

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

PRINTED: 04/15/2013
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 145683	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 02/01/2013
NAME OF PROVIDER OR SUPPLIER ABINGTON OF GLENVIEW			STREET ADDRESS, CITY, STATE, ZIP CODE 3901 GLENVIEW ROAD GLENVIEW, IL 60025		
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F 225	Continued From page 10 Protection of residents: Even if the resident might not comprehend disparaging comments, verbal or mental abuse might have taken place if the intent was willful and the content abusive. Verbal or mental abuse is just that much more harmful if the intent was willful, the intent was abusive, and the resident intimidated, frightened, or harmed by the remarks.	F 225			
F9999	Employees of this facility who have been accused of abuse, neglect or mistreatment will be removed from resident contact immediately until the results of the investigation have been reviewed by the administrator or designee. Employees accused of possible abuse, neglect or misappropriation of property shall not complete the shift as a direct care provider to residents." FINAL OBSERVATIONS LICENSURE VIOLATION: 300.610a) 300.3240c) 300.3240d) Section 300.610 Resident Care Policies a) The facility shall have written policies and procedures, governing all services provided by the facility which shall be formulated by a Resident Care Policy Committee consisting of at least the administrator, the advisory physician or the medical advisory committee and representatives of nursing and other services in the facility. These policies shall be in compliance with the Act and all rules promulgated thereunder. These written policies shall be followed in operating the facility and shall be reviewed at	F9999			

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F9999	<p>Continued From page 11</p> <p>least annually by this committee, as evidenced by written, signed and dated minutes of such a meeting.</p> <p>Section 300.3240 Abuse and Neglect</p> <p>c) A facility administrator who becomes aware of abuse or neglect of a resident shall immediately report the matter by telephone and in writing to the resident's representative. (Section 3-610 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>This regulation was not met as evidenced by the following:</p> <p>Based on record review and interview the facility failed to keep one resident (R1,) out of three residents reviewed for abuse, free from verbal abuse for three days after incident of verbal abuse was reported to the facility. The facility was notified of an incident of verbal abuse by Z1 (private duty care giver) to R1, yet allowed Z1 to remain on duty and provide care to R1 exposing R1 to possible further abuse. The facility also failed to conduct a complete investigation of the abuse to R1 in accordance with their policy.</p> <p>Findings include:</p> <p>R1 is a 72 year old female with a diagnosis of dementia. R1's admission MDS (Minimum Data Set) dated 12/23/12 documents that R1 requires</p>	F9999			

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F9999	<p>Continued From page 12</p> <p>extensive assistance for bed mobility, transfers, locomotion, dressing, toileting, personal hygiene and bathing.</p> <p>The facility's incident report dated 1/4/13 documents that an employee over heard a caregiver telling R1 that she is stupid on two separate occasions.</p> <p>The facility's investigation included a typed statement by E2 (Assistant Administrator) documenting that E4 (transporter) informed him that he over heard the caregiver stating to R1 "how old are you? You are not three years old. You're giving me a headache. I'm getting tired of this." The statement also documented that the caregiver was yelling at R1, and speaking in a very high tone that was very degrading.</p> <p>On 1/10/13 at 4:35pm, E2 stated that he completed the investigation into the situation, and identified Z1 (caregiver) as the alleged abuser. E2 stated that Z1 was hired by R1's family. The facility's guest sign in logs documented that Z1 was at the facility on 1/4/13, 1/7/13, and 1/8/13. E2 stated that 1/8/13 (4 days after the allegation) was Z1's last day working at the facility. E2 stated he did not interview nurses and certified nursing assistants that work directly with R1.</p> <p>On 1/11/13 at 11:02am, E1 (Administrator) stated the reason the facility has released Z1 from caring for R1 is because a supervisor from the Department of Public Health called and questioned her about the incident. When asked if an employee was accused of abuse, what would the facility do? E1 stated "investigate immediately." When asked what if a caregiver</p>	F9999			

