

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

PRINTED: 05/17/2016
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 14G045	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 03/24/2016
NAME OF PROVIDER OR SUPPLIER CLYDE L. CHOATE MH & DEV CTR			STREET ADDRESS, CITY, STATE, ZIP CODE 1000 NORTH MAIN STREET ANNA, IL 62906		
(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) COMPLETION DATE	
W 000	INITIAL COMMENTS	W 000			
W 223	<p>Incident Investigation</p> <p>Incident of 3/4/16 IL83968</p> <p>483.440(c)(3)(v) INDIVIDUAL PROGRAM PLAN</p> <p>The comprehensive functional assessment must include social development.</p> <p>This STANDARD is not met as evidenced by: Based on interview and record review the facility failed to ensure 1 of 1 (R1) individual did not have a need for programming to be implemented when they failed to re-assess R1's sexual expression after an allegation of sexual abuse.</p> <p>Findings Include:</p> <p>Review of the facility unit roster dated 3/15/16 documents R1 is a 49 year old female who functions at a Mild Level of Intellectual Disability.</p> <p>Review of the facility Significant Event Report dated 3/5/16 documents, "At approximately 3:20 PM, on this date 3/15/16, R1... approached me in front of the ...gym and stated that an employee by the name (name of employee-E3) entered her bedroom on the midnight shift (last night) and was sexual with her. She (R1) said he touched her sexually. I asked her if she had notified security to which she replied no but indicated she had told her lead workers but nobody wanted to do anything about what happened and if I told security a doctor would have to be called to check sh** out. I told her I had to report it anyway. R1 then asked me what was the activity tonight..."</p>	W 223			

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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W 223	Continued From page 1 Review of the facility injury report dated 3/5/16 documents, "No injuries or bruising noted to bilat (bilateral) breasts or genital areas upon exam done by MD (physician)." Review of the facility Administrative Investigation/Review of Allegations of Mistreatment/Abuse/Neglect dated 3/15/16 documents, "Staff E3 and E4 (Mental Health Technician) was removed from contact with individuals served on 3/5/16." Review of R1's interview statement dated 3/5/16 documents, "What happened last night? (name of staff- E3) Big guy works on my unit. Used to work on (name of another unit) Real short black hair. Heavy boy. He came to my room last night and woke me up. Took my cover of my bed. Asked if I was naked in my bed. He said don't tell nobody (sic) about this. He looked out in the hall and touched by boobs and right here (points to vagina). When did this happen? On night shift. One o'clock or something like that. Did you yell or say stop? No. Why? He told me to stay quiet and don't say nothing." During interview on 3/21/16 at 3:50 PM R1 stated E3 came into my room woke me up and took me in R3's room. When asked if R3 was in his room R1 stated, "He was. He was asleep." During interview on 3/21/16 at 3:24 PM R3 stated there had not been any female residents in his room at night. R3 also stated no one had been hurt in his room by a staff member and he was not afraid of anyone. During interview on 3/21/16 at 3:33 PM R2 stated	W 223			

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W 223	<p>Continued From page 2</p> <p>she was room mates with R1. R2 stated there had not been any male staff in their room at night who was not supposed to be there and that neither her or her room mate had been hurt by any male staff. R2 stated she was not afraid of anyone.</p> <p>During interview on 3/21/16 at 1:25 PM E4 stated he was lead worker on the morning after the alleged event occurred. E4 stated he woke R1 up for her medications and she appeared to be alright until she became upset about another residents laundry being in the washer. E4 stated R1 did not tell him about the allegation.</p> <p>During interview on 3/22/16 E3 stated he worked on another hallway the night R1 alleged E3 had sexual contact with her. E3 stated he did relieve the staff member sitting with R3 for his lunch break around 4:00 AM and stood in R3's doorway and talked with some other staff for a few minutes then sat down in the chair in R3's room for the remainder of the break. E3 stated he did not enter R1's room. When asked if he had abused R1 in anyway E3 stated, "No."</p> <p>Review of the facility living area and shift summary dated 3/4/16 11-7 shift documents the staff member sitting with R3 was relieved for lunch break at 4:00 AM.</p> <p>Review of R1's sexual expression assessment dated 9/10/15 documents R1 was not deficient in any of the areas of sexual expression. Number 15 of the sexual expression assessment documents, "This person knows when asked if someone tries to touch them in their private areas or asks them to touch someone else and they don't want to, they should say, "No!!!" and get</p>	W 223			

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W 223	<p>Continued From page 3 help from someone they trust."</p> <p>During interview on 3/22/16 at 11:39 AM E6 (Public Service Administrator) stated, "We noted on the morning meeting minutes that R1's sexual assessment dated 9/10/15 was reviewed and due to the fact that she did not have any deficits we did not implement programming. We just made sure R1 was aware of the reporting process."</p> <p>The facility failed to reassess R1 to ensure R1 did not have a decline in her sexual expression skills and did not have a need for programming to be implemented after R1 alleged E3 had sexually assaulted her in a peers room. R1's interview statement documents R1 stated she did not call out for help during the alleged event.</p>	W 223			