

State of Virginia

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: VA0265	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 05/16/2019
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NAME OF PROVIDER OR SUPPLIER WESTMINSTER AT LAKE RIDGE	STREET ADDRESS, CITY, STATE, ZIP CODE 12185 CLIPPER DRIVE LAKE RIDGE, VA 22192
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F 000	<p>Initial Comments</p> <p>An unannounced biennial State Licensure Inspection was conducted 5/14/19 through 5/16/19. The facility was not in compliance with the Virginia Rules and Regulations for the Licensure of Nursing Facilities. No complaints were investigated during the survey.</p> <p>The census in this 60 certified bed facility was 49 at the time of the survey. The survey sample consisted of 25 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 32.1-138.01(A)(8). Please cross reference to F600</p> <p>12VAC 5-371-150(B)(1). Please cross reference to F623.</p> <p>12VAC 5-371-150(B)(1). Please cross reference to F625.</p> <p>12VAC 5-371-250(G). Please cross reference to F656.</p> <p>12VAC 5-371-250(F). Please cross reference to F657.</p> <p>12VAC 5-371-200(B)(1)(ii). Please cross reference to F658.</p> <p>12VAC 5-371-220(A). Please cross reference to F685.</p> <p>12VAC 5-371-220(A). Please cross reference to</p>	F 001	<p>COV 32.1-138.01(A)(8). cross referenced to F600</p> <p>12VAC 5-371-150(B)(1). Cross referenced to F623.</p> <p>12VAC 5-371-150(B)(1). Cross referenced to F625.</p> <p>12VAC 5-371-250(G). Cross referenced to F656.</p> <p>12VAC 5-371-250(F). Cross referenced to F657.</p> <p>12VAC 5-371-200(B)(1)(ii). Cross referenced to F658.</p> <p>12VAC 5-371-220(A). Cross referenced to F685.</p> <p>12VAC 5-371-220(A). Cross referenced to</p>	6/28/19

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

TITLE

(X6) DATE

Electronically Signed

06/08/19

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F 001	<p>Continued From page 1</p> <p>F689.</p> <p>12VAC 5-371-220(C)(5). Please cross reference to F692.</p> <p>12VAC 5-371-210(B). Please cross reference to F725.</p> <p>12VAC 5-371-300(A). Please cross reference to F755.</p> <p>12VAC 5-371-220(A). Please cross reference to F757.</p> <p>12VAC 5-371-220(A). Please cross reference to F758.</p> <p>12VAC 5-371-220(B). Please cross reference to F760.</p> <p>12VAC 5-371-180(A). Please cross reference to F880.</p> <p>12VAC 5 - 371 - 140 - E (3)(a)</p> <p>Based on staff interview and facility documentation review, the facility staff failed to conduct certification verification prior to hire for one employee (Employee E) out of a sample size of 25 employees.</p> <p>On 05/15/2019 at approximately 2:30 PM, a review of Employee Records with Human Resources Coordinator, Employee D, was conducted. Employee E, a certified nursing assistant (CNA), had a hire date of 03/14/2019. The verification of certification was done on</p>	F 001	<p>F689.</p> <p>12VAC 5-371-220(C)(5). Cross referenced to F692.</p> <p>12VAC 5-371-210(B). Cross referenced to F725.</p> <p>12VAC 5-371-300(A). Cross referenced to F755.</p> <p>12VAC 5-371-220(A). Cross referenced to F757.</p> <p>12VAC 5-371-220(A). Cross referenced to F758.</p> <p>12VAC 5-371-220(B). Cross referenced to F760.</p> <p>12VAC 5-371-180(A). Cross referenced to F880.</p> <p>12VAC 5 - 371 - 140- E (3)(a)</p> <p>Employee E is a current employee of center. Center's policy on background screening reviewed. Center's policy will be updated to reflect obtaining certification verifications prior to hire date. Center to review 100% of certified staff hired in the last 30 days to ensure certifications verifications occurred prior to hire.</p> <p>Center's human resources department will be reeducated on pre-employment requirements to include obtaining</p>	

