

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

PRINTED: 04/26/2010
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 14G378	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 01/29/2010
NAME OF PROVIDER OR SUPPLIER MARKLUND RICHARD HOME			STREET ADDRESS, CITY, STATE, ZIP CODE 1 S 410 WYATT DRIVE GENEVA, IL 60134		
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W 331	Continued From page 12 R1's left lower leg. E9 stated R1 did not have adequate ROM and her left knee was warm to the touch. E9 stated that R1 showed signs of pain - including facial grimacing and biting of her hand. E9 stated she contacted E1 and then E19 (nurse). E9 stated she was aware that E19 had previously seen R1's bruise so she wanted E19's opinion to determine if R1's bruise had worsened. E9 stated after E19 observed R1 she stated that R1's calf was more swollen at this time. E9 stated she contacted the on call physician and received orders to send R1 to the emergency room for an evaluation. E9 stated that when she observed R1's left leg bruise, "It didn't look good and it needed to be assessed." E9 also stated that after giving R1 pain medication, it did not seem to help.	W 331			
W9999	FINAL OBSERVATIONS LICENSURE VIOLATIONS 350.1210 350.1220j) 350.3240a) Section 350.1210 Health Services The facility shall provide all services necessary to maintain each resident in good physical health. Section 350.1220 Physician Services j) The facility shall notify the resident's physician of any accident, injury, or change in a resident's condition that threatens the health, safety or welfare of a resident, including, but not limited to, the presence of incipient or manifest decubitus ulcers or a weight loss or gain of five percent or	W9999			

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W9999	<p>Continued From page 13 more within a period of 30 days</p> <p>Section 350.3240 Abuse and Neglect</p> <p>a) An owner, licensee, administrator, employee or agent of a facility shall not abuse or neglect a resident.</p> <p>These Regulations were not met as evidenced by:</p> <p>Based on interview and record review, the facility failed to provide nursing services, and to timely notify the physician, for 1 of 1 client (R1) who was noted to have a bruise and then diagnosed with an impacted fracture of the proximal left tibia (6 days later).</p> <p>Findings include:</p> <p>R1, per review of her 5/5/09 IPP (Individual Program Plan), is a 45 year old female whose diagnoses include Profound Mental Retardation, Cerebral Palsy, Seizure Disorder, Visual Impairment, Acquired Encephalopathy and Osteoporosis.</p> <p>E2 (Lead CNA - Certified Nurses Aid) was interviewed 1/22/10 at 10:50am. E2 verified R1 is non-verbal and non-ambulatory/non-mobile. E2 stated R1 is dependent on staff for all ADL's (Activities of Daily Living). E2 stated R1 expresses pain with facial grimaces and/or biting her hands. E2 stated R1 expresses happiness by smiling, and R1 will pout when she is not happy.</p> <p>On 1/22/10 surveyor requested from E1 (Nurse Manager) the facility's incident reports for the</p>	W9999			

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W9999	<p>Continued From page 14</p> <p>past 3 months. E1 provided surveyor 1 incident report (R1) that involved an injury of unknown origin.</p> <p>The 1/2/10 incident report notes the following description:</p> <p>"Client was being observed during past week (post) bruising was noted on 12/29 after emergency transfer due to evacuation on 12/29 after water main burst. Client had appeared stable (with) frequent observation by nursing staff. Today CNA felt leg appeared more swollen and client seemed in more discomfort with attempted ROM (Range of Motion) during AM ADL care. Call to (on call physician) (with) orders received to transfer for Eval. DX (diagnosis) TIBIAL FX (fracture)."</p> <p>Hospital X-ray report, dated 1/2/10, notes the following diagnosis: "There is an impacted fracture of the proximal metaphysis of the left tibia. This may be an acute fracture. However, severe osteopenia is seen in the bones."</p> <p>The facility's investigation of R1's left tibia fracture noted the following findings: "On 12/27/09 at approximately 11:00 a.m. there was an emergency evacuation of the Marklund Richard Home due to a hot water pipe breaking and sounding the fire alarms notifying the EMS (Emergency Medical Services). During this time the assigned aide to this client (E4 - CNA) was bathing another client in the bathing room where the pipe had broken. In her statement she indicated that at 9:30 a.m. there was no discoloration noted on her left leg. During this time the clients were being moved to a safe area, she did not observe who had move(d) (R1) out to the wing on the other side of the building as she was attending to the client in the bathing area. ...</p>	W9999			

