

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 03/17/2015
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 185260	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 03/14/2015
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NAME OF PROVIDER OR SUPPLIER LITTLE SISTERS OF THE POOR	STREET ADDRESS, CITY, STATE, ZIP CODE 15 AUDUBON PLAZA DRIVE LOUISVILLE, KY 40217
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{F 000}	INITIAL COMMENTS Based upon implementation of the acceptable POC, the facility was deemed to be in compliance, 03/14/15 as alleged.	{F 000}		
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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
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Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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NAME OF PROVIDER OR SUPPLIER LITTLE SISTERS OF THE POOR			STREET ADDRESS, CITY, STATE, ZIP CODE 15 AUDUBON PLAZA DRIVE LOUISVILLE, KY 40217		
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F 000	INITIAL COMMENTS	F 000			
F 225 SS=D	<p>483.13(c)(1)(ii)-(iii), (c)(2) - (4) INVESTIGATE/REPORT ALLEGATIONS/INDIVIDUALS</p> <p>The facility must not employ individuals who have been found guilty of abusing, neglecting, or mistreating residents by a court of law; or have had a finding entered into the State nurse aide registry concerning abuse, neglect, mistreatment of residents or misappropriation of their property; and report any knowledge it has of actions by a court of law against an employee, which would indicate unfitness for service as a nurse aide or other facility staff to the State nurse aide registry or licensing authorities.</p> <p>The facility must ensure that all alleged violations involving mistreatment, neglect, or abuse, including injuries of unknown source and misappropriation of resident property are reported immediately to the administrator of the facility and to other officials in accordance with State law through established procedures (including to the State survey and certification agency).</p> <p>The facility must have evidence that all alleged violations are thoroughly investigated, and must prevent further potential abuse while the investigation is in progress.</p> <p>The results of all investigations must be reported to the administrator or his designated representative and to other officials in accordance</p>	F 225	<p>The statements made on this Plan of Correction are not an admission to and do not constitute an agreement with the alleged deficiencies contained herein. The Little Sisters of the Poor strive to continue to improve the care of those in their care and comply with all of the federal and state regulatory requirements. It is the policy of Little Sisters of the Poor (the Home) to conduct criminal records checks on all employees. The employee handbook states it as follows: "In keeping with its mission to render the highest quality of care to its elderly Residents, the Home may condition employment offers for all or certain positions on a criminal background check, and it may also require that criminal background checks be conducted for present employees, consistent with applicable law. This policy also applies to former employees who are rehired." Additionally, the Home conducts Nurse Aide Abuse Registry checks and validation of certification/licensure for CNA/CMT's and nurses.</p> <p>Corrective Action: A review of the personnel records for CNA #1 indicated that no criminal background check, Nurse Aide Abuse Registry check, and validation of the current CNA certification were obtained at the time of re-hire of this employee. These records checks were completed for CNA #1 on 2/20/15. A review of the personnel records for CNA/CMT #2 indicated that this employee's CNA/CMT certification expired thirteen (13) days after hire and that this was not discovered until 2/19/15 when it was verified that the certification for this employee was current. The Human Resources Manager re-read the Home's policy and reviewed his procedures concerning background, registry, and certification checks and has effectively been re-trained on the topic.</p>		

