

STATE OF ILLINOIS  
DEPARTMENT OF PUBLIC HEALTH  
STATEMENT OF VIOLATIONS AND PLAN OF CORRECTION

ASTORIA GARDENS

Facility Name

0045849

I.D. Number

1008 EAST BROADWAY, ASTORIA, IL 61501

Address, City, State, Zip

29928

Reviewed By

7/26/2011

Date of Survey

COMPLAINT# 1122292, 1122300

Type of Survey

23028, 30224

Surveyed By

As a result of a survey conducted by representative(s) of the department, it has been determined the following violations occurred. Please respond to each violation. The response must include specific actions which have been or will be taken to correct each violation. The date of which each violation will be corrected must also be provided. Forms are to be submitted with the original signature.

**IMPORTANT NOTICE:**

THE STATE AGENCY IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY TO ACCOMPLISH THE STATUTORY PURPOSE AS OUTLINED UNDER PUBLIC ACT 83-1530. DISCLOSURE OF THIS INFORMATION IS MANDATORY. THE FORM HAS BEEN APPROVED BY THE FORMS MANAGEMENT CENTER.

**“B” VIOLATION(S):**

**300.3300y)**

**TRANSFER OR DISCHARGE**

Any owner of a facility licensed under the Act shall give 90-day notice prior to voluntarily closing a facility or closing any part of a facility, or prior to closing any part of a facility if closing such part will require the transfer or discharge of more than 10% of the residents. Such notice shall be given to the Department, to any resident who must be transferred or discharged, to the resident's representative, and to a member of the resident's family, where practicable. Notice shall state the proposed date of closing and the reason for closing. The facility shall offer to assist the resident in securing an alternative placement and shall advise the resident on available alternatives.

Department Use ONLY

Facility Designee

Reviewed By

Signature

Acceptable Date

Title

Unacceptable Date

Date

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Where the resident is unable to choose an alternate placement and is not under guardianship, the Department shall be notified of the need for relocation assistance. The facility shall comply with all applicable laws and regulations until the date of closing, including those related to transfer or discharge of residents. The Department may place a relocation team in the facility as provided under subsection (u) of this Section. (Section 3-423 of the Act)

**This requirement is not met:**

Based on record review and interview, the facility failed to offer all residents the opportunity to remain in the facility for the required 90 days, from the date of closure notification, for 18 (R1-R18) of 18 residents reviewed for discharge and transfer notification, in a sample of 18. The facility failed to provide written notification of the closure, for 2 (R5, R10) of 18 residents reviewed for written notification, in a sample of 18.

**Findings include:**

A letter distributed to all residents, by the facility, dated 7/20/11, documents the facility will be closing due to a "dire economic situation." The letter specifies a closure date of 10/18/11.

On 7/25/11 at 11:08 a.m., Z5 (Family Member) stated that she had received a letter from the facility indicating the facility was closing on 10/18/11. However, verbally the residents are being told verbally to discharge by 7/27/11. Z5 stated transfer arrangements had been made for R8, to go to facility of her choice. However, an open bed at that facility would not be available until 8/1/11. Z5 stated E1 (Administrator) called her and stated that she had to move R8 out of the facility by Wednesday, 7/27/11, because they could no longer afford to keep residents in the facility. Z5 stated R8 had to choose another facility that was further away from her home and not her first choice, in order to discharge by 7/27/11.

On 7/25/11 at 1:00 p.m., Z1 (Family Member) stated, on 7/20/11 E1(Administrator) notified him that he needed to find placement for R3 and R4 by 7/27/11, due to the facility closing.

On 7/25/11 at 9:15 a.m., Z2 (Family Member) stated she received a phone call from the facility on 7/20/11 stating she had until 7/27/11 to find placement for R9, due to closing. Z2 later received a letter indicating they were closing the facility on 10/18/11.

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On 7/25/11 at 9:40 a.m., Z3 (Family Member) stated she received a call from the facility on 7/20/11 stating the facility was closing in one week. Z3 stated she received a letter on 7/24/11 stating the facility was giving a 90 day notice of discharge by law.

On 7/25/11 at 10:20 a.m., Z4 (Family Member) stated he received a call from the facility on 7/20/11 stating the facility was closing in one week. Z4 stated the residents of the facility should have given the residents more notice that the facility was closing.

On 7/25/11 at 11:00 a.m., Z6 (Family Member) stated that he had not received a letter from the facility with the 90 day notice of discharge. Z6 stated he had received a phone call from the facility, on 7/20/11, stating the facility would be closed in seven days.

On 7/25/11 at 11:14 a.m., Z7 (Family Member) stated facility notified him by telephone, on 7/20/11, that the facility was closing in one week. Z7 stated he received a letter from the facility today (7/25/11) stating by law they were required to give the residents a 90 day notice of the facility closing.

