

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

PRINTED: 09/02/2005  
FORM APPROVED  
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>14E356</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED  <b>C</b> <b>07/21/2005</b>
NAME OF PROVIDER OR SUPPLIER  <b>REDWOOD MANOR</b>			STREET ADDRESS, CITY, STATE, ZIP CODE <b>WEST FRANKLIN STREET</b> <b>SESSER, IL 62884</b>		
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F9999	Continued From page 27  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) b) A facility employee or agent who becomes aware of abuse or neglect of a resident shall immediately report the matter to the facility administrator. (Section 3-610 of the Act) 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) 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) 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. (Section 3-611 of the Act)  These REGULATIONS are not met as evidenced by:  Based on interview and record review, facility staff failed to notify the administrator that an allegation of abuse had been filed against him, failed to do a thorough and complete investigation of the alleged abuse, and failed to	F9999			

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F9999	<p>Continued From page 28</p> <p>follow the facility policy and procedure for investigation of a potential abuse for 1 of 9 residents on the sample (R1). There are no reports and investigations of alleged yelling, hollering, screaming, cursing, refusal of resident funds, and threatening comments made to residents.</p> <p>Findings include:</p> <p>1. Review of the facility Incident Report dated 6/15/05: R1 was sitting outside in front on the park bench. E1 (administrator) came out and told R1, you have to go back inside and out to the back. R1 stated "Why I'm not doing anything." E1 grabbed R1 by the left upper arm and told him you're going back inside and out to the back with the others; that's where you belong. R1 pulled back from E1, but E1 continued to escort R1 inside the building while holding R1's arm. This incident report also states "On 6/15/05, an investigation was held due to some complaints of verbal and physical abuse against the Administrator-E1 with resident R1. The committee conducted interviews with employees of Redwood Manor and a few residents. During a meeting of the committee, a phone call was placed to the Illinois Abuse Hotline and the Ombudsman. The committee was, again, faced with a difficult situation of having to investigate the Administrator. After the rumor that State had been notified the committee decided to put a hold on their investigation."</p> <p>R1's investigation interview dated 6/15/05 indicates R1 stated "I can't tell on him, he's my buddy." " He's my buddy, he's going to buy me</p>	F9999			

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F9999	<p>Continued From page 29</p> <p>some tobacco and take me to the store."</p> <p>R1 stated on 6/23/05 at 8:55 AM that E1 grabbed him by the arms and pulled him up. R1 said that E1 grabbed him around both upper arms and this has happened 2 or 3 times. R1's care plan dated 5/9/05, does not indicate R1 is not to be allowed to go out in front of the facility. R1's Minimum Data Set dated 5/9/05 indicates R1's cognitive status was assessed as modified independence-some difficulty in new situations only.</p> <p>E2 (Director of Nurses) stated at 10:40 A.M. on 6/22/05 that "E2 was present when E1 jerked R1, E1 put his arm under R1's arm, E1 jerked R1 up, drug him inside." E1 commented " he didn't have time to mess with him." "E1 started being nice to R1 then until the last couple of days." E2 stated on 6/23/05 at 10:15 AM " R1 was dragging his feet and didn't want to come in." E2 said "we don't let R1 out front by himself because he has threatened to hitchhike to interstate and get a ride to Colorado." E2 said that "when we tried to talk to R1. E1 told R1 that he'd take him to the store and buy him some tobacco. R1 is happy when E1 gives him a can of tobacco."</p> <p>E11(Psychiatric Rehab Services Coordinator) stated to surveyor on 6/22/05 at 2:50 PM, that on 6/15/05 at approximately 9:30 AM, R1 was sitting on the front porch I went out and talked to him encouraging him to come in. E1 came out and started talking loudly, "R1 you've got to get back inside." R1 said "Why, I'm just sitting here and not hurting anything." E1 told R1 he had to come in because I said so. E1 said that the other residents are out back and that is where you belong. E1 reached down and grabbed R1's</p>	F9999			