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F9999	<p>Continued From page 13</p> <p>was accused of abuse? E1 stated " I don't train the care giver." E1 was asked how the facility protects the resident. E1 replied "staff would be removed " but "a caregiver would receive supervision."</p> <p>On 1/11/13 at 11:39am, E4 (transporter) stated that on 1/3/13, Z1 had stated to R1 "how old are you?" E4 then stated that on 1/4/13 after therapy R1 was waiting to be transported to her room. E4 added that Z1 stated to R1 "You're driving me crazy. You're not a little kid. You're giving me a headache." E4 also stated that Z1 started complaining to another visitor "she doesn't want to cooperate. I'm going crazy. She's always doing this to me." According to E4, R1 was visibly upset and started fighting him as he tried assisting her. E4 stated that R1 was fighting because she was agitated. E4 added that R1 is normally cooperative when spoken to in a "normal" tone. E4 stated that Z1 continued speaking to R1 in an abusive tone and he was then able to "put two and two together." E4 stated he reported the incident to the E6 (Social Worker). E4 concluded that the facility's policy to protect the resident upon an abuse allegation is to remove the abuser.</p> <p>On 1/11/13 at 11:54am, E6 (Social Worker) stated that she reported to E2 (Assistant Administrator) that Z1 verbally abused R1. E6 added that Z1 stated she was stressed out and its difficult caring for someone with dementia who can't walk. E6 stated that at that time she informed Z1 that her actions constituted verbal abuse. E6 also stated that when she entered R1's room, R1 said to her "someone told me I was a child and I couldn't do it." When asked</p>	F9999			

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F9999	<p>Continued From page 14</p> <p>how would the facility protect the resident in this case? E6 stated "If something like this happen again, we will make sure they are not in our building."</p> <p>On 1/11/13 at 1:25pm, E5 (Licensed Practical Nurse/LPN) stated that since 1/4/13 she has worked with R1 on at least two separate occasions. E5 stated that she entered the room approximately 3 or 4 times during the day to administer R1's medication. E5 stated "there was no one else in the room with R1, just Z1". When asked what was the facility's policy for an allegation of abuse? E5 replied "staff is sent out of the facility upon the complaint and then Z1 investigates." In relation to the abuser being a caregiver, E5 stated "they still have to be separated".</p> <p>On 1/11/13 at 1:44pm, E7 (Rehabilitation Director, Registered Nurse/RN) stated that when there's an allegation of abuse the abuser is not allowed to be involved in resident care until the facility investigates.</p> <p>On 1/11/13 at 2:01pm, E8 (RN) stated that if a care giver is accused of verbal abuse, they would not be allowed to work with the resident during the facility's investigation.</p> <p>On 1/11/13 at 2:31pm, E2 (Assistant Administrator) was asked if the statements Z1 made to R1 constituted abuse? E2 stated "I don't know if I can answer yes or no, but it certainly raised concerns." E2 also stated that if it was his mother, he wouldn't have wanted Z1 with her. E2 added "If this was a staff of our own, they would be reassigned or taken off duty."</p>	F9999			

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F9999	<p>Continued From page 15</p> <p>On 1/11/13 at 2:56pm, E2 stated that if an employee was accused of abuse, they would be immediately taken off duty and investigated. But when asked what's the policy if the accused was a caregiver, E2 replied "the family may choose to replace them. The family looks to us for guidance."</p> <p>The facility's Abuse Prevention policy documents:</p> <p>"Verbal abuse is the use of oral, written, or gestured language that willfully includes disparaging and derogatory terms to residents or families, or within their hearing distance, regardless of their age, ability to comprehend, or disability.</p> <p>Accused individuals not employed by the facility will be denied unsupervised access to the residents during the course of the course of the investigation.</p> <p>Protection of residents: Even if the resident might not comprehend disparaging comments, verbal or mental abuse might have taken place if the intent was willful and the content abusive. Verbal or mental abuse is just that much more harmful if the intent was willful, the intent was abusive, and the resident intimidated, frightened, or harmed by the remarks.</p> <p>Employees of this facility who have been accused of abuse, neglect or mistreatment will be removed from resident contact immediately until the results of the investigation have been reviewed by the administrator or designee.</p>	F9999			

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