

State of Virginia

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: VA0123	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 09/09/2021
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NAME OF PROVIDER OR SUPPLIER ENVOY OF WINCHESTER, LLC	STREET ADDRESS, CITY, STATE, ZIP CODE 110 LAUCK DR WINCHESTER, VA 22603
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F 000	<p>Initial Comments</p> <p>An unannounced biennial State Licensure Inspection was conducted 09/07/2021 through 09/09/2021. Corrections are required for compliance with the following Virginia Rules and Regulations for the Licensure of Nursing Facilities.</p> <p>The census in this 60 bed certified facility was 52 at the time of the survey. The survey sample consisted of 27 current resident reviews and eight closed record 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: 12 VAC 5 - 371 - 220 C 1 - cross references to F 686 Policies & Procedures 12VAC5-371-140E3a,b,c,</p> <p>Based on staff interview and facility document review, it was determined that the facility staff failed to evidence that sworn statements, criminal record background checks, license verifications and/or reference checks were obtained in accordance with the laws of the State of Virginia, for 23 of 25 employee records reviewed, (OSM [other staff member] # 9, physical therapist, OSM # 10, receptionist, RN [registered nurse] # 2, RN #3, LPN [licensed practical nurse] # 7, CNA [certified nursing assistant] # 4, #5, #6, #7, #9, #10, #11, #12, #13, #14, #15, #16, #17, #18, #19, #20 and #21).</p> <p>The findings included:</p>	F 001	<ol style="list-style-type: none"> 1. The records of the previous employee were not found. 2. Current employees at the facility will be audited to ensure they have current background checks, sworn statements, license verifications, and reference checks. 3. Human Resource Coordinator will be educated by Regional Director of Employee Relations/designee on importance of having background checks, sworn statements, license verification, and reference checks in employee files. 4. New hire files will be audited weekly by ED/designee for 4 weeks to ensure required documentation is present. The ED/designee will report results of audits to the quality assurance performance 	10/14/21

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

TITLE

(X6) DATE

Electronically Signed

09/30/21

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F 001	<p>Continued From page 1</p> <p>On 09/08/2021 at approximately 2:45 p.m., the employee records for newly hired employees within the past two years were reviewed. Review of the employee records failed to evidence that that sworn statements, criminal record background checks, license verifications and/or reference checks were obtained in accordance with the laws of the State of Virginia.</p> <p>The employees identified were:</p> <ol style="list-style-type: none"> 1. OSM [other staff member] # 9, physical therapist. Hire date 08/13/2021. No evidence of no sworn statement. 2. OSM # 10, receptionist. Hire date 02/17/2020. No evidence of sworn statement or Virginia State Police criminal background check. 3. RN [registered nurse] # 2. Hire date 04/14/2020. No evidence of sworn statement, Virginia State Police criminal background check or references. 4. RN # 3. Hire date 05/21/2020. No evidence of an employee record. 5. LPN [licensed practical nurse] # 7. Hire date 04/16/2020. No evidence of an employee record. 6. CNA [certified nursing assistant] # 4. Hire date 06/09/2021. No evidence of sworn statement or references. 7. CNA # 5. Hire date 11/19/2020. No evidence of sworn statement, Virginia State Police criminal background check or references. 8. CNA # 6. Hire date 10/15/2019. No evidence of Virginia State Police criminal background check. 9. CNA # 7. Hire date 10/16/2019. No evidence of Virginia State Police criminal background check. 10. CNA # 8. Hire date 11/11/2019. No evidence of Virginia State Police criminal background check. 11. CNA # 9. Hire date 01/13/2020. No 	F 001	<p>improvement committee monthly for 3 months or committee determines substantial compliance has been met.</p> <p>5. 10/14/21</p> <p>Cross reference citations F622, F623, F657, F656, F697, F686, F868, F880, F583, F755, F804, F584, F700</p>	

