

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

PRINTED: 11/22/2010
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 14G065	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED 07/30/2010
NAME OF PROVIDER OR SUPPLIER KNOX ESTATES			STREET ADDRESS, CITY, STATE, ZIP CODE P.O. BOX 706, ENGLE DRIVE STREATOR, IL 61364		
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W 186	Continued From page 26 R7's IPP of 2/19/10 under the section titled Vocational states the following: "wanders and needs cues to stay on task at hand. He needs hand over hand / one on one assistance to complete tasks," "is unable to complete tasks requiring cognition of any complexity. He becomes distressed and is easily frustrated due to his limited ability," and "avoids eye contact and hides his face with his hands when he wants to ignore someone whom is speaking to him." E2 (day training direct care staff) was interviewed on 7/21/10 at 11:14am. E2 was asked how many staff are usually in this classroom. E2 stated that Monday, Tuesday, Thursday and every other Friday there are two. Wednesday and every other Friday there is one. While observing a different classroom from the hallway, R5 and E4 (Director of Day Services) were observed walking in the hallway. At 10:40am., as R5 and E4 were walking by, E4 made the comment to surveyor, "There are some days we have to put an extra person in there." E4 continued, "I could use them on the work floor, but." E4 stated that R5's classroom is the smallest group. At 10:50am., R5 and E4 again walk by in the hallway. At 10:53am., E4 makes the comment to surveyor, "If he is in there the others aren't getting attention. If I put in another staff, they're not doing what they're supposed to." E4 was interviewed on 7/21/10 at 11:25am. E4 was asked how often there were two staff in R5's classroom. E4 stated 2 to 3 times a week.	W 186			
W9999	FINAL OBSERVATIONS LICENSURE VIOLATIONS	W9999			

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W9999	<p>Continued From page 27</p> <p>350.810a) 350.1060e) 350.1060h) 350.1070 350.3240a)</p> <p>Section 350.810 Personnel</p> <p>a) Sufficient staff in numbers and qualifications shall be on duty all hours of each day to provide services that meet the total needs of the residents. At a minimum, there shall be at least one staff member awake dressed and on duty at all times.</p> <p>Section 350.1060 Training and Habilitation Services</p> <p>e) An appropriate, effective and individualized program that manages residents' behaviors shall be developed and implemented for residents with aggressive or self-abusive behavior. Adequate, properly trained and supervised staff shall be available to administer these programs.</p> <p>h) There shall be available sufficient, appropriately qualified training and habilitation personnel, and necessary supporting staff, to carry out the training and habilitation program. Supervision of delivery of training and habilitation services shall be the responsibility of a person who is a Qualified Mental Retardation Professional.</p> <p>Section 350.1070 Training and Habilitation Staff</p> <p>Appropriately qualified staff shall be provided in sufficient numbers to meet the training and</p>	W9999			

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W9999	<p>Continued From page 28</p> <p>habilitation needs of the residents. At a minimum, staffing shall be provided as described in Section 350.810(b) of this Part.</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. (Section 2-107 of the Act)</p> <p>These Regulations were not met as evidenced by:</p> <p>Based on observation, interview and record review, the facility failed to set up a structure which protected individuals and prevented reoccurrence of peer to peer abuse for 1 of 4 individuals in the sample (R3) and 1 additional individual outside the sample (R6) with the potential to affect 1 additional individual in the sample (R4) and 1 additional individual outside the sample (R7) when they failed to:</p> <ol style="list-style-type: none"> 1) take corrective action regarding a pattern of R5 abusing his peers, 2) ensure that there was sufficient supervision to prevent R5 from abusing his peers. <p>Findings Include:</p> <p>R5, per "Individual Program Plan/Emergency Contact Cover Sheet" dated 5/20/10, is a 37 year old male with diagnoses of Profound Mental Retardation and Impulse Control Disorder. R5's current Individual Program Plan (IPP) of 5/20/10 under the section titled "Language" states, R5 "had a speech evaluation on 3/12/10. The assessment reads as follows:</p>	W9999			

