 no time documented R4 was teasing peers. 12-5-09 no time documented R4 was agitating peers. 12-8-09 no time documented R4 was teasing peers. 12-12-09 no time documented R4 was teasing peers. This form does not identify the peers who are being teased or agitated.</p> <p>Per record review of the Maladaptive Behavior Form dated November 1 to November 30 2009 for teasing and agitating peers is as follows: 11-3-09 from 8:00 A.M. to 8:10 A.M. was teasing peers and agitating peers 11-5-09 from 7:00 A.M. to 7:10 A.M. was teasing peers and agitating peers 11-7-09 from 8:00 A.M. to 8:05 A.M. was teasing peers and agitating peers 11-7-09 from 10:00 A.M. to 10:15 A.M. was teasing peers, agitating peers, and physical aggression 11-18-09 from 7:00 A.M. to 7:05 A.M. was teasing peers 11-19-09 from 6:50 A.M. to 7:00 A.M. was teasing peers, agitating peers, and physical aggression This form does not identify the peers who are being teased, agitated and physical aggression.</p> <p>Per interview with E4 Resident Service Director on 2-24-10 at 2:55 P.M. she stated that R4 might have been targeting R2 or maybe R1. E4 said the staff person might have been E3 Direct Service Provider.</p> <p>Per interview with R2 on 2-24-10 at 11:18 A.M.</p>	W9999			

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W9999	<p>Continued From page 51</p> <p>she stated "I do not feel safe when R4 has his behaviors. What are the rest of us (clients) supposed to do". R2 stated that R4 attacked R6 at the end of January 2010. R2 stated that R4 also attack staff.</p> <p>Per interview with R4 on 2-24-10 at 11:15 A.M. stated when asked do you hit others he stated "Yes but not very often." When asked if the police were at the facility R4 replied "oh yea". When asked why the police came to the facility R4 replied "they came because of my behavior."</p> <p>Per interview with R6 on 2-24-10 at 11:30 A.M. she stated that R4 did hit her one day. R6 replied lots of times R4 attacks me and I don't know why.</p> <p>Per interview with E4 (RSD) on 2-24-10 at 4:50 P.M. she stated when asked if R4 has a new behavior program, "yes they are working with an outside agency to get ideas and we hope to finish it this month and start it next month."</p> <p>Per interview with R7 on 2-24-10 at 5:07 P.M. she stated that yes R4 hit R3. When asked if the police have been at the facility she stated "they have been here a couple of times."</p> <p>Per interview with R3 on 1-20-10 at 4:15 P.M. she stated that R4 hit her in the chest and arm. R3 stated that she notified staff and that the police were at the facility to investigate. R3 stated that she was afraid of R4. At the daily status meeting on 1-20-10 E4 was notified of R3's allegations.</p> <p>Per record review of the incident report (Police Report) dated 12-13-09 states as follows: On 12-13-09 at 8:35 A.M. the police responded to</p>	W9999			

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W9999	<p>Continued From page 52</p> <p>the facility in reference to a battery complaint. E7 (Former Direct Support Personnel) called and reported being choked by R4. She advised reporting the incident to the management staff but nothing was being done about the incident. The report states that E6 (Direct Support Personnel) spoke with officers. She advised only being told by E7 that R4 choked E7 and damaged her glasses. She advised R3 also being battered by R4.</p> <p>The Police Report dated 12-13-09 states that R3 was sobbing and said that R4 is always bullying and battering R3 and E7. Today R4 was in the women's wing of the facility and causing problems. E7 told him to leave the women's wing. R4 became angry and punched E7 in the shoulder area and began choking E7. R4 punched R3 in the arm and then in the chest area. She advised "it hurt when he struck her".</p> <p>The Police Report dated 12-13-09 states that R4 told the police officers that he punched R3 and choked E7 because he was angry.</p> <p>Per interview with E4 (RSD) on 2-24-10 at 2:55 P.M. when asked if the police were at the facility in December 2009 stated " I don't recall, I don't believe so that was a happy month. You would have to ask someone else to be sure". When asked if there was a police report stated "I don't have any police reports."</p> <p>Per interview on 2-22-10 at 4:41 P.M. with E1 (Administrator), when asked if any allegations of physical abuse were investigated on 1-20-10, E1 stated that she had talked to R3 that day. When asked if this was reported to the Illinois Department of Public Health she stated "no</p>	W9999			

