

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

PRINTED: 03/10/2011
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 145809	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED 09/23/2010
NAME OF PROVIDER OR SUPPLIER LAKE COOK TERRACE NURSING CTR			STREET ADDRESS, CITY, STATE, ZIP CODE 263 SKOKIE BOULEVARD NORTHBROOK, IL 60062		
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F 517	Continued From page 69 Practical Nurse) did not know the correct procedure when she smells smoke. E27 stated will call the supervisor, the administrator or call 911. On 9/14/10 at 11:50am E28 (RN- Registered Nurse) did not know where the red or emergency outlets were in the event of power outage. Review of the disaster drill binder showed fire drills attendance sheets on 3 shifts at alternating months done from 9/2009 to 9/2010. There are no detailed written disaster plan and procedure regarding the fire drill or other potential emergencies. E1 (administrator) stated on 9/10/10 at 4:45pm daily status meeting, there are no other disaster plans written or done by facility, but will make sure E10 will.	F 517			
F9999	FINAL OBSERVATIONS LICENSURE VIOLATIONS 300.3240a) 300.3240d) 300.3240e) Section 300.3240 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) 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)	F9999			

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F9999	<p>Continued From page 70</p> <p>e) Employee as perpetrator of abuse. When an investigation of a report of suspected abuse of a resident indicates, based upon credible evidence, that an employee of a long-term care facility is the perpetrator of the abuse, that employee shall immediately be barred from any further contact with residents of the facility, pending the outcome of any further investigation, prosecution or disciplinary action against the employee.</p> <p>These Requirements were not met as evidenced by:</p> <p>Based on interviews and record review, the facility failed to prevent one resident (R8), of eight residents in a sample of 24, from being physically and psychologically abused by staff. This failure resulted in R8 being forced into the shower against his will and his clothing being forcibly removed from his body by staff. The facility had knowledge of the physical and mental abuse that R8 was subjected to by staff. The administrator and staff stated they were aware of R8's complaint of being raped while in the shower. The facility failed to conduct an investigation and had not implemented effective preventive measures to protect the resident (R8). The failure of the facility to protect R8 from abuse resulted in (R8)'s elopement from the facility on June 24, 2010.</p> <p>Findings Include:</p> <p>1. R8 is an 82 year old man who was originally admitted to the facility on October 1, 2005. R8 was readmitted to the facility on January 12, 2010, with a diagnose of Glaucoma, Altered Mental Status, Dizziness and Bipolar Disorder.</p>	F9999			

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F9999	<p>Continued From page 71</p> <p>R8 is alert, ambulates with minimal assist and is able to make his needs known to staff.</p> <p>2. On September 7, 2010 at 9:50 a.m. during the initial tour, R8 stated he is tired of being raped by the staff in this facility. When asked what did he mean by his statement, R8 told surveyor he is dragged into the shower and his clothes have been ripped off his body three times a week by the staff for the last couple of years. R8 stated he is so tired of this abuse, that he is going to get out of this place as soon as he gets the first chance. R8 stated he almost got away a couple months ago to report it to the police but the men dragged him back into this place (facility). When asked what happened that made him want to run away, he stated they raped me that morning and when I reported it, no one believed me. R8 was asked who is they that raped him. He replied it was two women who raped me in the shower, they just ripped my clothes off of me.</p> <p>3. On September 7, 2010 at 10:00 a.m. during an interview with (R8), he stated that every time two mostly three staff members drag him into the shower and rip his clothes off his body that they are raping him. When asked how long has this practice been going on? (R8) responded for a couple of years and no one cares about what is going on. When asked if he reported this incident (R8) stated YES to the Social Service department and the Administrator.</p> <p>4. On September 7, 2010 at 10:35 a.m. during an interview with E1 (Adminitrator), when asked if she was aware of the alleged incident, E1 stated YES, she is aware that R8 always accuses staff of molestation during showers. E1 stated this is not his (R8)'s first time stating this. E1 was asked</p>	F9999			

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F9999	<p>Continued From page 72</p> <p>if the incident was investigated and reported to Illinois Dept. of Public Health (IDPH). E1 stated No!, I did not report it to IDPH because R8 says this every time he gets a shower.</p> <p>5. On September 7, 2010 at 1:45 p.m. during an interview with E14 (Social Service Director, SSD), when asked if R8 reported incidents of abuse and molestation to this office she responded YES. E14 was asked if R8 eloped from the building in the month of June and she responded YES, that he was very upset after getting a shower and attempted an elopement on June 24, 2010. E14 was asked if an investigation was conducted related to the allegation on June 24, 2010 related to the rape and elopement. E14 responded that R8 stated that E17 was the one who gave him a shower. E14 stated that E17 was not the one who was listed as working that unit so there was no need to investigate the incident. When asked was the elopement reported, E14 stated No, but she did speak to R8 and he has threaten to escape many times if we keep giving him showers against his will.</p> <p>6. On September 8, 2010 at 2:10 p.m. during an interview with E17 (Certified Nursing Assistant, CNA), when asked if he was the one who showered R8 on the date of June 24, 2010, he responded NO, he was not at work on this date.</p> <p>7. On September 8, 2010 at 2:35 p.m., during an interview with E15 (Psychosocial Rehabilitative Service Coordinator, PRSC), E15 was asked if she was aware that R8 had come to the social service office about being raped and if she was aware of the elopement on June 24, 2010. E15 responded she was not in the office earlier that morning on June 24, 2010 when R8 first came in,</p>	F9999			

