

State of Virginia

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: VA0032	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 07/22/2021
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NAME OF PROVIDER OR SUPPLIER BETH SHOLOM HOME OF VIRGINIA	STREET ADDRESS, CITY, STATE, ZIP CODE 1600 JOHN ROLFE PARKWAY RICHMOND, VA 23233
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F 000	<p>Initial Comments</p> <p>An unannounced biennial State Licensure Inspection was conducted 07/20/21 through 07/22/21. The facility was not in compliance with the Virginia Rules and Regulations for the Licensure of Nursing Facilities. One complaint was investigated during the survey.</p> <p>The census in this 101 licensed bed facility was 91 at the time of the survey. The survey sample consisted of 33 resident reviews.</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: COV 321-138.01 (A) (8) Please cross reference to F600 12 VAC 5-371-210 (F)(1) Please cross reference to F607 12 VAC 5-371-250 (G) Please cross reference to F656 12 VAC 5-371-220 (D) (E)(F)(G) Please cross reference to F677</p> <p>12VAC5-371-220(D). Please cross reference to F677.</p> <p>12VAC5-271-340(J). Please cross reference to F807. .COV 32.1-126.01 (A)</p> <p>Based on staff interview and facility documentation review, the facility staff failed to have evidence of a signed sworn statement, prior to hire, for 3 employees, CNA A, CNA C, and CNA</p>	F 001	<p>LICENSURE DEFICIENCIES F0001 Code of Virginia 321-138.01 (A) (8) Cross reference to F600</p> <p>12 VAC 5-371-210 (F)(1) Cross reference to F607</p> <p>12 VAC 5-371-250 (G) Cross reference to F656</p> <p>12 VAC 5-371-220 (D) (E) (G) (F) Cross reference to F677</p> <p>12 VAC5-371-340(J) Cross reference to F807</p> <p>COV 321-126-01 (A) Criterion #1 Correction <input type="checkbox"/> The contracted</p>	9/3/21

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

TITLE

(X6) DATE

Electronically Signed

08/13/21

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F 001	<p>Continued From page 1</p> <p>D, in a sample of 25 employee records.</p> <p>The facility staff failed to obtain a signed, sworn statement for CNA A, CNA C, and CNA D prior to allowing them to provide direct Resident care.</p> <p>The findings included:</p> <p>On 7/22/21, a review of 25 employee files was conducted by Surveyor D and revealed the following:</p> <ol style="list-style-type: none"> 1. CNA A, an employee from a contracted staffing agency, began working at the facility on 4/29/21. There was no sworn statement available for CNA A. Therefore, CNA A worked in the facility and provided direct care to Residents within the facility without the facility knowing if CNA A had any pending criminal charges of barrier crimes. 2. CNA C, an employee from a contracted staffing agency, began working at the facility on 10/20/20. There was no sworn statement available for CNA C. Therefore, CNA C worked in the facility and provided direct care to Residents within the facility without the facility knowing if CNA C had any pending criminal charges of barrier crimes. 3. CNA D, an employee from a contracted staffing agency, began working at the facility on 5/3/21. There was no sworn statement available for CNA D. Therefore, CNA D worked in the facility and provided direct care to Residents within the facility without the facility knowing if CNA D had any pending criminal charges of barrier crimes. <p>On 7/22/21, Surveyor D interviewed the Human Resources Director, Employee C. Employee C confirmed the hire dates for the 3 referenced</p>	F 001	<p>agency for CNA-A, CNA-D and CNA-C was contacted and informed of the need for a signed sworn statement, completed on the identified agency staff. CNA-A, CNA-D and CNA-C will not be allowed to work at the nursing facility until sworn statements are provided.</p> <p>Criterion #2 Others Potentially Affected <input type="checkbox"/> Other contracted CNAs and licensed nurses may have been impacted. The facility will consider all agency staff as potentially affected by agencies that are not obtaining signed sworn statements on their staff.</p> <p>Criterion #3 <input type="checkbox"/> System Change -- All contractual agencies were notified in writing on August 12, 2021 that the staff they supply must have a completed, sworn statement done by the agency before they can work at Beth Sholom. The agencies will guarantee that this has been done in their contract with the facility.</p> <p>Criterion #4 - Monitoring -On a monthly basis x 3 months, The Human Resource Director or designee will request copies of sworn disclosure statements from utilized contract agencies, for at least one nurse or C.N.A. from each agency that, in order to validate the agency's compliance in obtaining sworn statements disclosure that are in compliance with the Code of Virginia.</p> <p>12 VAC 5-371 140 (E)(3)(A) Criterion #1 Correction - The contracted agency for CNA-C, CNA-D and CNA-F</p>	