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F 001	<p>Continued From page 2</p> <p>03/15/2019 at 2:36 PM.</p> <p>When asked about a CNA's schedule on the first day on the job, Employee D stated they first report to Human Resources at 10:30 AM, "do paperwork, then go to the unit." When asked about the timing for certification verification, Employee D stated the unit manager gets references, license look-up, application, and resume. Employee D went on to say, "In theory, the references and verification are done before they come in for the pre-hire work-up which is drug screen and ppd." When asked about the certification verification dated 03/15/2019 (one day after hire date), Employee D stated, "This is the one I did" and stated the unit manager may have done one earlier. Documentation for a certification verification prior to hire date was requested.</p> <p>The facility provided a policy entitled, "Background Screening Investigations." In Section 3, it documented, "For any licensed professional applying for a position that may involve direct contact with residents, his/her respective licensing board is contacted to determine if any sanctions have been assessed against the applicants license." A license look-up prior to hire was not addressed.</p> <p>On 05/16/2019 at approximately 2:30 PM, the Administrator stated they had no further documentation or information to offer.</p> <p>12VAC5 - 371 - 140 -E (3) (b)</p> <p>Based on staff interview and facility documentation review, the facility staff failed to</p>	F 001	<p>certification verification before date of hire.</p> <p>Center's human resources director to conduct weekly audits for 4 weeks then every other week thereafter for 2 months of 100% of new hire paperwork for all licensed personnel to ensure certification verifications occurred prior to hire date. Center Human Resources Director to take immediate corrective steps if there are variances. Center Human Resources Director to present findings to QAPI for 3 months.</p> <p>12VAC5-371-140-E (3)(b)</p> <p>Employee F, G and H are current employees of the center. Employee F will complete sworn disclosure with answers to all questions including questions regarding prior and pending convictions/charges. A comprehensive criminal background check via Virginia State Police has been completed for employees G and H. Center is currently completing comprehensive criminal background checks via the Virginia state police</p> <p>Center's Human Resources Department will be re-educated on pre employment requirements to include conducting a comprehensive criminal background check through the Virginia State Police and ensuring all items in sworn disclosure are answered.</p> <p>Human Resources Director to review application of candidates completing pre-employment weekly for 4 weeks then</p>	
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F 001	<p>Continued From page 3</p> <p>conduct a complete criminal background check for 3 employees (Employee F, Employee G, Employee H) in a sample size of 25 employees.</p> <p>The findings included:</p> <ol style="list-style-type: none"> 1. For Employee F, the facility staff failed to obtain a completed sworn statement disclosing any criminal convictions. Employee F did not answer the questions regarding prior or pending convictions/charges. 2. For Employee G, the facility staff failed to complete a comprehensive criminal background check. 3. For Employee H, the facility staff failed to complete a comprehensive criminal background check. <p>On 05/15/2019 at approximately 2:30 PM, a review of Employee Records with Human Resources Coordinator, Employee D, was conducted. The criminal background check for Employee F indicated the employee was found guilty on 11/17/1997 of a misdemeanor offense of failure to appear in court. When asked what the original charge was, Employee D stated she did not know. The sworn statement or affirmation disclosing any criminal convictions or pending criminal charges document was signed by Employee F but the questions were left unanswered. For the question, "Have you ever been convicted of a law violation(s) but excluding offenses committed before your eighteenth birthday that were finally adjudicated in a juvenile court or under a youth offender law?", the yes or no options were left blank. For the question, "Are you the subject of any pending criminal charges?", the yes or no options were left blank.</p>	F 001	<p>every other week thereafter for 2 months to ensure all items in sworn disclosure have been satisfied and a comprehensive criminal background check was completed using Virginia State Police. Human Resources Director to present finding to QAPI for 3 months</p>	
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F 001	<p>Continued From page 4</p> <p>The facility staff provided a copy of their policy entitled, "Background Screening Investigations." An excerpt of Section 1 entitled, "Criminal Background Check" documented, "The criminal background check is conducted after candidate completes an authorization form or sworn disclosure statement."</p> <p>On 05/16/2019 at approximately 2:30 PM, the Administrator stated they had no further documentation or information to offer.</p> <p>2. For Employee G, the facility staff failed to complete a comprehensive criminal background check.</p> <p>On 05/15/2109 at approximately 2:30 PM, a review of employee records with Employee D, Human Resources Coordinator, was conducted. Employee G, a registered nurse, had a hire date of 04/24/2019. The criminal background check was documented on a Background Screening Report dated 04/05/2019 by [information management company]. When asked about background check completed by [state police], Employee D stated they no longer conduct background checks through the state police but "about a month ago", the facility corporation changed policy to now out-source criminal background checks to [information management company]. Under the Investigative section of the Background Screening Report for "Multi-jurisdictional Criminal & Sex Offender Database", the results documented, "No reportable records found." Under Jurisdiction, it was documented, "Nationwide." Under the section entitled, "Jurisdiction Searched" it was</p>	F 001		

