

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: 14G229	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 03/05/2010
NAME OF PROVIDER OR SUPPLIER VILLAGE INN-COBDEN			STREET ADDRESS, CITY, STATE, ZIP CODE 114 ASH STREET COBDEN, IL 62920		
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W 331	Continued From page 31 abrasion secondary to entropia, requiring surgery twice and after he developed a bacterial infection of the left eye. Z1 (Eye Specialist) was interviewed by telephone on 02/10/10 at 3:58 P.M. and stated, "R1 was seen for erosion of the cornea which is a perforation of the eye. He had severe entropion of his eye. This would hurt bad and he should have complained. R1 should have been seen sooner..." During this interview Z1 stated that R1 may require a "corneal transplant" due to erosion of his cornea.	W 331			
W9999	FINAL OBSERVATIONS LICENSURE VIOLATONS 350.1060e) 350.1060h) 350.3240a) Section 350.1060 Training and Habilitation Services 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. h) There shall be available sufficient, appropriately qualified training and habilitation personnel, and necessary supporting staff, to carry out the training and habilitation program. Supervision of delivery of training and habilitation services shall be the responsibility of a person who is a Qualified Mental Retardation	W9999			

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W9999	<p>Continued From page 32 Professional.</p> <p>Section 350.3240 Abuse and Neglect 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>These Regulations were not met as evidenced by:</p> <p>Based on observation, interview and record review, the facility failed to implement a behavior intervention plan with necessary supervision to ensure that individuals are not subjected to abuse from an individual (R3). This resulted in incidents of physical abuse to seven individuals (R2, R5, R6, R7, R8, R9 and R10) by R3, affecting 7 of 15 individuals living at the facility in the past year. Client to client abuse has occurred and the facility failed to:</p> <p>1) Implement behavioral interventions necessary to prevent R3 from abusing his peers;</p> <p>2) Revise R3's behavior program after program strategies proved ineffective in preventing him from abusing his peers; and</p> <p>3) Provide necessary monitoring and supervision to protect individuals from abuse from R3.</p> <p>Findings include:</p> <p>The facility's policy and procedures entitled, "Abuse and /or Neglect of Individuals" (no date) states, "It is the policy of this facility to provide a safe environment for the individuals served that is free from abuse and neglect." This policy defines Physical Abuse as, "... any physical motion or</p>	W9999			

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W9999	<p>Continued From page 33</p> <p>action, (hitting, slapping, punching, kicking, pinching, etc) by which bodily harm or trauma occurs. This policy also defines Neglect as "failure to provide goods or services necessary to avoid physical or psychological harm."</p> <p>The Physician's Orders sheet dated 01/01/10 states that R3 is a 50 year old male, functioning at a moderate level of mental retardation with additional diagnoses of Mood Disorder.</p> <p>R3 was observed on 02/10/10 at 10:55 A.M. sitting in a chair at a table at the day training site. He was sitting in the chair with his eyes closed. E10 (Day Training Direct Support Staff) was present at R3's table at this time. E10 stated, "R3 sleeps constantly while at work. If you wake him up he becomes agitated. We usually just let him sleep. He has behaviors here, especially when working in the lunch room. When he works in the lunch room he hits people if they get in his way...."</p> <p>In reviewing R3's day training behavioral data, the following incidents were noted:</p> <p>03/04/09 Universal Progress Notes: "When I was walking through the dining room I saw R3 swing and hit a peer (unidentified) on the arm with his spray cleaner bottle...."</p> <p>05/20/09 Behavior Frequency Sheet: "R3 was working in the kitchen, when he became upset for unknown reason. He pinched another client (unidentified), then began spraying her (unidentified) in the face with his spray bottle (weak bleach/H2O (water) solution). He sprayed her approx. (approximately) 6x's before this staff could get between them..."</p>	W9999			

