

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

PRINTED: 08/25/2005
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 14E848	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 06/14/2005
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NAME OF PROVIDER OR SUPPLIER CEDARWOOD HEALTH CARE CENTER	STREET ADDRESS, CITY, STATE, ZIP CODE 136 SOUTH DIPPER LANE DECATUR, IL 62522
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F9999	FINAL OBSERVATIONS 300.650(a) 300.660(a)	F9999		
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F9999	<p>Continued From page 6</p> <p>300.660(b)(1) 300.661(a)(10)</p> <p>Each facility shall develop and maintain written personnel policies that are followed in the operation of the facility.</p> <p>A facility shall not employ an individual as a nurse aide unless the facility has inquired of the Department as to the information in the Registry concerning the individual.</p> <p>The facility shall ensure that each nursing assistant complies with the following condition: Is approved on the Department's Nurse Aide Registry. "Approved" means that the nurse aide has met the training or equivalency requirements of Section 300.663 of the Part and does not have a disqualifying criminal background check without a waiver.</p> <p>The facility shall not knowingly hire any individual in a position with duties involving direct care for residents if that person has been convicted of committing or attempting to commit one or more of the following offenses (Section 25(a) of the Health Care Worker Background Check Act [225 ILCS 46/25]).</p> <p>These requirements are not met as evidenced by :</p> <p>Based on interview, observations and record review the facility failed to check the Nurse Aide Registry prior to allowing 1 of 1 newly hired Certified Nursing Aides (CNA) (E3) to provide direct resident care. This resulted in a CNA with a finding of abuse on the Nurse Aide Registry</p>	F9999			

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F9999	<p>Continued From page 7</p> <p>and a disqualifying crime direct access to residents thus putting residents in the facility in danger of abuse. An incident of verbal abuse of a resident occurred involving E3 on 02-15-05.</p> <p>According to E3's, Certified Nurses Aide (CNA), employee file, E3 began work on 1-26-05. Interview with E1, Administrator, on 6-7-05 at 1:30pm confirmed that E3 was assigned to work as a 3rd shift CNA. Interview with E2, Acting Director of Nursing,(DON), on 6-7-05 at 10:55am stated that the staffing schedule usually has only 2 CNAs working the night shift, this being the 3rd shift, for the entire facility. According to E1, E3 was one of two CNAs on the 3rd shift working in the facility. Per observation the facility construction consists of two residential corridors housing a maximum of 58 residents.</p> <p>The actual work schedule was not available, but E1, Administrator, did locate E3's actual hours worked and verified from the "Biweekly Payroll Hours Tracking Form" that E3 worked 14 days (January 25 thru February 14, 2005), during this period.</p> <p>According to the "Incident Report Form - IDPH (Illinois Department of Public Health) Notification" dated 2-18-05, on 2-15-05 during the night shift, R1 reported that E3 was verbally inappropriate with R1. According to the facility Incident Report . . . "R1 reports she put on her call light and the CNA stated 'Don't be on your light tonight because my feet hurt.' The resident rang for the nurse later in the shift 'Didn't I tell you not to ring your light? My feet hurt and I don't want to come down here.' Resident states the employee was very rude, used a rough tone of voice." The "</p>	F9999			

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F9999	<p>Continued From page 8</p> <p>Incident Report Form - IDPH Notification" dated 2-15-05 stated that on 2-15-05 E3 was suspended and the facility started the investigation.</p> <p>The facility's "Report of Allegation of Verbal Abuse", dated 3-14-05 stated that after the allegation was considered to be founded E3's employment was subsequently terminated on 2-21-05.</p> <p>During the investigative survey on 6-7-05 a review of E3's employee file showed that staff use a form called "Registry Verification" in the hiring process. This form in E3's file included the "Confirmation Number: L1933"that was given when the Nurse Aide Registry was contacted. Other information written in was "no test required and Jan 2. " The person completing this form was to sign and date, this area was left blank. Other areas that were blank included " Background check, Disqualifying Conditions, and Competency Pass," all information that is available when the Illinois Department of Public Health Nurse Aide Registry is contacted.</p> <p>According to the facility policy entitled "Abuse and Neglect: Detection and Prevention Program" (undated), " part I" that discusses screening states that "the facility will not knowingly employ individuals who have been found guilty of abusing, neglecting or mistreating residents or misappropriation of their property. All employees will have criminal background checks and license /certification confirmation. The facility will make reasonable efforts to uncover information about any past criminal prosecutions."</p> <p>On 6-7-05 at 2:40pm E1, Administrator, was</p>	F9999			

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F9999	<p>Continued From page 9</p> <p>interviewed about the lack of information available on E3's Registry Verification form. E1 stated that since E1 was not the Administrator at that time and the DON was changed since then, she didn't really have any answers to the questions but offered to call the the Nurse Aide Registry to see what information was available. In the presence of the investigator, with the call on speaker phone, the following information was obtained: ". . . The Background check was done September 22, 2002 and has a disqualifier (disqualifying crime) with a waiver but the waiver was revoked on January 2002." E1 declined receipt of any further information offered by the registry representative including why the waiver was revoked.</p> <p>At 3:45pm on 6-7-05 the surveyor called the Nurse Aide Registry and obtained the following additional information about E3's file. According to the Z2, Registry Representative, the waiver was revoked due to findings of resident abuse from allegations on 11-1-01 at an area nursing home. Z2 stated that anyone calling would get this information prior to getting the confirmation number and would not get the automated system, but would have to speak to a person. Z2 was able to verify that the confirmation number of "L 1933" was only given out on one date and that was March 9, 2005. Z2 stated that the person who called on March 9, 2005 would have received the information about the disqualifying crime, the waiver and it being revoked on January 2002. Z2 confirmed that this information about E3 was available either by calling the registry or going on the Internet since January 2002.</p>	F9999			

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F9999	Continued From page 10 According to interview on 6-7-05 at 4:05pm E1, Administrator, verified that the facility failed to complete a Nurse Aide Registry check to verify status for E3 prior to hiring on 1-21-05 and allowed E3 to begin working on 1-26-05 with a known finding of elder abuse. According to the " Biweekly Payroll Hours Tracking Form" E3 was at the facility for 7.5 hours on Jan 25, 2005. According to E1, Administrator, this was probably for orientation.	F9999			