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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 14G195	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 03/04/2010
NAME OF PROVIDER OR SUPPLIER OLSON TERRACE			STREET ADDRESS, CITY, STATE, ZIP CODE 3006 ALIDA STREET ROCKFORD, IL 61103		
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W9999	<p>Continued From page 53</p> <p>because investigating it there was nothing in it to report." When asked if there are any client to client hits and/or physical aggression. E1 replied not recently, it would be documented in a progress note. E1 stated she did not know when the last one was.</p> <p>Per interview with E3 (Direct Service Provider) on 2-22-10 at 11:22 A.M., when asked whether she knew of any client hitting another client stated yes. E3 stated I have not seen as much lately. When asked where is this documented, E3 stated on a progress note. E3 stated that E4 Resident Service Director takes the progress notes out and E3 does not know what is being done about the paper work.</p> <p>An interview with E1 (Administrator) on 2-22-10 at 2:00 P.M. went as follows: When asked if there has been any serious incidents or accidents involving a resident on the premises, any medication errors, drug reactions and all situations requiring emergency services, or any reports made to the Illinois Department of Public Health for change of condition, E1 stated "No not since survey 1-21-10." Any incidents or accidents for the last 4 months? E1 replied no will look to see for R9. Any falls in last 4 months? E1 replied no Any bruises or injuries of unknown origin? E1 replied no. When E1 was asked when was the most recent safety committee meeting held, E1 replied one was for R9 held in January 2010. E1 replied it is only done if something happens. Any incidents to review? E1 replied "no." Any other progress notes or incident reports found? E1 replied no What is the policy for physical injury and illness?</p>	W9999			

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W9999	<p>Continued From page 54</p> <p>E1 replied the policy is in the book.</p> <p>E6 (Direct Support Personnel) on 2-24-10 at 2:59 P.M., when asked if the police were at the facility in December 2009, stated, "to the best of my knowledge I do not recall." When asked if R4 hit R3, stated "a long time ago couple months ago." When asked if she talked to the police, stated, "I'm just trying to remember I do not recall to the best of my memory. I'm just part time."</p> <p>Per interview with E6 (DSP) on 2-24-10 at 4:39 P.M., when surveyor showed E6 the police report, she stated, "yes this is my name on the police report." When asked if the police were at the facility, she replied, "yes they were here. I recall the date it was about R4."</p> <p>Per interview with E4 (RSD) on 2-24-10, when asked if there are any progress notes for R3, R4, and R5, she stated there are no progress notes for R3, R4, and R5.</p> <p>When asked if the police were at the facility in December 2009, E4 replied, "I don't recall. I don't believe so that was a happy month. You would have to ask someone else to be sure." When asked if the facility had any police reports, she stated, "I don't have any police reports."</p> <p>Per interview with E1 (Administrator) on 2-24-10 at 5:05 P.M., when asked if the police were at the facility in December E1 stated, "yes they were called by a former staff person who was not present when they arrived." When asked if this is all the information on the allegation of 1-20-10, E1 stated "yes that is it."</p> <p>Per review of the Facility Policy Number 5.24 adopted 7/03 revised 11/08 states as follows:</p>	W9999			

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W9999	<p>Continued From page 55</p> <p>The definitions of abuse is the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting harm, pain, or mental anguish.</p> <p>Staff responsible administrator, qualified mental retardation professional, employee, agent, and others as deemed necessary.</p> <p>The purpose of the investigative committee shall be responsible to identify, review and determine if alleged violations of any individual's rights, including abuse and neglect have occurred. To investigate allegations in a professional and impartial manner. To protect individuals from further harm.</p> <p>The procedure is any facility employee or agent who witnesses or suspects a violation of resident rights, abuse, or neglect as well as injuries of unknown source shall immediately report the matter to facility management. In order for the incident to be considered reported the employee or agent must speak directly to one of the following managers: administrator, executive director or director of operations. If the allegation is one of the following situations the Administrator or designee will contact law enforcement by calling 911 or the local emergency number: Physical abuse involving physical injury inflicted on an individual by a staff member or a visitor. The employee will document a brief note regarding the incident on a Progress Note prior to leaving the shift.</p> <p>The facility administrator shall report the matter within 24 hours, and send a written report within 5 working days to the individuals representative and to the Illinois Department of Public Health.</p> <p>The committee members shall meet to review the allegations, conduct interviews and examine the information available that is pertinent to the incident.</p>	W9999			

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W9999	Continued From page 56 The facility failed to implement the Policy on Abuse by not investigating allegations of abuse by R4. The surveyor was not given any reproducible information for which the allegations of abuse by R4 were investigated. The surveyor was also not given any information in regards to the allegation of abuse by R4 being reported to Illinois Department of Public Health. (A)	W9999		