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W9999	<p>Continued From page 29</p> <p>Intelligibility - Nonverbal Expressing Wants / Needs - Unable to express wants and needs Conversation - Unable to participate in conversation Following Commands: Demonstrates understanding of some functional commands Responds to Questions - Responds to name does not respond to questions Existing Speech Program - No Existing speech program (Note (R5) has been on a communication program to learn to greet others by shaking hands. He will be on a new speech goal to learn to communicate by using a communication photo dictionary and pictorial daily schedule)".</p> <p>Under the section titled "Behavior," the IPP of 5/20/10 states that R5, "has developed some aggressive behaviors which include: poking, kicking, hitting, pushing, and pinching. He is on a formal Behavioral Implementation plan." Under the section titled, "Vocational" it states that R5 "requires constant supervision to maintain his safety across all environments." The vocational section continues, R5 "is easily distracted by his environment and has difficulty remaining on task even with continued prompts."</p> <p>Under the section titled "Level of Supervision" the IPP of 5/20/10 states, "While at (the facility) or Day Training, staff will be within hearing distance to offer support of adaptive and /or management of problem behavior. Staff will be conscious and watchful for indications that (R5) may display maladaptive behaviors. If staff suspects that (R5) may display maladaptive behavior, staff will be within the same room or nearby."</p>	W9999			

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W9999	<p>Continued From page 30</p> <p>1) Behavior data collection summaries for R5 were reviewed. These Behavior data collection summary forms contained Antecedent-Behavior-Consequences columns and a column indicating "If the incident PHYSICALLY involved another client, who was the other client." In 2/10, R5 had 15 incidents listed in the column addressing physical altercations with peers. In 3/10, R5 had 4 incidents listed in the column addressing physical altercations with peers. In 4/10, R5 had 5 incidents listed in the column addressing physical altercations with peers.</p> <p>R5 was reviewed by an outside "Clinical and Administrative Review Team" (CART) on 4/22/10 and among the recommendations were increasing medications, a communication dictionary, a picture schedule of his daily activities, and recording sleep patterns. R5's "Behavioral Implementation Plan" with an "Initial Program Start Date" of "May 2010" addresses the behaviors of "Hitting, slapping, kicking, pushing, poking, pinching, projectile or target spitting, and tripping." The behavior program incorporates the communication dictionary and picture schedule recommended by the CART review of 4/22/10. Under the "Data Tracking" section of the behavior plan dated "May 2010" it states, "An incident report will be written in cases of peer to peer contact."</p> <p>Incident reports involving R5 were reviewed. An incident report dated 5/14/10 states that R3 poked R5 in the right eye because R5 tried to hit R3. The incident report states that R3 was told that he should not hit or poke other consumers and that he needs to get staff to handle problems. This incident occurred at the facility. Under the section titled "Proactive steps to</p>	W9999			

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W9999	<p>Continued From page 31</p> <p>reduce future abusive behaviors" it states that R5 and R3 "had spent a lot of time together on Friday and had gotten along well. (R3) tends to invade other peoples space and when (R5) is excited he sometimes touches/pokes others. They were separated and their behavior programs were discussed/followed." This section is signed by E1 (Administrator).</p> <p>An incident report dated 6/01/10 states that R3 was hit in the face by R5. R3 then grabbed R5's arm. Staff got R3 to let go right away and R3 left the room. R3 then came back into the room and hit R5 in the face. This incident occurred at day training. A form dated 6/01/10 regarding the incident between R5 and R3, under the section titled "Proactive steps to reduce future abusive behaviors" states that, "(R3) often insists on being around (R5) because they are friends. Although staff have warned him that (R5) will sometimes strike out, (R3)still chooses to interact with him." It continues, "At the onset of this behavior, (R5) was given additional staff supervision to prevent him from harming others. Per CART recommendations, (R5) was redirected back to the task at hand and not given attention for this behavior." This document was signed by E1. E1 was interviewed on 7/21/10 at 1:10pm. When asked if this incident had been investigated, E1 stated yes that this would have been the investigation. When asked about any corrective action taken to prevent reoccurrence, E1 stated that at the onset of the behavior additional staff is given.</p> <p>An incident report dated 6/09/10 states that R5 was seeking out a female client (Z1, a peer at day training that does not live at the facility). "He walked over to her and poked her in the eye.</p>	W9999			