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W9999	<p>Continued From page 15</p> <p>Due to the swiftness of moving the clients and the small area that all the staff and clients were present in is thought to be how this client sustained this fracture. An impact fracture to the tibia would indicate that the leg was bumped when more than likely in the sitting position which was how she was sitting at the time of the evacuation. ... This client has a diagnosis of osteoporosis and is at high risk for fractures. During the evacuation of this client to a safe area inadvertent bumping of the left leg may have caused the initial weakening of the area and later further fractured with the normal use of the leg being positioned and diapering of this client."</p> <p>Review of R1's MAR (Medication Administration Record) noted R1 was given Acetaminophen 650mg for pain/discomfort (of left knee) on the following dates:</p> <ul style="list-style-type: none"> - 12/27/09 9:00pm - 12/28/09 8:20am, 4:30pm and 8:30pm - 12/29/09 6:00am - 1/1/10 9:15am - 1/2/10 8:00am <p>R1's nursing notes were reviewed and the following was noted:</p> <ul style="list-style-type: none"> - 12/27/09 9:05pm, "Client noted to have bruising on left leg tonight by CNA. Area warm, client shows facial expression of pain when touched. ..." - 12/28/09 9:15am, " ... Client (with) left knee warm to touch. Client (with) facial grimacing during ROM (range of motion) to left knee. APAP (acetaminophen) administered orally at 8:20am (with) slight relief noted. Client appears more calm at rest; continues (with) slight facial grimacing during ROM to left knee at this time." - 12/28/09 3:00pm, "Discoloration to (left) calf 	W9999			

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W9999	Continued From page 16 remains. Client did have emergency transfer for emergency evacuation 12/27/09 10:30am. Physician of client OOT (out of town). Office closed. Will continue to monitor" - 12/29/09 3:00am, "... left leg bruising monitored, skin warm to touch ..." 6:00am, "Temp 98.1, acetaminophen 625mg given for pain due to facial grimace upon touching the (left) leg. Will continue to monitor" - 12/29/09 1:00pm, "... Discoloration to left calf continues. Left knee continues warm to touch, but decreased from yesterday - slight warmth noted today. Slight facial grimace noted upon exam of left knee and calf. ... " - 12/29/09 7:00pm, "... Left knee discoloration monitored, skin warm to touch ... " -12/31/09 "... (Left) calf and knee discoloration fading. ..." - 1/1/10 10:20pm, "(Left) calf remains discolored, client was given 650mg Acetaminophen at 9:15pm for discomfort. ... Will continue to monitor." - 1/2/10 10:45am, "Client noted to be in visible pain during AM care (with) limited ROM (left) leg. (Left) leg (with) swelling and remains (with) bruising (Left lower) leg and lower thigh. (Left) knee and upper leg warm to touch. ... Tylenol 650mg given at 8AM for visible discomfort client grimacing and biting hand (with) limited results (at) time of this writing. Client in bed (with) (left) leg elevated. Staff reports change in leg today (with) (increased) swelling noted compared to previous visual from yesterday 1/1/10. Call to (on call physician) (with) return call at 10:30am (with) new order to transfer to (hospital) ER for eval. ... " - 1/2/10 3pm, "(hospital) called and informed of DX (diagnosis) FX (fracture) TIBIA - Impacted FX - (left) leg. ..."	W9999			

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W9999	<p>Continued From page 17</p> <p>E7 (nurse) was interviewed 1/22/10 at 2:53pm. E7 verified that she worked 12/27/09 on the 3pm to 11pm shift. E7 stated that E1 (nurse manager) told her there was an emergency evacuation (in house) due to a water pipe break on this date. E7 stated that around 8:50pm an aide (E4 - CNA) told her that R1 had a bruise. E7 stated she observed a bruise on the lateral side of R1's knee and around R1's knee. E7 stated she documented R1's bruise on the "Bruise Log" and notified the Administrator. E7 stated she measured R1's bruise at this time. E7 verified she measured R1's bruise at 4cm X3cm and 4cm X5cm (as per bruise log). E7 stated that at this time (12/27/09 8:50pm) R1's bruise was observed to be "a little warm".</p> <p>E7 stated she also worked the following shifts:</p> <ul style="list-style-type: none"> - 12/29/09 2nd shift, noted bruise to be warm to touch - 12/31/09 2nd shift, bruise fading - "nothing unusual" - 1/1/10 2nd shift, Acetaminophen given due to "good size bruise" E7 stated at this time she did not re-measure R1's bruise. <p>E7 was asked why she did not notify R1's physician of R1's bruise of unknown origin. E7 stated she did not think the physician should be notified.</p> <p>On 1/22/10 at 11:23am E1 stated that E7 received verbal counseling and was re-inserviced for "Giving pain medication and not taking it further." E1 provided, to surveyor, the following:</p> <ul style="list-style-type: none"> - Verbal counseling of E7 (undated); "The symptoms of a suspected fracture were present in this particular case since your nurse assessment on 12/27/09 and these symptoms continued to be present up to 1/1/10. You failed to provide first aid to ensure her timely treatment 	W9999			