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F 001	<p>Continued From page 2</p> <p>CNAs and agreed that a sworn statement by the employee is an acknowledgement of any pending or outstanding criminal charges. Employee C said she was aware of the missing sworn statements and stated, "We depend on the staffing agency to properly check out potential employees, however I see now that we need to ensure that agency staff is meeting regulated employment checks, I don't know for sure whether or not the agency obtained a pre-employment sworn statement, I have reached out to them but they did not send any sworn statements over".</p> <p>The Facility Administrator was updated. No further information was provided.</p> <p>12 VAC 5-371 140 (E)(3)(A)</p> <p>Based on staff interview and facility documentation review, the facility staff failed to verify the employee license, prior to hire, for 3 employees, CNA C, CNA D, and CNA F, in a sample of 25 employee records.</p> <p>The facility staff failed to verify that nursing licenses were active and in good standing, prior to employment, for CNA C, CNA D, and CNA F.</p> <p>The findings included:</p> <p>On 7/22/21, a review of 25 employee files was conducted by Surveyor D and revealed the following:</p> <p>1. CNA C, an employee from a contracted staffing agency, began working at the facility on 10/20/20. There was no evidence that the facility staff verified CNA C's license to ensure it was active</p>	F 001	<p>was contacted following the survey and informed of the need for verification of active license/certification. CNA-C, CNA-D and CNA-F will not be allowed to work at the nursing facility until verification of active license is provided.</p> <p>Criterion #2 - Others Potentially Affected - Other contracted CNAs and licensed nurses may have been impacted. The facility will consider all agency staff as potentially affected by agencies that are not verifying licensure of their staff.</p> <p>Criterion #3 - System Change - All contractual agencies were notified in writing on August 12,2021 that the staff they supply must have had verification of their licensure done by the agency before they can work at Beth Sholom. The agencies were informed that Beth Sholom may request copies of these documents and if the agency cannot provide an appropriate licensure verification immediately upon request, that the employee will not be eligible to work. The agencies will guarantee that this has been done in their contract with the facility.</p> <p>Criterion #4 <input type="checkbox"/> Monitoring -- On a monthly basis x 3 months, The Human Resource Director or designee will request copies of licensure verification from contract agencies, for at least one nurse or C.N.A. from each agency utilized, in order to validate the agency's compliance in obtaining verification that their staff have licenses in good standing. Variances will be immediately investigated with appropriate action taken and</p>	

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F 001	<p>Continued From page 3</p> <p>and in good standing prior to employment and she was permitted to provide direct care to Residents.</p> <p>2. CNA D, an employee from a contracted staffing agency, began working at the facility on 5/3/21. There was no evidence that the facility staff verified CNA D's license to ensure it was active and in good standing prior to employment and she was permitted to provide direct care to Residents.</p> <p>3. CNA F, an employee from a contracted staffing agency, began working at the facility on 2/22/21. CNA F's license verification was dated 5/28/21. Therefore, from 2/22/21-5/28/21, facility staff was unaware if CNA F's license was active and in good standing and she was permitted to provide direct care to Residents.</p> <p>On 7/22/21, Surveyor D interviewed the Human Resources Director, Employee C. Employee C confirmed the hire dates for the 3 referenced CNAs and stated it did not appear that a license verification was not performed as it should have been prior to hire.</p> <p>A review of the facility's policy entitled, "Abuse Prevention, Investigation and Reporting", revision date 5/17/2021, subtitle, "Procedure and Requirements--1. Screening", item B read, "Prior to hire, the appropriate state licensure and certification agencies and applicable registries will be contacted to validate current licensure requirements and to determine if the potential employee is in good standing with the board or registry. The facility will not hire any candidate who is under disciplinary action or other sanctions by the licensing board for abuse, neglect,</p>	F 001	<p>responsible staff re-educated and/or counseled. A summary of the monthly audits will be provided to the QAPI Committee.</p> <p>12 VAC 5-371.140 (E)(3)(B) and Code of Virginia 32.1-126.01 (A)</p> <p>Criterion #1 Correction -- The contracted agency for CNA-A, CNA-C, CNA-D, CNA-E, CNA-F and CNA-G was contacted following the survey and informed of the need for a criminal background check from the Central Criminal Record Exchange of the Virginia State Police. CNA-A, CNA-C, CNA-D, CNA-E, CNA-F and CNA-G will not be allowed to work at the nursing facility until evidence of criminal background checks from the Central Criminal Record Exchange have been obtained.</p> <p>Criterion #2 -Other Potential - Other contracted CNAs and licensed nurses may have been impacted. The facility will consider all agency staff as potentially affected by agencies that are not obtaining signed criminal background checks on their staff.</p> <p>Criterion #3 - System Change - All contractual agencies were notified by VP of QA (quality assurance) or designee in writing on August 12, 2021 that the staff they supply must have had a completed criminal background check, done by the Virginia State Police Criminal Records Exchange on behalf of the agency before</p>	