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W9999	<p>Continued From page 34</p> <p>08/11/09 Behavior Frequency Sheet: R3 scratched a peer (unidentified) on the shoulder. The peer touched the water glasses he was sitting out and it made R3 mad..."</p> <p>11/16/09 Behavior Frequency Sheet: "R3 was cleaning tables, he did not like the other peer (unidentified)cleaning tables, he kept stating this is my side. The other female peer was cleaning her side, was asked to stop and calm down, he continued yelling out, he then ran toward this peer, striking out at this peer, hitting her in the shoulder..."</p> <p>On 02/17/10, R3 was observed at his day training site at 8:15 A.M. R3 was sitting at a table in the lunch room with two peers (unknown) assisting with passing out coffee for break. There were no staff present near the area where R3 was sitting.</p> <p>R6 was interviewed on 02/17/10 at 8:20 A.M. and stated, "R3 (called R3 by another name) broke my glasses. I'm scared of him a little bit..." R6 stated that he had seen R3 in the lunch room just before he came to talk with the surveyor. R6 was not observed wearing his glasses during this interview and told the surveyor that they had been broken. (E1 RSD said on 02/17/10 at 10:20 A.M. that R6 calls R3 by the name he mentioned during the interview.)</p> <p>E1 (Resident Services Director/RSD) was interviewed on 02/17/10 at 10:20 A.M. and confirmed that R6's glasses had been broken. E1 stated, "We took a pair to him this morning after having them repaired. R3 has broken his (R6's) glasses during behaviors..." During this interview, E1 could not provide documentation</p>	W9999			

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W9999	<p>Continued From page 35 showing how long R6's glasses had been broken.</p> <p>An Incident/Accident Report dated 02/15/10 identifies that R3 had pulled R6's glasses off his face and then twisted the glasses.</p> <p>The facility's roster dated 2009 states that R6 is an 40 year old male functioning at a moderate level of mental retardation. R6's Physician's Orders and Recertification sheet states that his diagnoses include, Cardiomyopathy, Bilateral and Congenital Enlarged Heart.</p> <p>In reviewing the facility's Incident/Accident Reports and Behavior Development Frequency sheets from September 2009 - February 2010, R6 has been attacked by R3 six times (09/24/09, 09/26/09, 10/17/09, 10/19/09, 10/25/09 and 02/15/10).</p> <p>R7 was interviewed on 02/17/10 at 9:15 A.M. and stated, "R3 has been hitting on people. He hits R6 and breaks his glasses. He (R3) started on me this morning. He (R3) also hits on R10...." During this interview R7 stated, "R3" when asked if he was scared of anybody at the facility.</p> <p>In reviewing the facility's Incident/Accident Reports and Behavior Development Frequency sheets from January 2009 - October 2009, the following incidents of client to client aggression were noted:</p> <p>01/05/09 "R1 sustained scratches to his face and right ear and alleged that he was kicked in the right leg. R1 sustained bruising to his back after this physical confrontation with R3...."</p>	W9999			

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W9999	<p>Continued From page 36</p> <p>02/26/09 "R2 had his fingers bent backwards by R3...."</p> <p>03/16/09 "R11 hit in her left shoulder by R3...."</p> <p>03/23/09 Behavior Development Frequency sheet dated 03/23/09 states, "R3 was in the dining room when other peer (R10) was stacking glasses on cart. R3 did not like the way he was doing it. He began to hit R10 on his R upper arm...."</p> <p>03/24/09 "R2 was hit twice in the right upper arm by R3...."</p> <p>03/30/09 "R1 alleged that he had been kicked by R3 last week..." (Staff illustrated bruising to the front of the leg, below the knee down to his ankle)</p> <p>Behavior Development Frequency sheet dated 04/07/09 states, "Peer (R2) was agitating R3 wanting him to shake his hand. R3 instead of shaking his hand, grabbed it forcefully and began squeezing and twisting it...."</p> <p>04/24/09 "R4 hit on right shoulder by R3...."</p> <p>Behavior Development Frequency sheet dated 04/24/09 states, "R4 was looking out the window when peer R3 punched her with clenched fist. There was no prior provocation for R3's actions! He did not appear to be angry or upset but he hit there with enough force to cause a red mark to her arm..."</p> <p>05/03/09 "R2 punched several times by R3 with closed fist...."</p>	W9999			