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W9999	<p>Continued From page 18</p> <p>per our Nursing Policy and Procedure. You also did not follow the actions to be taken required by the policy. Your failure to perform this responsibility resulted in the delay of timely treatment and could have caused further injury to the client.</p> <p>In order for you to perform at Marklund's acceptable standards, you will be re-in serviced with the policy regarding fractures and dislocations, suspected and diagnosed. ... "</p> <p>The facility's policy, titled "Fractures (FX) and Dislocations Suspected and Diagnosed" last revised 11/11/04 notes the following: "POLICY / PROCEDURE: Identify the symptoms of a suspected fracture or dislocation: ... ACTION TO BE TAKEN: 1. Immediately place all activity on hold 2. Notify the physician and proceed with any orders to monitor or x-ray 3. Nurse to write "on hold" in client's Goal Book & DCR (daily care record) indicating that affected goals, bathing, ROM, application of affected brace (if any) will cease immediately 4. Initiate Nursing policy & procedure for Accident / Incident/ Internal Investigation Report 5. Client affected will be clearly identified to staff by appropriate signage"</p> <p>E1 stated, 1/22/10 at 11:23am, that both E7 and E19 (nurse) received verbal counseling and were re-inserviced on the facility's above noted fracture/dislocation policy. E1 stated that on R1's physician should have been notified of R1's bruise, of unknown origin, when first observed on 12/27/09.</p> <p>E8 (nurse/Quality Assurance) was interviewed 1/26/10 at 9:35am. E1 verified that E7 and E19</p>	W9999			

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W9999	<p>Continued From page 19</p> <p>were counseled and re-inserviced on the facility's fracture policy. E8 stated based on what the nurses charted, in R1's nursing notes, R1's physician should have been notified of R1's bruise. E8 also verified that R1 has a diagnosis of severe osteoporosis and is at a high risk for fractures.</p> <p>The facility failed to ensure nursing staff notified R1's physician of her bruise of unknown origin first observed on 12/27/09 at approximately 8:50pm. R1 has a diagnosis of severe osteoporosis and is at a high risk for fractures. Nursing staff failed to monitor R1's bruise of unknown origin and document changes in the shape, color and size of the bruise.</p> <p>E18 (physician) was interviewed 1/22/10 at 2:35pm via a phone call. E18 stated that R1 is non-weight bearing and has "paper thin bones." E18 was asked if he, or the physician on call, should have been notified of R1's bruise of unknown origin, due to her diagnosis of severe osteoporosis and high risk for fractures. E18 verified it is the nurses responsibility to notify the physician and then the physician will decide if further evaluation is necessary.</p> <p>E4 (CNA - Certified Nurses Aid) was interviewed 1/22/10 at 1:48pm. E4 stated that on Sunday 12/27/09 she bathed R1 and had her dressed by approximately 9:30am. E4 stated that at this time R1 did not have any bruises. E4 stated that on Sunday night (approximately 8:50pm) she observed a bruise below R1's left knee. E4 stated that this area was warm to the touch, E4 then stated it was "hot". E4 stated at this time she notified E7 (nurse). E4 stated she also told E7 that "something is bothering (R1)."</p>	W9999			