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F 001	<p>Continued From page 4</p> <p>misappropriation of property, or exploitation of a resident".</p> <p>The Facility Administrator was updated. No further information was provided.</p> <p>12 VAC 5-371.140 (E)(3)(B) and COV § 32.1-126.01 (A)</p> <p>Based on staff interview and facility documentation review, the facility staff failed to obtain a Criminal Background check with the Central Criminal Records Exchange within 30 days of hire for 6 employees (CNA A, CNA C, CNA D, CNA E, CNA F, and CNA G) in a sample of 25 employee records.</p> <p>The findings included:</p> <p>1. CNA A was hired 4/29/21. CNA A's employee file contained a "Consumer Report" performed on 12/7/20, from a company other than the Central Criminal Records Exchange. The "Consumer Report" contained the following statement, "California Candidates/Employees Only: The report does not guarantee the accuracy or truthfulness of the information as to the subject of the investigation, but only that it is accurately copied from public records, and information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the consumer who is the subject of the report".</p> <p>Surveyor D asked Employee C, the Human Resources Director if a criminal background check from companies other than the Central</p>	F 001	<p>they can work at Beth Sholom. The agencies were informed that Beth Sholom will request copies of these documents and if the agency cannot provide a complete and appropriate background check immediately upon request, that the employee will not be eligible to return to work. The agencies will guarantee that this has been done in their contract with the facility.</p> <p>Criterion #4 - Monitoring - On a monthly basis x 3 months, The Human Resource Director or designee will request copies of criminal background checks from contract agencies, for at least one nurse or C.N.A. from each agency, to validate the agency's compliance in conducting background checks that are compliant with the Code of Virginia.</p> <p>Variances will be immediately investigated with appropriate action taken and responsible staff re-educated and/or counseled. A summary of the monthly audits will be provided to the QAPI Committee</p> <p>12 VAC5-371-260 (B) (1-9&11)</p> <p>Criterion #1 - Correction- CNA B has been required to complete her mandatory in-service training by September 3, 2021.</p> <p>Criterion #2 - All resident care staff are potentially affected when mandatory training requirements are not completed. The facility will do a 100% audit of current resident care staff to identify any other staff that have been deficient in completing their annual training</p>	

