

State of Virginia

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: VA0151	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED C 09/30/2021
NAME OF PROVIDER OR SUPPLIER BIRCHWOOD PARK REHABILITATION		STREET ADDRESS, CITY, STATE, ZIP CODE 340 LYNN SHORES DRIVE VIRGINIA BEACH, VA 23452		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
F 000	Initial Comments An unannounced biennial State Licensure Inspection was conducted 09/20/21 through 09/30/21. The facility was not in compliance with the Virginia Rules and Regulations for the Licensure of Nursing Facilities. The census in this 150 certified bed facility was 80 at the time of the survey. The survey sample consisted of 42 current and closed records.	F 000		
F 001	Non Compliance The facility was out of compliance with the following state licensure requirements: This RULE: is not met as evidenced by: The facility staff failed to be in compliance with the following state licensure requirements: 12 VAC 5-371-150 (B.1). Resident Rights. Cross-Reference to F-622-625-626 12 VAC 5-371-150 (B.2). Resident Rights. Cross-Reference to F-582 12 VAC 5-371-170 (B.2). Quality assessment and Assurance. Cross Reference to F-867. 12 VAC 5-371-220 (A) (H) Cross Reference to F-684 12 VAC 5-371-220 (A) (D) Cross Reference to F-685 12 VAC 5-371-220 (H). Nursing Services. Cross Reference to F-580. 12 VAC 5-371-260 (F). Staff Development and In-Service Training. Cross Reference to F- 730 12 VAC 5-371-360 (E.9) Clinical Records. Cross Reference to F-842. 12 VAC 5-371- 380 Cross Reference to F-584 12VAC5-371-250 (C), (F). Please Cross	F 001		

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

Electronically Signed

TITLE

(X6) DATE

11/02/21

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F 001	<p>Continued From page 1</p> <p>Reference to F-657. 12VAC5-371-220 (C, 3). Please Cross Reference to F-690. 12VAC5-371-360 (A), (E, 8). Please Cross Reference to F-842. 12VAC5-371-180 (A), (C). Please Cross Reference to F-880.</p> <p>12VAC5-371-150 (G)..</p> <p>Based on facility document review and staff interviews the facility staff failed to ensure at least one person in the facility was registered to receive automatic notifications from the Virginia State Police Sex Offender Registry.</p> <p>The findings included:</p> <p>On 9/21/21 at 11:45 a.m., the Administrator was asked to provide documentation to show that the facility was registered to receive automatic notifications from the Virginia State Police Sex Offender Registry.</p> <p>On 9/22/21 at 10:30 a.m., the Administrator was asked who was registered in the facility to receive automatic sex offender updates. The Administrator stated, "I really don't think anyone is registered, I'm still working on it."</p> <p>On 9/22/21 at 3:30 p.m., the Administrator provided this surveyor with email confirmation that himself and the Admissions Director had both registered to receive automatic notifications from the Virginia State Police Sex Offender Registry earlier this morning. The Administrator stated, "No one in the facility was registered to receive updates. Myself and the Admissions Director</p>	F 001			

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F 001	<p>Continued From page 2</p> <p>registered today with the Sex Offender Registry to receive updates. I can't find a policy but I know it's a state requirement."</p> <p>On 9/30/21 at 6:42 p.m., a pre-exit debriefing was conducted with the Administrator, the acting Director of Nursing, the Regional Director of Clinical Services and the Regional Director of Operations, where the above information was shared. Prior to exit no further information was shared.</p> <p>12 12VAC5-371-140(E) (3) (B).</p> <p>Based on employee record review, facility document review and staff interviews the facility staff failed to ensure that Virginia State Police criminal background checks were obtained for 12 current employees within 30 days of their hire date.</p> <p>The findings included:</p> <p>On 9/22/21 twenty-five current employee records were reviewed. The employee record review revealed that 12 current employees did not have a Virginia State Police criminal background check. The 12 current employees with no Virginia State Police criminal background check were identified in the nursing, dietary, activities, housekeeping and rehabilitation departments.</p> <p>On 9/23/21 at 10:30 a.m., an interview was conducted with the Business Office Manager (BOM) regarding the 12 current employees without Virginia State Police criminal background checks. The BOM stated, "Those 12 employees</p>	F 001			

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F 001	<p>Continued From page 3</p> <p>should have had criminal background checks within the first two weeks of hire. I am new to this position and I was not aware that the background checks had not been done." The BOM was asked what is the importance of obtaining criminal background checks on new hires. The BOM stated, "To make sure that we don't have anyone in the building that can cause harm to us or the residents. It's very important to have the criminal background checks. I did not know that I was responsible for contract employees criminal background checks."</p> <p>On 9/29/21 at 4:03 p.m. an interview was conducted with the Regional Director of Clinical Services. The Regional Director of Clinical Services was asked what was the importance of obtaining Virginia State Police criminal background checks on all new employees. The Regional Director of Clinical Services stated, "To provide and make sure our residents are protected. We do not want staff providing care or services to our residents that could possibly endanger the resident."</p> <p>On 9/30/21 at 2:20 p.m., an interview was conducted with the Administrator regarding the 12 current employees without Virginia State Police criminal background checks and his expectations. The Administrator stated, "I would expect the guidance be followed for the criminal background checks to be obtained within 30 days for our new hires to keep the residents safe."</p> <p>The facility policy titled "Background Investigations" dated 11/1/2020 was reviewed and is documented in part, as follows:</p> <p>Policy: Job reference checks, drug screenings, licensure verifications and criminal conviction</p>	F 001			

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F 001	Continued From page 4 record checks are conducted on all personnel making application for employment with this company. On 9/30/21 at 6:42 p.m., a pre-exit debriefing was conducted with the Administrator, the acting Director of Nursing, the Regional Director of Clinical Services and the Regional Director of Operations, where the above information was shared. Prior to exit no further information was shared.	F 001			