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F 001	<p>Continued From page 5</p> <p>documented, "The search you have selected is a search of our criminal database(s) and may not represent 100% coverage of all criminal records in all jurisdictions and/or sources." It also documented, "CAUTION: Based on the information provided [information management company] searched for public records in the sources referenced herein for criminal history information as permitted by federal and state law. 'No reportable records found' means that our researchers could not locate a record that matched at least two personal identifiers (ie, name, SSN social security number, date of birth, address) for the subject in that jurisdiction. Further investigation into additional jurisdictions, or utilization of additional identifying information, may be warranted."</p> <p>On 05/15/2019 at approximately 5:50 PM, concerns regarding criminal background checks were shared with Administrator and DON. When asked if this information management company included the state police database in their background screening, the administrator indicated she would find out.</p> <p>On 05/16/2019 at approximately 10:40 AM, the Administrator provided a document listing sources for the information management company's list of searched databases for background checks. The Administrator stated, "It doesn't list 'state police' specifically." The following seven sources were listed:</p> <ol style="list-style-type: none"> 1. Administrative Office of Courts - contains statewide and/or county level current and historical felony and misdemeanor dispositions excluding the circuit court finding the facility resides in as well as 2 other adjacent counties and the age of records ranged "1993 - April 	F 001		
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F 001	<p>Continued From page 6</p> <p>2009."</p> <p>2. Administrative Office of Courts - Supplemental - contains felony records from circuit courts excluding 2 adjacent counties where the facility resides and age of records from "1999" and update frequency "monthly."</p> <p>3. Department of Corrections - consists of all offenders on active parole in the state and age of records ranged from "Current offenders through May 2008."</p> <p>4. Sex Offender and Crimes Against Minors Registry - contains information on convicted violent sex offenders and offenders who have been convicted of crimes against minors with age of records from "1990" and update frequency "bi-weekly."</p> <p>5. Sex Offender - Supplemental List - contains sex offense convictions in the state where facility resides that occurred between "1980 -1994."</p> <p>6. [Adjacent County Where Facility Resides] - contains felony and misdemeanor conviction cases only and age of records ranged "1980- May 2005."</p> <p>7. Public Records Indexes of Record Searches - comprised of "Proprietary criminal data compiled from previously ordered county, statewide and federal criminal requests, from [state], which contained records."</p> <p>On 05/16/2019 at approximately 11:45 AM, Employee I, a Human Resources Manager, stated that, in the future, the facility would "do state police checks" in addition to what the [information management company] does.</p>	F 001		

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F 001	<p>Continued From page 7</p> <p>On 05/16/2019 at approximately 2:30 PM, the Administrator stated they had no further documentation or information to offer.</p> <p>3. For Employee H, the facility staff failed to complete a comprehensive criminal background check.</p> <p>On 05/15/2109 at approximately 2:30 PM, a review of employee records with Employee D, Human Resources Coordinator, was conducted. Employee H, a certified nurse assistant, had a hire date of 04/24/2019. The criminal background check was documented on a Background Screening Report dated 04/05/2019 by [information management company]. When asked about background check completed by [state police], Employee D stated they no longer conduct background checks through the state police but "about a month ago", the facility corporation changed policy to now out-source criminal background checks to [information management company]. Under the Investigative section of the Background Screening Report for "Multi-jurisdictional Criminal & Sex Offender Database", the results documented, "No reportable records found." Under Jurisdiction, it was documented, "Nationwide." Under the section entitled, "Jurisdiction Searched" it was documented, "The search you have selected is a search of our criminal database(s) and may not represent 100% coverage of all criminal records in all jurisdictions and/or sources." It also documented, "CAUTION: Based on the information provided [information management company] searched for public records in the sources referenced herein for criminal history</p>	F 001		

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F 001	<p>Continued From page 8</p> <p>information as permitted by federal and state law. 'No reportable records found' means that our researchers could not locate a record that matched at least two personal identifiers (ie, name, SSN social security number, date of birth, address) for the subject in that jurisdiction. Further investigation into additional jurisdictions, or utilization of additional identifying information, may be warranted."</p> <p>On 05/15/2019 at approximately 5:50 PM, concerns regarding criminal background checks were shared with Administrator and DON. When asked if this information management company included the state police database in their background screening, the administrator indicated she would find out.</p> <p>On 05/16/2019 at approximately 10:40 AM, the Administrator provided a document listing sources for the information management company's list of searched databases for background checks. The Administrator stated, "It doesn't list 'state police' specifically." The following seven sources were listed:</p> <ol style="list-style-type: none"> 1. Administrative Office of Courts - contains statewide and/or county level current and historical felony and misdemeanor dispositions excluding the circuit court finding the facility resides in as well as 2 other adjacent counties and the age of records ranged "1993 - April 2009." 2. Administrative Office of Courts - Supplemental - contains felony records from circuit courts excluding 2 adjacent counties where the facility resides and age of records from "1999" and update frequency "monthly." 	F 001		

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