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F9999	<p>Continued From page 30</p> <p>right arm and lifted him up. R1 pulled back like he wanted to get loose. R1's eyes rolled like he didn't like what was happening. E11 said that when she talked to R1 later that day after the incident, R1 said "Oh E1 is my buddy, he's going to buy me some tobacco and take me to the store ."</p> <p>E1 was asked have you had any abuse investigations or allegations on 6/22/05. E1 stated, "Yes, I raised my his voice in the day area once. I did raise my voice this was 2 or 3 months ago to a group, the only other thing I helped R1 up out of the chair." "No other investigations or allegations of abuse in the last year that I'm aware of . This is the only 2 instances that I can think There was no investigation because you have to suspect abuse, and there was no abuse. I wouldn't let R1 sit out front because he has a tendency to run off if you let him sit out front."</p> <p>E2 stated on 6/22/05 at 10:40 AM, that the abuse investigation was started one week ago regarding the 6/15/05 incident with E1 grabbing R 1 under his right arm. However, the abuse investigation was stopped due to E1's interference by trying to bribe R1 with tobacco. E 2 said that E1 was not notified of the abuse allegation prior to beginning the investigation because of a prior incident with an attempt to investigate an abuse allegation concerning E1. E 2 said that 2 to 3 months ago we started an abuse investigation regarding E1, and E1 refused to leave the facility.</p> <p>E2 stated on 7/5/05 at 3:10 PM, E1 had a staff meeting today." E1 said he'd been to his lawyer</p>	F9999			

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F9999	<p>Continued From page 31</p> <p>and when he finds out who called in the complaint that he was going to haul them into court- they'd had it." E2 stated on 6/23/05 at 10: 15 AM, "I talked to the owner yesterday when he called wanting to talk to E1. E1 was gone. I told the owner that the State is here. He said o.k.. He did not give me a chance to tell him any information."</p> <p>The facility's abuse policy dated 10/04/04, states "If a staff member suspects a resident is being abused or neglected, a written report will be filled out immediately, and given to the Administrator as soon as possible. If the suspected abuser is an employee, that person will be immediately suspended, pending the results of the investigation."</p> <p>Facility staff failed to follow this policy in that E1 was not notified that he was being investigated for possible abuse, and no other facility representatives were contacted to arrange for E1 's suspension so an investigation could be conducted. The facility's abuse policy is also incorrect, in that, it allows for the following progressive discipline for abuse offenses: "1st offense- a written warning after the investigation is completed and proven that the offense occurred. A 90 day probation may also be implied." "2nd offense - a written warning after the investigation is completed and proves that the offense occurred. A 3 day suspension without pay and 90 day probation may be implied." "3rd offense - 3rd written warning and termination following the investigation that proved the offense occurred."</p>	F9999			

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F9999	<p>Continued From page 32</p> <p>2. Additional abusive incidents by E1 regarding R 1 as witnessed by residents and staff are as follows:</p> <p>[A.] E6 (registered nurse) stated on 6/22/05 at 10 :05 AM, E1 frequently yells at R1.</p> <p>[B.] E2 stated at 10:40 A.M. on 6/22/05, On 6/14 /05 in the day area with other residents present, E1 told R1 to "Get the hell away from me, I don't have time for you."</p> <p>[C.] E11 stated at 2:50 P.M. on 6/22/05 that on 6/ 14/05 during the morning she came around the corner from her office to the day area, she heard E1 tell R1 to "Get the hell away from me, just get the hell away from me."</p> <p>[D.] E12 (former employee, licensed practical nurse) stated on 6/23/05 at 8:00 AM that on 6/15/ 05 at approximately 6:45 AM, E1 came into the facility. E12 said that R1 went up to E1. E1 told R 1 to "Shut up and don't talk to me until 8:30 AM".</p> <p>[E.] E14 (previous maintenance supervisor) stated on 6/23/05 at 11:05 AM that approximately 2 weeks ago I heard E1 hollering and cursing G- - D--- at R1 E14 recalled another incident where R1 was walking up to the nurses station half door and in front of all of the residents in a loud yelling tone E 1 said R1 "Go away, just go away." E14 stated that R1 requested for me to put cable television in his room. The residents are not required to pay for cable television. I spoke with E1 and he refused to put cable in R1's room. E2 was also aware that R1 had requested cable television and stated on 6/23/05 at 3:35 PM that</p>	F9999			