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W9999	<p>Continued From page 32</p> <p>Staff removed R5 from the room to avoid further incidents." This incident occurred in the same day training room. The incident report form was signed by E2 (day training direct care staff). Under the section titled "Proactive steps to reduce future abusive behaviors" it is blank.</p> <p>An incident report dated 6/29/10 states that R5 walked over to R3 and slapped him in the face. Before staff could intervene R3 slapped R5 in the arm. This incident occurred in the same day training room. The incident report form was signed by E2. Under the section titled "Proactive steps to reduce future abusive behaviors" it states, "Staff will attempt to intervene quicker before contact is made and will continue to follow Behavior Modification Program for (R5) and (R3)." E1 (Administrator) was interviewed on 7/21/10 at 1:10pm. When asked about any corrective action taken to prevent reoccurrence, E1 stated that staff are to intervene quicker before contact and follow the behavior programs.</p> <p>An incident report dated 7/02/10 states that R5 "walked up to a female client (R6) and hit her in the face. Staff intervened removing (R5) from the area." This incident occurred in the same day training room. The incident report form was signed by E2. Under the section titled "Proactive steps to reduce future abusive behaviors" it states, "Per CART recommendations, (R5) is to be redirected back to the schedule using his picture book. Once (R5) is able to complete the scheduled activity he is to be given a choice of rewards. (R5) is to be kept on schedule and to (sic) busy to strike out at residents." This section is signed by E1. E1 was interviewed on 7/21/10 at 1:10pm. When asked about any corrective action taken to prevent reoccurrence, E1 stated,</p>	W9999			

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W9999	<p>Continued From page 33</p> <p>"Per CART, redirect him to his schedule book. Keep him on schedule."</p> <p>An incident report dated 7/07/10 states that R5 "walked up to a female client (R6) and slapped her in the face. Staff intervened and removed (R5) from the area. Staff then attempted to engage (R5) in an appropriate activity." The incident report for R6 states that she was watching a movie on the computer when this occurred. This incident occurred in the same day training room. The incident report form was signed by E2. A "Summary" of the incident between R5 and R6 on 7/07/10, under the section titled "Proactive steps to reduce future abusive behaviors" states, "Following CART recommendations, (R5) needs to follow his routine. When he gets off his routine and is aggressive towards others, he is to be shown the picture of what is expected of him and return to the task at hand. He should get frequent rewards for acceptable behavior. He should get physical exercise when he is restless. During times when (R5) is restless or being aggressive, staff should block (R5) from others and redirect him back towards his routine." This form was signed by E1. E1 was interviewed on 7/21/10 at 1:10pm. When asked about any corrective action taken to prevent reoccurrence, E1 stated "follow his routine, show him pictures" from his picture schedule.</p> <p>An incident report dated 7/15/10 states that R5 "walked up to a female client (R6) and hit her in the face. Staff intervened and removed (R5) from the area." The incident report for R6 states that she was "watching a television show" when she was hit. This incident occurred in the same day training room. The incident report form was</p>	W9999			