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F 001	<p>Continued From page 2</p> <p>evidence of Virginia State Police criminal background check.</p> <p>12. CNA # 10. Hire date 11/14/2020. Virginia State Police criminal background check obtained on 01/13/2020. Not obtained within 30 days of hire.</p> <p>13. CNA # 11. Hire date 04/03/2020. No evidence of an employee record.</p> <p>14. CNA # 12. Hire date 06/11/2020. No evidence of an employee record.</p> <p>15. CNA # 13. Hire date 11/21/2019. No evidence of an employee record.</p> <p>16. CNA # 14. Hire date 12/26/2019. No evidence of an employee record.</p> <p>17. CNA # 15. Hire date 05/31/2021. No evidence of an employee record.</p> <p>18. CNA # 16. Hire date 12/21/2020. No evidence of an employee record.</p> <p>19. CNA # 17. Hire date 10/16/2019. No evidence of an employee record.</p> <p>20. CNA # 18. Hire date 11/26/2019. No evidence of an employee record.</p> <p>21. CNA # 19. Hire date 09/20/2019. No evidence of an employee record.</p> <p>22. CNA # 20. Hire date 09/234/2019. No evidence of an employee record.</p> <p>23. CNA # 21. Hire date 10/09/2020. No evidence of an employee record.</p> <p>On 09/08/2021 at 2:45 p.m., an interview was conducted with ASM [administrative staff member] # 1, administrator. When asked about the missing documents and the missing employee records ASM # 1 stated, "We contacted the two previous administrators and director of nursing to help locate the records. We are unable to find them." ASM # 1 further stated that the RNs, LPNs and CNAs listed above were not currently employed at the facility.</p>	F 001		
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F 001	<p>Continued From page 3</p> <p>On 09/09/2021 at 12:00 p.m., an interview was conducted with OSM [other staff member] # 11, regional human resources. When asked about the process for obtaining sworn statements, criminal record background checks, license verifications and reference checks, OSM # 11 stated that after someone is hired they are given a pre-hire packet that contains the forms for the sworn statements, criminal record background checks, license verifications and/or reference checks. The forms are completed before they start orientation or they don't start their orientation. OSM # 11 further stated that the human resources department gathers all the documents and puts together an employee file. When asked how the employee files are stored OSM # 11 stated, "All active employee files are kept in the human resource office. Termed (terminated) employees up to one year are boxed and stored.</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: b. Criminal record check."</p> <p>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. "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</p>	F 001		

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F 001	<p>Continued From page 4</p> <p>record from the Central Criminal Records Exchange."</p> <p>State law (§§ 32.1-126.01 and 32.1-162.9:1 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>On 09/09/2021 at 11:30 a.m., ASM [administrative staff member] # 1, administrator, ASM # 2, director of nursing, and ASM # 3, regional nurse, were made aware of the above findings.</p> <p>No further information was provided prior to exit.</p> <p>12VAC5-371-140. Policies and Procedures. Cross references to F622, F623</p> <p>12VAC5-371-150. Resident Rights. Cross reference to F622, F623</p> <p>12VAC5-371-250. Resident assessment and care planning. Cross reference to F657</p> <p>Resident assessment and care planning 12VAC5-371-250 G cross reference to F656</p>	F 001		

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F 001	<p>Continued From page 5</p> <p>Nursing Services 12VAC5-371-220A cross reference F697 12VAC5-371-220C1 cross reference F686.</p> <p>Quality Assessment & Assurance 12VAC5-371-170A2 cross reference F868.</p> <p>12VAC5-371-180. Infection control cross reference to F880.</p> <p>Clinical Records 12VAC5-371-360 B cross reference to F583</p> <p>Pharmaceutical Services 12VAC5-371-300 B cross reference to F755</p> <p>12VAC5-371-340. Dietary and food service program. Cross reference to F804</p> <p>Maintenance and Housekeeping 12VAC5-371-370 A cross reference to F584</p> <p>Restraint Usage 12VAC5-371-330A, B1, C3 cross reference F700.</p>	F 001		