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F9999	<p>Continued From page 33</p> <p>E1 told R1 his behaviors does not warrant him to have cable.</p> <p>[F.] E8 (Food Service Supervisor) stated on 6/22 /05 at 12:45 PM, I hear him scream and holler at R1 frequently. E1 tells R1 to "Get the hell out of here, I'm busy now."</p> <p>[G.] R2 stated to surveyor on 6/23/05 at 3:10 PM, "E1 shuts the door in R1's face." " E1 tells R 1 that he is busy and talks to him in a rough tone ."</p> <p>[H.] Confidential resident interview #1, at 2:45 P. M. on 6/23/05, R1 is yelled at by the E1 when R1 makes him real mad. E1 tells R1 no you can't have it until you improve your behavior. E1 raises his voice when he talks to R1. This resident also stated at 10:05 A.M. on 7/13/05, I don't report anything to anyone. If they find out, I will be in trouble.</p> <p>[I.] Confidential staff interview #2, at 9:20 A.M. on 6/22/05, I've observed E1 holler at R1.</p> <p>There was no documentation of any investigations being conducted for any of the above incidents available at the time of the survey. This was confirmed by E2 at 11:40 A.M. on 7/13/05. All residents interviewed regarding the above witnessed incidents indicated that they were not reported to any staff due to other people being present at the time of the incidents.</p> <p>3. Additional abusive incidents with other residents by E1 are as follows:</p>	F9999			

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F9999	<p>Continued From page 34</p> <p>[A.] E6 stated on 6/22/05 at 10:05 A.M. E1 yells at staff and residents. E6 also stated on 7/11/05 at 9:00 AM, E1 tells everyone that if you call the owner you'll get fired. E6 said that the reason we called the Hotline is that E1 refused to leave the facility during a previous investigation. Everyone is afraid to confront E1. E6 said that if anyone that has a license confronts E1, he will threaten to take their license. E1 said that "He has a lawyer and he is going to sue whoever called the Hotline."</p> <p>[B.] E2 stated at 10:15 A.M. on 6/23/05, that on 6/29/05, E1 had a meeting with the residents. E1 told the residents that they could call the State as many times as they wanted to, but it had to go through him or E2 before they called the State so they would know what was going on.</p> <p>E2 stated on 6/22/05 at 10:40 AM, that R8 had requested 2 bibs this morning during breakfast. E1 came over to R8's table and told R8 that if you want 2 bibs you're going to have to give me a pack of cigarettes. E1 tells the residents "If you don't straighten up I'm going to make this a non-smoking facility." E1 told R9 that she couldn't have a soda for a week.</p> <p>[C.] E11 stated at 2:50 P.M. on 6/22/05, that she recalled an incident where, R5 requested to go to town. E11 said that R5 uses a wheelchair most of the time. E11 heard E1 tell R5 that he could not go to town unless he walked.</p> <p>[D.] E12 stated at 8:00 A.M. on 6/23/05, that she's seen E1 get in the residents faces and yell at them. I've heard E1 tell residents "There's the door if you don't like it." E12 said that " I'm scared</p>	F9999			

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F9999	<p>Continued From page 35</p> <p>of E1 and I'm very concerned about the residents ."</p> <p>[E.] E8 stated to surveyor at 12:45 P.M. on 6/22/05, When E1 gets the residents together for meetings, E1 threatens the residents by telling them "This is how it's going to be, there's the door, pack your stuff, there's the F----- door." E1 also said "If you think it's going to do any good to call the State, go ahead, we'll deal with that later ."I've observed E1 screaming, hollering, slamming doors, "There's the F---- door," cursing at all residents sitting in the dining room.</p> <p>[F.] R4 stated on 6/22/05 at 2:05 PM, that about 3 days ago that turkey was served. R4 said that he does not like turkey and cannot eat peanut butter which was the substitute because it sticks to his teeth. R4 said that he notified dietary staff. Dietary staff told R4 that E1 said to serve him turkey anyway. R4 stated "I didn't eat the turkey, and I was not offered anything else." R4 said that E1 threatens to take our cigarettes away. E1 said that all I have to do is write the State and E1 can stop us from smoking. R4 said that E1 yells at the residents in group meetings. R4 said that if I get upset and yell, I get written up, staff gets written up, but that when E1 does things, nothing happens. R4 stated on 7/13/05 at 10:45 AM, approximately 3 months ago E1 cursed me in my room and threatened to take away my caffeine coffee. E1 told me if I didn't like it I can leave the damn place. E1 was talking in a loud and threatening tone. E1's face was flushed.</p> <p>E9 (dietary) on 6/22/05 at 2:00 PM, confirmed that R4 had requested something different to eat instead of turkey or peanut butter. R9 said that E</p>	F9999			