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W9999	<p>Continued From page 34</p> <p>signed by E2. Under the section titled "Proactive steps to reduce future abusive behaviors" it states, "Per CART recommendations, (R5) is to be redirected back to his schedule using his picture communication book. Once he has completed the scheduled activity he will be given a choice of rewards. (R5) needs to keep on his schedule so his time is occupied and he is less likely to strike out at others." This form was signed by E3 (Qualified Mental Retardation Professional/Nurse). E1 (Administrator) was interviewed on 7/22/10 at 1:10pm. When asked about any corrective action taken to prevent reoccurrence, E1 stated, "Per CART use his schedule picture book, give him a choice of rewards, keep him on his schedule."</p> <p>R5 was observed in his same classroom at day training on 7/21/10 starting at 9:47am. R5's classroom at that time had 1 staff (E2) and 8 clients. At 9:47am., R5 returned to the classroom from the bathroom. R5 immediately tried to leave the room. E2 attempted to block R5 from leaving. R5 grabbed E2's finger and bent it. E2 stated, "we need to use your book." E2 was holding R5's picture communication and schedule book. R5 grabbed E2 and attempted to pinch E2. E2 stated to R5 that they needed to "use your book to let me know what you would like." During this time, R6 was observed to be in the classroom standing up watching television. Per incident reports of 7/15/10 and 7/07/10, R6 was either watching television or a movie when she was hit by R5.</p> <p>At 9:50am., R5 was given a hand held electronic piano and prompted to sit and play it. R5 instead tried to leave the room all the while making loud noises. At this point staff was one on one with</p>	W9999			

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W9999	<p>Continued From page 35</p> <p>R5 so no other clients in the room were receiving any staff interaction since R5 returned. There was still only 1 staff (E2) and 8 clients including R6, R4, and R7. R5 refused to sit down and again tried to leave the classroom.</p> <p>At 9:52am., E2 was heard to say to R5, "we're not pulling. Stop. Use your book." R5 continued to grab at E2. At 9:54am., R5 again attempted to leave the classroom. At 9:55am., E2 put a video into a computer for R5. R5 was still attempting to scratch E2. E2 was heard to say to R5, "You need to stop." R5 again attempted to leave the classroom. R5 pulled at E2 and then attacked E2's arm again. At this time there had still been no staff interaction with any other individuals in the room since R5 returned. There was still 1 staff (E2) and 8 clients.</p> <p>At 9:58am., E2 stated to the individuals in her classroom that it was break time. R5 was still one on one with E2. While others went to the cafeteria area for break, R5 stayed with E2 one on one walking with her. At 10:06am., R5 was at a table in the cafeteria with E2 eating crackers. At 10:07am., R5 got up and tried to leave the cafeteria area. He tried to pull E2. E2 went on another walk with R5. R5 continued walking with E2 until break was over. At 10:16am., R5 was taken to the bathroom to change his shirt. A different staff took over the class until E2 returned to the classroom with R5 at 10:20am.</p> <p>At 10:20am., there were 2 staff and 7 clients in the classroom. R5 grabbed the second staff. He was prompted to sit down. E2 stated, "You have got to use your book. No pulling on people." At 10:25am., the second staff left the room and there was just 1 staff (E2) and 7 clients. E2 was</p>	W9999			

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W9999	<p>Continued From page 36</p> <p>able to prompt R7 to come up and sit at the table. E2 offered R5 some blocks. R5 continued to follow E2 around as she attempted to work with others. At 10:28am., R5 left the room. At 10:29am., E4 (Director of Day Services) returned R5 to his classroom. E4 prompted R5 to watch his movie. R5 headed for the door. E2 blocked him and said, "You need to use your book. Let people know what you want." E4 used R5's book and said "we are watching a movie." R5 sat down but immediately stood back up again.</p> <p>At 10:32am., R5 sat down in a recliner. At 10:34am. he was right back up again following E2. E2 prompted R5 to sit and watch his movie. R5 continued to follow E2. At that point E4 took R5 out of the room leaving E2 with the rest of the individuals.</p> <p>At 10:35am., while observing a different classroom from the hallway, R5 and E4 were observed walking by in the hallway. They again walked by at 10:40am. E4 made the comment to surveyor, "There are some days we have to put an extra person in there." E4 continued, "I could use them on the work floor, but." At 10:42am., E4 and R5 went back into his classroom. At that time E2 was reading to the others in the class. At 10:44am., R5 again slipped out of the classroom. At 10:45am., E4 returned R5 to his classroom then took him back out for a walk again. At 10:50am., while observing a different classroom from the hallway, R5 and E4 again walked by in the hallway. At 10:53am., E4 made the comment to surveyor, "If he is in there the others aren't getting attention. If I put in another staff, they're not doing what they're supposed to." E4 was asked at that time if the other individuals in R5's classroom are in the Profound range of Mental</p>	W9999			