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W9999	<p>Continued From page 20</p> <p>E4 stated she worked with R1 again on first shift on 1/1/10. E4 stated that R1 was biting her hand so she told E17 (nurse). E4 stated she checked R1's temperature and it was normal at this time. E17 told E4 it was ok to get R1 up and dressed. E4 stated that at the end of her shift (7am to 3pm), she again reported R1's condition to E1 (nurse manager). E4 stated she told E1 that R1's left leg was very warm. E4 stated that she remembers telling nursing staff several times that she was concerned about R1's left leg.</p> <p>E10 (CNA) was interviewed 1/26/10 at 11:03am via a phone call. E10 stated she first saw R1's left leg bruise at the (on campus) day training site in the morning of 12/31/09. E10 stated that R1's left leg was red and swollen. E10 stated that R1 was putting her hands in her mouth and had facial grimacing. E10 stated that this is how R1 expresses pain. E10 stated E7 (nurse) and E1 (nurse manager) were notified of R1's status. E10 stated that E7 told her that R1's bruise was getting better. E10 stated that on 1/2/10 E9 (nurse) sent R1 to the hospital where she was diagnosed with the fracture.</p> <p>E3 (QMRP) was interviewed 1/22/10 at 1:44pm. E3 stated that on 12/28/09 E13 (CNA) showed her R1's bruise to her left leg. E3 stated that in the afternoon, of 12/28/09, R1 had facial grimacing. E3 stated that R1's facial grimacing meant she was experiencing pain. E3 stated she mentioned to E7 that R1 was showing signs of pain.</p> <p>E13 (CNA) was interviewed 1/26/10 at 1:50pm. E13 stated that she worked on Monday 12/28/09 2nd shift, arriving at 2:00pm. E13 stated when she arrived to work she received the nurses</p>	W9999			

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W9999	<p>Continued From page 21</p> <p>verbal report that R1 had a bruise to her leg. E13 stated she immediately went to see R1. E13 stated she observed a light green/bluish bruise below R1's left knee. E13 stated, "I touched below her knee - (R1) had facial expression so I knew I had to be careful." E13 stated that at bath time she had another CNA assist her with giving R1 a bath. E13 stated she saw the discoloration to the back of R1's left leg so she told the other CNA to get the supervisor. E13 stated E1 came into the tub room and she expressed her concern to E1. E13 stated E1 told her they (nursing staff) were aware of R1's bruise.</p> <p>E13 stated she worked on Tuesday 12/29/09 and was given the same instructions in how to care for R1. E13 stated she observed R1's bruise to be approximately 4 inches by 3 inches. E13 stated she told E7, "Something is not right" regarding R1. E13 stated E7 told her they (nursing staff) were aware.</p> <p>E15 (CNA) was interviewed 1/26/10 at 2:30pm. E15 stated she worked on Thursday 12/31/09 from 2:00pm until 11:00pm. E15 stated at the beginning of her shift she received a verbal report from nursing staff that R1 had a bruise to her left leg. E15 stated she first looked at R1's bruise when she bathed R1. E15 stated that R1's bruise was approximately 10 to 12 inches in size and the color was light blue and purple.</p> <p>E15 stated that R1 was biting her hand during positioning, bathing and dressing. E15 stated R1's biting of her hand meant that she was in pain. E15 stated she told E7 about R1's pain and bruise. E15 stated E7 told her they (nursing staff) were aware and R1 was receiving pain medicine. E15 stated that on Saturday 1/2/10</p>	W9999			

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W9999	<p>Continued From page 22</p> <p>she worked the 7:00am until 11:00pm shift. E15 stated that she observed R1 in the morning, during a bed check with E9 (nurse). E15 stated that R1's bruise looked darker in color and more widespread. E15 stated at this time R1 was biting her hand and was in pain. E15 stated E9 called the physician and R1 was sent to the hospital.</p> <p>E9 was interviewed 1/26/10 at 9:48am via a phone call. E9 stated that on 1/2/10, in the morning, a CNA asked her to look at R1's bruise. E9 stated the CNA told her R1's left leg, "didn't look good". E9 stated she observed bruising and swelling to R1's left lower leg. E9 stated R1 did not have adequate ROM and her left knee was warm to the touch. E9 stated that R1 showed signs of pain - including facial grimacing and biting of her hand. E9 stated she contacted E1 and then E19 (nurse). E9 stated she was aware that E19 had previously seen R1's bruise so she wanted E19's opinion to determine if R1's bruise had worsened. E9 stated after E19 observed R1 she stated that R1's calf was more swollen at this time. E9 stated she contacted the on-call physician and received orders to send R1 to the emergency room for an evaluation. E9 stated that when she observed R1's left leg bruise, "It didn't look good and it needed to be assessed." E9 also stated that after giving R1 pain medication, it did not seem to help.</p> <p style="text-align: center;">(A)</p>	W9999			