

State of Virginia

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: VA0141	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 02/02/2017
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NAME OF PROVIDER OR SUPPLIER THE LAURELS OF WILLOW CREEK	STREET ADDRESS, CITY, STATE, ZIP CODE 11611 ROBIOUS ROAD MIDLOTHIAN, VA 23113
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F 000	<p>Initial Comments</p> <p>An unannounced Medicare/Medicaid standard survey and biennial State Licensure Inspection was conducted 1/31/17 through 2/2/17. Complaints were investigated during the survey. Corrections are required for compliance with 42 CFR Part 483 Federal Long Term Care requirements. The Life Safety Code survey/report will follow.</p> <p>The census in this 120 certified bed facility was 117 at the time of the survey. The survey sample consisted of 22 current Resident reviews (Residents #1 through #21, and #29) and 7 closed record reviews (Residents #22 through #28).</p>	F 000		
F 001	<p>Non Compliance</p> <p>The facility was out of compliance with the following state licensure requirements:</p> <p>This RULE: is not met as evidenced by: 12VAC5-371-140. Policies and procedures. E. Personnel policies and procedures shall include, but are not limited to:</p> <p>3. An accurate and complete personnel record for each employee including:</p> <p>a. Verification of current professional license, registration, or certificate or completion of a required approved training course;</p> <p>b. Criminal record check</p> <p>Review of the state regulation 12VAC5-371-140 documents "E. Personnel policies and procedures shall include, but are not limited to: 3. An accurate and complete personnel record for each employee including: a. Verification of current professional license, registration, or certificate or completion of a required approved</p>	F 001	<p>Cross reference POC for:</p> <p>F155 F278 F279 F514 F371</p> <p>All associates hired since the time of the survey have had license and reference checks completed prior to employment.</p> <p>The Administrator will in-service the Payroll Coordinator and hiring managers on the process for obtaining license verifications and reference checks prior to hire.</p>	3/17/17

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Electronically Signed

02/17/17

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F 001	Continued From page 1 training course; b. Criminal record check." 12VAC5-371-150. Resident rights. A. The nursing facility shall develop and implement policies and procedures that ensure resident's rights as defined in §§32.1-138 and 32.1-138.1 of the Code of Virginia. Virginia Nursing Home Regulation 12VAC5-371-150 states that a facility must comply with the requirements of §32.1-126.01: Employment for compensation of persons convicted of certain offenses prohibited; criminal record checks required; suspension or revocation of license. "Any person desiring to work at a licensed nursing home shall provide the hiring facility with a sworn statement or affirmation disclosing any criminal convictions or any pending criminal charges...A nursing home shall, within 30 days of employment, obtain for any compensated employees an original criminal record clearance with respect to convictions for offenses specified in this section or an original criminal history record from the Central Criminal Records Exchange." The Code of Virginia (§ 32.1-126.01. Employment for compensation of persons convicted of certain offenses prohibited; criminal records check required; suspension or revocation of license.) requires "Any person desiring to work at a licensed nursing home shall provide the hiring facility with a sworn statement or affirmation disclosing any criminal convictions or any pending criminal charges, whether within or without the Commonwealth." State law (§§ 32.1-126.01 and 32.1-162.9:1	F 001	The Payroll Coordinator/designee will conduct an audit for 4 weeks of all prospective associates prior to hiring to ensure that reference and license checks were completed. The results of the audits will be reported to the administrator, and hiring will not occur until the items are in place. The results of the audits will be reported to the Administrator weekly and to the monthly QA meeting. Any variances will be corrected at the time of observation and continued education provided. Continued compliance will be monitored through routine associate file audits and through the facility's quality assurance program. Additional education and monitoring will be initiated for any identified concerns.	