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W9999	<p>Continued From page 37 Retardation also. E4 stated, yes.</p> <p>At this time R5 had walked away from E4 towards his classroom. As E4 and surveyor walked together toward R5's classroom, R5 was ahead and had already gone into his classroom. By the time we arrived, a client was heard to say, "He hit me."</p> <p>An incident report dated 7/21/10 identified the individual that R5 hit as Z2 (a peer at day training that does not live at the facility). The incident report states that Z2 "was doing her computer goal when a male client (R5) walked up to her and hit her in the left side of the head." The incident report was signed by E2.</p> <p>E2 was interviewed on 7/21/10 at 11:14am. E2 was asked if R5 engages in any activities. E2 stated, "No." When asked what his behavior program says to do, E2 stated, "Use his book, to engage him in appropriate activities. Today was mild. Usually you get the book thrown in your face." E2 was asked how many staff are usually in this classroom. E2 stated that Monday, Tuesday, Thursday and every other Friday there are two. Wednesday and every other Friday there is one. E2 stated, "If he is walking in the hallway and someone passes by he will swat at them." E2 was asked if the other individuals in the classroom are in the Profound range of Mental Retardation also. E2 stated, "Yes." E2 stated that R5 is "totally different from last year."</p> <p>E4 (Director of Day Services) was interviewed on 7/21/10 at 11:25am. When asked if there was a strategy to address R5's behavior to prevent aggression against his peers, E4 stated, "He's very fast. If he doesn't have your attention he</p>	W9999			

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W9999	<p>Continued From page 38</p> <p>takes it to the next level. Today wasn't too bad. He did hit (Z2) in the head and tried to poke somebody." E4 was asked if there had been an Interdisciplinary Team meeting to address the behaviors. E4 stated, "Not recently. His staffing was not to long ago." Review of R5's Individual Program Plan indicated that R5's staffing was completed on 5/20/10. Since that time there have been six incidents of R5 aggressing against his peers at day training not counting the one on 7/21/10.</p> <p>E4 was asked how often there were two staff in R5's classroom. E4 stated 2 to 3 times a week. When asked if there had been any changes in approaches in dealing with R5's behavior, E4 stated that there were medication adjustments, "They're all in the chart."</p> <p>The facility failed to develop a strategy to address R5's continuing pattern of physical abuse against his peers.</p> <p>2) The facility failed to ensure that there was sufficient supervision to prevent R5 from abusing his peers.</p> <p>Per review of incident reports, since 5/31/10 there have been six incidents of R5 physically abusing his peers in his classroom at day training.</p> <p>On 6/01/10 at 9:35am., R5 hit R3 in the face. On 6/09/10 at 2:00pm, R5 poked Z1 in the eye, room 29. On 6/29/10 at 10:45am, R5 slapped R3 in the face, room 29. On 7/02/10 at 9:50am., R5 hit R6 in the face, room 29.</p>	W9999			

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W9999	<p>Continued From page 39</p> <p>On 7/07/10 at 9:50am., R5 slapped R6 in the face, room 29. On 7/15/10 at 9:45am., R5 hit R6 in the face, room 29.</p> <p>Observations were done on R5's classroom at day training on 7/21/10 starting at 9:47am. At that time there was 1 staff person (E2, day training direct care) and 8 clients including R4, R5, R6, and R7. Per observation from the time R5 entered the room at 9:47am. until break time at 9:58am., E2 was completely occupied dealing with R5's maladaptive behavior of pulling at and pinching staff and trying to leave the classroom. During this time period, E2 did not have any opportunity to engage any of the other 7 individuals in the classroom. At 10:53am., R5 was observed to walk away from E4 when she stopped to talk to surveyor. R5 walked back to his classroom where, per incident report of 7/21/10, he walked up to Z2 and "hit her in the left side of the face." At that time there was only one staff in the classroom, E2.</p> <p>E4 (Director of Day Services) was interviewed on 7/21/10 at 10:53am. When asked if the other individuals in R5's room are in the Profound range of Mental Retardation, E4 stated yes. E2 was interviewed on 7/21/10 at 11:14am. When asked if most of the other individuals in R5's classroom are in the Profound range of Mental Retardation, E2 stated, yes.</p> <p>Other individuals in R5's day training classroom include R4, R6 and R7.</p> <p>R4's Individual Program Plan/Emergency Contact Cover Sheet (undated) states that R4 functions at the Profound range of Mental Retardation and</p>	W9999			