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W9999	<p>Continued From page 37</p> <p>Behavior Development Frequency sheet dated 06/28/09 states, "Peer (R10) was putting his dinner plate and cup on the cart after supper. He began stacking the cups as he always does. R3 was standing behind him and became agitated. R3 yelled, "Stop it R10!" several times - he then kicked R10 on the leg...."</p> <p>Behavior Development Frequency sheet dated 06/28/09 states, "... This staff was sitting at table 3 monitoring. R7 came and sat down. R3 yelled... R3 continued to get agitated, slapped his washcloth down on the table. R7 was talking to staff... R3 yelled, "Shut up R7"... He (R3) then proceeded to hit R7 several times on the back before staff was able to intervene. R3 walked away... Then began laughing...."</p> <p>08/08/09 "R3 threw a chair at R5 hitting him in the face. See behavior book on R3...."</p> <p>Behavior Development Frequency document for 08/08/09 states, "R3 became agitated for unknown reasons. He had the bucket and was ready to wash tables. Peer (R5) was still sitting at first table. He (R3) became aggressive. Staff tried to redirect, this was unsuccessful. R3 shoved the table towards R5. Staff again tried to redirect. About that time R3 picked up a chair and threw it hitting R5 in the face...."</p> <p>In reviewing R5's Nurse's Notes, no injuries are documented. This note refers the reader to see the Incident Report and Behavior Note for R3.</p> <p>09/05/09 "R3 struck peer (R10). I (E5 Direct Support Person/DSP) am uncertain which hand he struck him with Overheard the commotion and redirected...."</p>	W9999			

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W9999	Continued From page 38 Behavior Development Frequency sheet dated 09/24/09 states, "R3 was setting the table at supper time when peer R6 said something, not even talking to R3 when he shouted out "Shut Up." He then stomped his feet and began walking away from peer... R3 was in the kitchen when peer (R6) walked through. For reasons unknown to staff, R3 punched him in the left arm." Behavior Development Frequency sheet dated 09/26/09 states, "R3 was sitting in the dining room when peer (R6) entered the room. Unprovoked R3 approached R6 and punched him in the R (right) temple knocking him to the ground. See Incident and Head Injury Report." In reviewing R6's record, no Head Injury Report was noted for the 09/26/09 incident. Interview with E1 (RSD) on 03/04/10 at 4:30 P.M. per telephone confirmed that this report was not contained in R6's record. E1 stated, "R6 had not been admitted to the facility yet (on 09/26/09) and I can't find any of the reports that were done during that time...." 09/28/09 "R9 was putting her plate on cart after supper when peer (R3) hit her with his fist on right arm. No bruising at this time...." Behavior Development Frequency sheet dated 10/17/09 states, "R3 came down this AM in bad mood - he hit peer R4 and R6 for no reason this AM. Staff redirected several x (times) - he (R3) broke peer (R6) glasses when he hit him. Staff got peers in different area and then R3 went to talk to staff and keep saying he didn't break peers glasses...."	W9999			