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F 001	<p>Continued From page 2</p> <p>Employment for compensation of persons convicted of certain offenses prohibited; criminal records check required; suspension or revocation of license.) requires that each nursing facility, home care or home health organization, and hospice obtain a criminal record background check on new hires within 30 days of employment. The law also requires that these background checks be obtained using the Central Criminal Records Exchange from the Virginia Department of State Police. See Appendix 2 for a copy of each law.</p> <p>A review of the record for 25 new hires from the last 2 years was conducted. 13 of the 25 records were deficient in required components:</p> <ol style="list-style-type: none"> 1. For RN (Registered Nurse) #8, hired on 6/3/15, the facility staff failed to obtain reference checks at the time of hire. 2. For RN #9, hired on 12/21/15, the facility staff failed to obtain license verification and reference checks at the time of hire. 3. For RN #10, hired on 4/5/16, the facility staff failed to obtain license verification and reference checks at the time of hire. 4. For LPN (Licensed Practical Nurse) #7, hired on 3/2/15, the facility staff failed to obtain license verification at the time of hire. 5. For LPN #8, hired on 9/28/15, the facility staff failed to obtain reference checks at the time of hire. 6. For LPN #9, hired on 3/1/16, the facility staff failed to obtain license verification and reference checks at the time of hire. 7. For CNA (Certified Nursing Assistant) #7, hired on 8/26/15, the facility staff failed to obtain reference checks at the time of hire. 8. For CNA #8, hired on 4/15/16, the facility staff failed to obtain reference checks at the time of 	F 001		

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F 001	<p>Continued From page 3</p> <p>hire.</p> <p>9. For CNA #9, hired on 2/21/16, the facility staff failed to obtain license verification at the time of hire.</p> <p>10. For OSM (Other Staff Member) #9 (business office manager); hired on 4/7/15, the facility staff failed to obtain reference checks at the time of hire.</p> <p>11. For OSM #10 (business office manager), hired on 5/6/15, the facility staff failed to obtain reference checks at the time of hire.</p> <p>12. For OSM #11 (Recreational director), hired on 1/5/16, the facility staff failed to obtain reference checks at the time of hire.</p> <p>13. For OSM #12 (business office manager), hired on 1/20/16, the facility staff failed to obtain reference checks at the time of hire.</p> <p>On 2/2/17 at approximately 11:00, the Administrator stated that the facility experienced a turnover in staff that typically completes these items, and therefore, some of these did not get done.</p> <p>A review of the facility policy, "Abuse Prohibition, Investigation, and Reporting" documented under "Screening" the following: "1. The facility will screen prospective employees in order to not employ individuals who have been found guilty of abusing, neglecting, mistreating, or misappropriating property/resources of residents by a court of law, or who are listed in the state Nurse Aide Registry or professional licensing agency concerning the same and in accordance with individual state law requirements. a. All applicants are to complete an employment application and complete the section regarding their history of criminal conviction(s). b. State nurse aide registries for all states in which the applicant has worked are to be checked prior to</p>	F 001		

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F 001	<p>Continued From page 4</p> <p>employment. Any disqualifying findings eliminate the applicant from being considered for employment. c. Professional licensing boards will be contacted and licenses verified. Negative findings regarding abuse, neglect, or mistreatment or a finding of misappropriation of property eliminate the applicant from being considered for employment. d. At least two (2) employment reference checks are to be completed on all applicants prior to employment. Negative findings regarding abuse, neglect, or mistreatment eliminate the applicant from being considered for employment. e. In states where criminal background checks are conducted (Indiana, Michigan, North Carolina, Ohio, Virginia), the policy and procedure for these checks must be followed. f. Verify that the applicant is not excluded from any federally-funded health care program. 2. A review of the applicant's past history must be considered prior to hiring and reasonable efforts must be made to uncover information about any past criminal history. 3. Signed consent will be obtained from each applicant before a conditional offer of employment can be made. 4. Applicants who refuse to sign the release of information form cannot be given conditional employment."</p> <p>No further information was provided by the end of the survey.</p> <p>(For reference of this requirement, see page 5 of the website http://www.vdh.state.va.us/OLC/Laws/documents/2010/pdfs/Hospital%20NF%202010%20COV.pdf)</p>	F 001		

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F 001	Continued From page 5 12VAC5-371-150. Resident Rights cross reference to F155 12VAC5-371-250. Resident Assessment and Care planning cross reference to F278, F279 12VAC5-371-360. Policies and Procedures cross reference to F514.	F 001		