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W9999	<p>Continued From page 40</p> <p>has diagnoses of Remote Seizure Disorder, Impulse Control Disorder, Nonverbal, BiPolar Disorder and Intermittent Explosive Personality. R4's Individual Program Plan (IPP) of 3/18/10, under the section titled "Vocational," states the following: "has a very short attention span. He does not take direction well," "is nonverbal and does not use sign language, which limits his ability to communicate with others," "communicates mostly through touch - touching, sometimes slapping at others, pulling on others which can be misunderstood as aggression by his peers," "requires constant supervision and hand over hand assistance for most tasks and is frequently resistant to hand over hand assistance," and "frequently touches and slaps at those near him."</p> <p>R5, per "Individual Program Plan/Emergency Contact Cover Sheet" dated 5/20/10, is a 37 year old male with diagnoses of Profound Mental Retardation and Impulse Control Disorder. R5's current IPP, under the section titled, "Vocational" states that R5 "requires constant supervision to maintain his safety across all environments. He had a very short attention span and lacks cognitive ability to understand and follow work assignments." The vocational section continues, R5 "is easily distracted by his environment and has difficulty remaining on task even with continued prompts." The vocational section also states that R5's IQ was computed at 11 and he "has an extremely limited attention span."</p> <p>R6's Individual Program Plan/Emergency Contact Cover Sheet dated 3/18/10 states that R6 functions at the Profound range of Mental Retardation with additional diagnoses of Non-Verbal and Seizure Disorder. R6's</p>	W9999			

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W9999	<p>Continued From page 41</p> <p>"Individual Program Plan Day Programming" dated 3/18/10 states that R6 "requires intense supervision. She requires hand over hand assistance for most tasks. She does not have any verbal communication skills and does not know sign. (R6's) primary means of communication is facial expressions. She has inappropriate behavior which include slapping and hair pulling."</p> <p>R7's Individual Program Plan/Emergency Contact Cover Sheet dated 2/19/10 states that R7 functions in the Profound range of Mental Retardation with an IQ score of 13 computed. R7's IPP of 2/19/10 under the section titled Vocational states the following: "wanders and needs cues to stay on task at hand. He needs hand over hand / one on one assistance to complete tasks," "is unable to complete tasks requiring cognition of any complexity. He becomes distressed and is easily frustrated due to his limited ability," and "avoids eye contact and hides his face with his hands when he wants to ignore someone whom is speaking to him."</p> <p>E2 (day training direct care staff) was interviewed on 7/21/10 at 11:14am. E2 was asked how many staff are usually in this classroom. E2 stated that Monday, Tuesday, Thursday and every other Friday there are two. Wednesday and every other Friday there is one.</p> <p>While observing a different classroom from the hallway, R5 and E4 were observed walking by in the hallway. At 10:40am., as R5 and E4 were walking by, E4 made the comment to surveyor, "There are some days we have to put an extra person in there." E4 continued, "I could use them on the work floor, but." E4 stated that R5's</p>	W9999			

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W9999	Continued From page 42 classroom is the smallest group. At 10:50am., R5 and E4 again walked by in the hallway. At 10:53am., E4 made the comment to surveyor, "If he is in there the others aren't getting attention. If I put in another staff, they're not doing what they're supposed to." E4 (Director of Day Services) was interviewed on 7/21/10 at 11:25am. E4 was asked how often there were two staff in R5's classroom. E4 stated 2 to 3 times a week. (A)	W9999			