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W9999	Continued From page 39 Behavior Development Frequency sheet dated 10/19/09 states, "...heard R3 hollering at peer (R6). I came into dining room and R3 was going after R6. Staff stepped in front of R3 which kept peer (R6) from being hit.. Staff was hit 6 to 7 times in the arm and shoulder by peer (R3)...." Behavior Development Frequency sheet dated 10/25/09 states, "R3 was working in kitchen. Peer (R6) followed staff in kitchen to get the K***A** (name brand). Peer (R6) was asked to leave the kitchen area. R3 struck him as we were trying to get him to go back in DRM (dining room). He hit peer in the left side of his upper lip, his glasses fell on the floor..." R3's Psychiatric Progress Notes dated 10/02/09 states, "Increased physical aggression - still out of nowhere - New folks attacked when they came... Someone likely to get hurt with these aggressive attacks it sounds...." R3 was seen again by the psychiatrist on 10/16/09 with recommendations to follow up as needed or return back to the psychiatrist in one month. No documentation is noted identifying that R3's was referred back to the psychiatrist for follow up after the 10/17, 10/19 or 10/25/09 incidents. Further file review identifies that R3's behavior program was not revised until 10/27/09. E3 (Qualified Mental Retardation Professional/QMRP) was interviewed on 02/19/10 at 3:20 P.M. and stated, "R3's behavior program was revised on 10/27/09. We revised his schedule so that he would be observed by staff at all times."	W9999			

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W9999	<p>Continued From page 40</p> <p>After R3's daily schedule was revised on 10/27/09, the following behaviors are noted as documented on the Behavior Development Frequency sheet. This sheet identifies,</p> <p>11/14/09 "R3 was in the dining room getting the tables ready for lunch and peer R9 was walking around in the dining room and he hit her. This writer did not see where he hit her..."</p> <p>R3 was seen by the psychiatric on 11/16/09 and these notes state, "Still physical aggression - generally towards peers...."</p> <p>In review of the Interdisciplinary Team (IDT) meeting report dated 12/03/09, a behavior program is included to address R3's aggressive outburst. This program states that his behaviors involve , "... striking out at self and others with the potential to escalate to verbal aggression and property destruction...." This program identifies that R3 has had twenty five incidents of physical assault as indicated by his monthly progress notes from 01/09 through 11/09. Further review of this program states that the prevention measures to reduce R3's behaviors include, "Careful monitoring of R3." Further interventions include,</p> <p>"... 3. If R3 makes any threats of physical harm to self or others or to destroy property, attempt to redirect to a quiet area to counsel R3.</p> <p>4. If R3 moves to strike out at self or others and/or destroy property, try to calm. Remove other persons and objects from the immediate area. Attempt to talk R3 down.</p> <p>5. Medications per M.D. (Medical Doctor) orders...."</p>	W9999			

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W9999	<p>Continued From page 41</p> <p>No further interventions are included within this behavior program identifying what staff are to do if R3 actually strikes others. This program also does not specify the level of staff supervision needed to prevent R3 from assaulting his peers.</p> <p>E3 (Qualified Mental Retardation Professional/QMRP) was interviewed on 02/19/10 at 3:20 P.M. and stated, "With the exception of the scheduling revision (10/27/09), no changes were made to R3's behavior program from the prior year." E3 stated, "No" when asked if any methods were changed in the behavior program. E3 also stated, "No" when asked if R3's level of staff supervision had been changed after R3's behavior continued even with the revision of his daily schedule on 10/27/09.</p> <p>The Behavior Development Frequency document for December 2009 states:</p> <p>12/27/09 "R3 was trying to get R4's coat from other peer (R8). She wouldn't let go. He then became very mad. He started hitting on her back... He then got hold of the back of her blouse and pulled her down to the floor on her butt..." (The facility's roster dated 2009 states that R8 is a 70 year old female functioning at a profound level of mental retardation.)</p> <p>The Incident/Accident Reports for February 2010 states:</p> <p>02/03/10 "R3 struck peer (R7) several times with his right fist. No injuries apparent...."</p> <p>02/08/10 "Peer (R9) walked past R3 while he was cleaning a table, and for unknown reason he hit R9 twice on the right shoulder." (The facility's</p>	W9999			