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F 001	<p>Continued From page 5</p> <p>Criminal Records Exchange was acceptable, Employee C stated, "No, we use the Virginia State Police which complies with the regulation but the Agency does their own criminal background checks, we will be making some changes in the future".</p> <p>2. CNA C's hire date was confirmed as 10/20/20. CNA C's employee file contained a "Consumer Report" performed on 9/24/20, from a company other than the Central Criminal Records Exchange. The "Consumer Report" contained the following statement, "California Candidates/Employees Only: The report does not guarantee the accuracy or truthfulness of the information as to the subject of the investigation, but only that it is accurately copied from public records, and information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the consumer who is the subject of the report".</p> <p>3. CNA D's hire date was confirmed as 5/3/21. CNA D's employee file contained a "Consumer Report" performed on 12/8/20, from a company other than the Central Criminal Records Exchange. The "Consumer Report" contained the following statement, "California Candidates/Employees Only: The report does not guarantee the accuracy or truthfulness of the information as to the subject of the investigation, but only that it is accurately copied from public records, and information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the consumer who is the subject of the report".</p> <p>4. CNA E's hire date was confirmed as 1/8/20. The employee file for CNA E contained no evidence of a criminal background check being</p>	F 001	<p>requirements for the current year.</p> <p>Criterion #3 - Completion of mandatory training will be added to each employee position description by the Human Resource department . The nursing staff (RN's, LPN's and CNA's) will be provided clear instructions by the Director Human Resources on accessing online training and clear deadlines for completion. Failure to complete required training will result in personnel action.</p> <p>To expand staff options for meeting annual training requirements, the facility will accept documented completion of the following modalities for staff education: "The current, web-based Relias training modules (preferred) "In person, onsite training on mandatory topics, provided by a qualified instructor "Participation in Skills Fairs for interactive learning / training on specific topics "Outside training that provides for required content</p> <p>All training will be tracked in the individual training records of employees. At least two weeks before each employee's annual performance evaluation, their supervisor will be provided a copy of their educational transcript and will notify the employee of any outstanding educational requirements that need to be completed in order to meet expectations for their position.</p> <p>Criterion 4 - Monitoring- On a monthly basis x 3 months, Human Resources will generate a report to the VP- Quality Assurance identifying training compliance rates for the facility staff; the report will be shared with the QAPI Committee for</p>	

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F 001	<p>Continued From page 6</p> <p>performed. Employee C, stated she was not able to find a criminal background report for CNA E, however a she did produce a copy of a criminal background check that was dated 7/21/21 .</p> <p>5. CNA F's hire date was confirmed as 2/22/21. CNA F's employee file contained a background check that was performed by a company other than the Central Criminal Records Exchange on 2/4/21. The background check on file contained the following statement, "....criminal records obtained from a database search for employment screening purposes must be verified with a County Criminal Court Search to obtain current up to date case status.....This report does not guarantee the accuracy or truthfulness of the information.....".</p> <p>6. CNA G's hire date was confirmed as 6/8/21. CNA G's employee file contained a background check that was performed by a company other than the Central Criminal Records Exchange on 5/12/21. The background check on file contained the following statement, "....criminal records obtained from a database search for employment screening purposes must be verified with a County Criminal Court Search to obtain current up to date case status.....This report does not guarantee the accuracy or truthfulness of the information.....".</p> <p>On 7/22/21 Surveyor D met with Employee C, the Human Resources Director. The criminal record check findings for the above noted employees was confirmed by Employee C.</p> <p>A review of the facility's policy entitled, "Abuse Prevention, Investigation and Reporting", revision date 5/17/2021, subtitle, "Procedure and</p>	F 001	developing additional corrective action plans if needed.	

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F 001	<p>Continued From page 7</p> <p>Requirements--1. Screening", item C read, "Criminal record checks are requested on all new employees prior to assuming resident related duties. If agency or contractual staff is used, the vendor providing the contracted service will be required to obtain criminal record checks for all staff assigned to the Home...".</p> <p>The Facility Administrator was updated. No further information was provided.</p> <p>12 VAC5-371-260 (B)(1-9 & 11)--Staff Development and In-service Training</p> <p>Based on staff interview and facility documentation review, the facility staff failed to ensure resident care staff received annual in-service training for 1 employee (CNA B) in a sample of 5 employee training records.</p> <p>The facility staff failed to ensure completion of mandated annual in-service training for CNA B.</p> <p>The findings included:</p> <p>On 7/22/21, a copy of facility training records was reviewed for the selected employee sample and revealed in the year 2019, CNA B did not have record of required annual in-service training in the areas of (1) Special Needs, (2) Infection Prevention/Control, (4) Safety & Accident Prevention, (5) Restraint Use, (6) Confidentiality/HIPPA, (7) Understanding the Needs of the Aged/Disabled, (8) Resident Rights, (9) Care of the Cognitively Impaired, (10) Heimlich Maneuver, and (11) Prevention/Treatment of Pressure Sores.</p>	F 001		

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F 001	Continued From page 8 An interview was conducted with the Human Resources Director [Employee C] who had provided the staff training records. The HR Director stated that the facility's training and in-service program was not being closely monitored for staff training compliance.	F 001		