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F9999	<p>Continued From page 73</p> <p>but she was there when he came back in that afternoon. E15 stated that R8 was very upset and wanted to know what E14 was going to do about him being raped again this morning. E15 was asked if she investigated and reported the alleged incident of rape and elopement? E15 responded NO, she only spoke to R8 briefly about the elopement, not the sexual molestation. I did not do any reporting to anyone or IDPH and I do not know if an investigation had been concluded.</p> <p>8. On September 8, 2010 at 2:40 p.m., during an interview with E8 (CNA Supervisor), E8 stated that there were two females that showered (R8) on June 24, 2010. E8 stated he remembers because R8 is always upset when he gets a shower and that R8 does not like showers. E8 stated he reported the allegation of rape to E1 (Administrator).</p> <p>9. On September 8, 2010 at 2:45 p.m. during an interview with E16 (CNA), when asked if she was one of the female staff that showered R8 on June 24, 2010 and any other dates; E16 responded YES. E16 was asked if she was aware that R8 does not like showers. E16 stated R8 starts to fight staff when they take him into the shower, that sometimes it takes 2 or 3 staff to shower him. E16 stated that R8 was calling them bad word and yelling do not give me a shower. When asked why other options of hygiene care were not chosen, E16 stated she did not know.</p> <p>10. Review of the facility's Abuse Prevention Policy states that the facility is to assure that all residents are free from abuse. The facility prohibits mistreatment and abuse of its residents,</p>	F9999			

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F9999	<p>Continued From page 74</p> <p>and has established a resident sensitive and resident secure environment. The facility's policy states that the purpose of the policy is to assure that the facility is doing all that it can to control and prevent occurrences of mistreatment, neglect or abuse of their residents. The facility states the following bullets:</p> <ul style="list-style-type: none"> -Establishing an environment that promotes resident sensitivity, resident security and prevention of mistreatment -Identifying occurrences and patterns of potential mistreatments -Immediately protecting residents involved in identified reports of possible abuse -Implementing systems to investigate all reports and allegations of mistreatment promptly and aggressively by making the necessary changes to prevent future occurrences -Filing accurate and timely investigative reports <p>11. Review of the facility's Abuse Prevention Program Procedure Policy states:</p> <ul style="list-style-type: none"> -the facility shall conduct an initial investigation and report within 24 hours the alleged allegations of abuse to the Department of Public Health -the facility shall take steps to protect the resident <p>12. Review of the facility's Abuse Prevention Program Identifications, identifies the following as indicators related to physical abuse, sexual abuse, and psychological/emotional abuse.</p>	F9999			

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F9999	<p>Continued From page 75</p> <p>Physical Abuse :</p> <p>Complaints from Residents, staff or family members</p> <p>Sexual Abuse:</p> <p>Torn, stained or bloody underclothing Unexplained hostility or fear of staff or family members</p> <p>Psychological/Emotional Abuse:</p> <p>Excessive Fear Notable loss of interest in self activities or environment Withdrawn from previous social activities Agitation</p> <p>Review of the Facility's Complaint Log:</p> <p>On June 24, 2010, R8 went to the social service office to complain again of being raped in the shower room. Per social service notes when asked what he meant by being raped "R8 stated every time they take my clothes off me without my consent to me it feels like rape."</p> <p>Quality Assurance Worksheet:</p> <p>Review of the Quality review of resident's Elopement dated June 24, 2010 under the section of describe any previous elopements; social service department states, no recent attempts. The report states however in the past he (R8) has attempted to elope because he does not want a shower.</p>	F9999			

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F9999	<p>Continued From page 76</p> <p>Shower List::</p> <p>Review of the facility's shower list for Central Unit indicates that R8 is scheduled for showers three times a week on Mondays, Wednesday and Fridays.</p> <p>Social Service Notes :</p> <p>Review of social service notes dated January 4, 2010, states, "today social service was made aware by the CNA's that R8 was being physically and verbally abusive toward them when they went to give R8 a shower."</p> <p>On January 1, 2010, New Years Day per social service notes, "R8 bit all 3 of the CNA's that tried to get him in the shower. The CNA's told R8 if he did not let them shower him they would call his sister, but R8 did not care and continued to fight staff to keep them from putting him in the shower."</p> <p>Review of social service notes dated June 24, 2010, state, "during the review period R8 had not made any elopement attempts. Due to the resident R8 being upset because he was approached about taking a shower, R8 decided to go out the door because he wanted to leave the place."</p> <p>Specialized Services Notes:</p> <p>"On 6/24/2010 Some signs of depression remains apparent. Resident is still resistive to same care, for instance he (R8) is resistive to showers and refuse to wear his wanderguard. These behaviors are not easily altered and are correlated to his elopement attempt today."</p>	F9999			