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W9999	<p>Continued From page 42</p> <p>roster dated 2009 states that R9 is an 88 year old female functioning at a profound level of mental retardation.)</p> <p>In reviewing R3's behavioral incidents, no investigations are noted regarding any incidents of client to client aggression from January 2009 - January 2010. Record review did not identify that preventative measures were implemented to prevent further incidents of client to client abuse from R3.</p> <p>On 02/15/10, R6 was again attacked by R3. The Incident/Accident Report dated 02/15/10 states, "R3 was on his way to kitchen after using the bathroom, when peer R6 said "Hi" to him. R3 immediately ran over to R6 (who was sitting at the end of #1 table) and hit him (R6) once on right side of face and then used both hands to pull R6's glasses off and then twisted the glasses.</p> <p>R3 was seen by his psychiatrist on 02/19/10. R3's Psychiatric Progress Notes dated 02/19/10 states, "Pt (patient) assaulting peers still, 88 y/o (year old) lady, broke resident glasses punching resident in face w/o (without) provocation. On 1:1 during the day...."</p> <p>On 02/17/10 at 3:00 P.M., E1 (RSD) stated that R3 had been placed on "visual observation" on 02/16/10. E1 also stated that the facility did not have specific policy and procedures regarding levels of supervision and or definitions for levels of supervision.</p> <p>R11 was interviewed on 02/19/10 at 3:55 P.M. and stated, "R3 hits people. He hits the other boy (R10) in the back with a coffee cup. R7 gets</p>	W9999			

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CENTERS FOR MEDICARE & MEDICAID SERVICES

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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 14G229	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 03/05/2010
NAME OF PROVIDER OR SUPPLIER VILLAGE INN-COBDEN			STREET ADDRESS, CITY, STATE, ZIP CODE 114 ASH STREET COBDEN, IL 62920		
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W9999	<p>Continued From page 43</p> <p>hit. He (R7) makes him (R3) mad. The other boy (R6) gets hits. He's (R3) in the kitchen now. He (R3) knocked R6's glasses off and broke them. E1 and E3 tried to stop him (R3). R3 doesn't bother me. I'm lucky I didn't get hit by him...."</p> <p>R3 was observed in the kitchen area of the facility on 02/19/10 at 4:15 P.M. sitting at a table wrapping silverware. Staff (E7) was present in the kitchen with R3, but was not observed to be in close proximity to R3. Staff was approximately 3-4 feet away from R3.</p> <p>After R3 was placed on "visual observation" on 02/16/10, R3 attacked R7 on 02/21/10. The Incident/Accident Report dated 02/21/10 states, "R7 was in recliner talking about peers when R3 became upset and went in living room and struck him in back of head with a coffee cup...." R7 sustained a 1 inch gash to the back of his head requiring emergency room treatment.</p> <p>The Behavior Development Frequency sheet for 02/21/10 states, "When I (E6 DSP) arrived for work at 6:30 A.M., I went to get R3 for kitchen duty. While I was making the juice at the sink, R3 was making a cup of coffee. About that time peer (R7) was in living room mouthing I heard R7 yelling "E6, he (R3) is hitting me." I went into living room and R3 had hit R7 in the back of head with his coffee cup, causing a 1 inch gash...."</p> <p>E6 was interviewed by telephone on 02/25/10 at 3:10 P.M. and confirmed that R3 was not on one to one staff supervision at the time of the 02/21/10 incident. E6 stated, "I worked 02/21/10 and when I came in, I went to get R3 to take him to the kitchen with me. I was trying to get things out ready for breakfast. I was making juice at the</p>	W9999			

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W9999	Continued From page 44 sink and had turned around. I heard R7 yelling and when I turned back around, R3 had left out of the kitchen and hit R7." During this interview, E6 stated that she had worked at the facility for over a year. E6 stated, "No" when asked if R3 was within arm's length of staff on 02/21/10. E6 stated, "We were told that he (R3) just had to be in the same room with staff, he was not on one to one." The facilities roster (no date) identifies that there are 13 individuals living at the facility (R1, R2, R4, R5, R7, R8, R9, R10, R11, R12, R13 and R14) who could be affected by R3's aggression. (A)	W9999			