On 7/25/11 at 11:15 a.m., Z8 (Family Member) stated E9 (Social Service Director) called him the morning of 7/20/11 and notified him the facility was closing and that residents needed to be discharge by 7/27/11. Z8 received a 90 day notice letter in the mail on 7/22/11.

On 7/25/11 at 1:50 p.m., Z9 (Family Member) stated the facility staff notified him on 7/20/11 the facility was closing and that he had 10 days to find a new facility and discharge R16. Z9 stated that on 7/22/11 he received a phone call from E1 (Administrator) stating that R16 needed to be discharged by 7/27/11.

On 7/25/11 at 12:00 p.m., Z10 (Family Member) stated that the facility notified him, on 7/20/11, that the facility was closing by the end of July. Z10 stated he received another phone call on 7/22/11 stating he needed to make a decision soon because the facility would not have the staff available to care for R1. Z10 stated he did not receive a 90 day notice letter from the facility.

On 7/25/11 at 10:00 a.m., R1 stated E9 told her on 7/20/11 that the facility was closing and that she would be moving to a new facility by 7/27/11. R1 stated that her son (Z10) was upset because the facility should have given the residents a 90 day notice. R1 did not know where she was moving at discharge.

On 7/25/11 at 9:30 a.m., R2 stated that she did not recall anyone from the facility notifying her of the facility closing. R2 stated that her son may have been notified.

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On 7/25/11 at 1:43 p.m., R3 stated his Power of Attorney helped them get placed at a new facility and the facility staff did not assist him in finding placement. R3 stated he did receive the 90 day notice letter that the facility was closing 10/18/11. However, R3 stated "they want us gone in a hurry."

On 7/25/11 at 2:30 p.m., E1 (Administrator) stated that he was aware that he was required to give a 90 day notice to residents and family members that the facility was closing. E1 stated he "does not have the money to stay open past Wednesday (7/27/11)." E1 stated that R8 was scheduled to go to another facility on 8/1/11 and E1 tried to arrange home care for her from 7/27/11 - 8/1/11, but R8's family declined.

On 7/25/11 at 10:50 a.m., E3 (Registered Nurse) stated that he was notified by E1 (Administrator), on 7/20/11, the facility was closing due to financial reasons and that E1 wanted it done in seven to ten days.

On 7/25/11 at 9:48 a.m., E4 (Licensed Practical Nurse) stated she was notified on 7/20/11 that the facility was closing due to financial constraints and that E1 (Administrator) wants residents discharged by 7/27/11. E3 stated that she has residents that are concerned they will not have a new facility by 7/27/11.

On 7/25/11 at 11:00 a.m., E5 (Activity Assistant) stated she was notified that the facility was closing on 7/19/11. E5 stated that on 7/20/11 she was asked to help place the residents in new facilities and that the facility wanted everyone out as soon as possible due to financial reasons.

On 7/25/11 at 11:30 a.m., E6 (Certified Nurse Assistant) stated she was notified by E1 (Administrator) on 7/20/11 that the facility was closing and E1 wanted all of the residents discharged by 7/27/11.

On 7/25/11 at 12:35 a.m., E7 (License Practical Nurse) was informed by E1 (Administrator) on 7/20/11 that the facility was closing in one week due to lack of money. E7 stated that E1 planned to have all residents discharged by 7/27/11.

On 7/25/11 at 10:00 a.m., E8 (Business Office Manager) stated she found out on 7/20/11 that the facility was closing. E8 stated that E1 (Administrator) informed her that he wanted all residents gone by 7/27/11, but instructed her to put the legally required 90 day notice date (10/18/11) in the letter to the residents/families.

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On 7/25/11 at 9:32 a.m., E9 (Social Service Director) stated that she was notified on 7/20/11 that the facility was closing. E9 stated she started calling on resident families that same day. E9 stated she was telling families that the facility was closing due to financial hardship and the facility would assist with in placement of the residents. E9 stated that she told the families that the residents needed to be moved by 7/27/11. E9 stated that all residents except three have arranged placement at this time.

On 7/25/11 at 10:20 a.m., E10 (Certified Nurse Assistant) was notified of facility closure on 7/20/11. E10 stated that E1 (Administrator) wanted residents out within one week.

On 7/25/11 at 9:55 a.m., E11 (Physical Therapy Assistant) and E12 (Certified Occupational Assistant) stated that the last day of contractual therapy services is 7/27/11. E11 and E12 stated that all equipment is being removed on 7/27/11.

On 7/25/11 at 10:00 a.m. E14 (Dietary Manager) stated that the dishwasher vendor came and removed the dishwashing machine on 7/21/11. E14 indicated that residents are being served food on paper products and using plastic utensils.

**(B)**

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Standard Number	Plan of Correction	Completion Date
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