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

TITLE

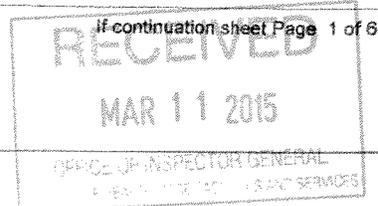
(X6) DATE

X. S. Maurer, Courtney

X. Administrative

3/2/15

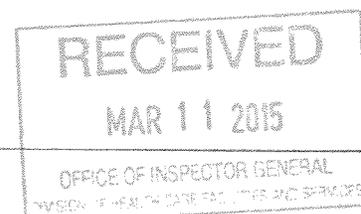
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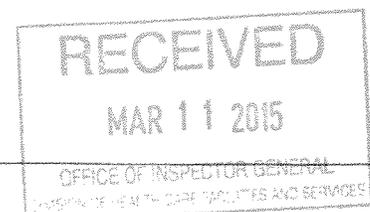
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F 225	<p>Continued From page 1</p> <p>with State law (including to the State survey and certification agency) within 5 working days of the incident, and if the alleged violation is verified appropriate corrective action must be taken.</p> <p>This REQUIREMENT is not met as evidenced by: Based on interviews and record reviews, it was determined the facility failed to ensure the required background checks were completed for two (2) of six (6) employee files reviewed. Certified Nursing Assistant (CNA) #1 and CNA/Certified Medication Tech (CMT) #2. The Human Resource Department failed to obtain a Criminal Background Check, Nurse Aide Abuse Registry check and validate the current Certification for CNA #1. In addition, the Human Resource Department failed to obtain validation of certification for CNA/CMT #2 before it had expired.</p> <p>The findings include:</p> <p>Review of the facility's policy regarding Hiring Direct Care Staff, effective 02/28/01, revealed the facility would hire no employee until verification was received from the Kentucky Board of Nursing (KBN) that there are no findings against the individual.</p> <p>Review of six (6) new hire employee files revealed the facility initially hired CNA #1 on 05/29/14. The facility re-hired the CNA on 12/06/14 without checking the Nurse Aide Abuse Registry, completing a criminal background check or validation of the current certification until 02/19/15, 75 days after hire.</p>	F 225	<p>Contacts were made with Patricia Jakubiak from the Provincial Payroll Administration in Illinois who preceded the HR Director in that position. In addition, LSP initiated plans to have Victor Salcido, the Human Resources Manager for the Province of Chicago, to come for additional training in Personnel Management and hiring requirements.</p> <p>Other Possible Instances of Same Practice: To ensure that there were no other employees that were overlooked with regard to criminal background checks, Nurse Aide Abuse Registry checks, and validation of the current CNA/CMT/nurse certifications, the HR Director reviewed all nurse, CNA, and CMT files for completeness on March 2-3, 2015.</p> <p>To Ensure Deficient Practice Will Not Recur: In addition to re-training on the policy, the HR Director established and will maintain a holding area for new employee files. The files will remain in the holding area until all pertinent records checks are complete and have been verified.</p> <p>All license dates shall be reviewed monthly. All background, registry, and certification checks will be complete before an employee begins work. To Monitor Continued Compliance: These findings will be reported at the next Quality Assurance meeting on 4/15/15. New hire files will be reviewed quarterly at the discretion of the Administrator.</p>	3/14/2015	



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F 225	Continued From page 2 Review of the employee file for CNA/CMT #2 revealed the facility hired CNA/CMT #2 on 11/03/14. CNA/CMT #2's certification expired on 11/16/14, thirteen (13) days after hire. The facility failed to reverify her certification status until 02/19/15, 96 days after the certification expired. Interview, on 02/19/15 at 8:50 AM, with the Director of Human Resources (HR) revealed he was not aware that when a previous staff member was re-hired, an Nurse Aide Abuse Registry check, a criminal background check, and certification were to be verified no matter how long the staff member was gone. Interview, on 02/19/15 at 2:18 PM, with the Director of Nursing (DON) revealed the facility obtained verifications from the Nurse Aide Abuse Registry, criminal background check, and a certification validation was to be completed before the new or re-hired staff member's start date. In addition, she stated if the verifications had not been completed before the start date it placed residents at risk for possible abuse. Interview, on 02/19/15 at 3:05 AM, with the Administrator revealed before a potentially new staff member was offered a job, a criminal background check, a Nurse Aide Abuse Registry check, and certification verification had to be completed. In addition, she stated all rehired employees must be verified.	F 225			
F 226 SS=D	483.13(c) DEVELOP/IMPLMENT ABUSE/NEGLECT, ETC POLICIES The facility must develop and implement written policies and procedures that prohibit	F 226			



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F 226	Continued From page 3 mistreatment, neglect, and abuse of residents and misappropriation of resident property. This REQUIREMENT is not met as evidenced by: Based on interviews, record reviews and review of the facility's policy, it was determined the facility failed to implement the facility's Abuse Policy by ensuring a criminal background check, a Nurse Aide Abuse Registry check, and a certification verification for two (2) of six (6) newly hired employees. Certified Nursing Assistant (CNA) #1 and CNA/Certified Medication Aide (CMT) #2. The findings include: Review of the facility's Human Resource Policy regarding Hiring of Direct Care Staff, dated 02/28/01, revealed the facility would employ individuals to work in direct personal care who have not been found guilty of abusing, neglecting, or mistreating residents by a court of law, or have not had a finding entered into the Kentucky Board of Nursing (KBN) concerning abuse. The facility would obtain verification by telephone or fax prior to hiring any individual to work in direct care. Review of six (6) new hire employee files revealed the facility initially hired CNA #1 on 05/29/14. The facility re-hired the CNA on 12/06/14 without checking the Nurse Aide Abuse Registry, completing a criminal background check or validation of the current certification until 02/19/15, 75 days after hire.	F 226	The statements made on this Plan of Correction are not an admission to and do not constitute an agreement with the alleged deficiencies contained herein. The Little Sisters of the Poor strive to continue to improve the care of those in their care and comply with all of the federal and state regulatory requirements. It is the policy of Little Sisters of the Poor (the Home) to conduct criminal records checks on all employees. The employee handbook states it as follows: "In keeping with its mission to render the highest quality of care to its elderly Residents, the Home may condition employment offers for all or certain positions on a criminal background check, and it may also require that criminal background checks be conducted for present employees, consistent with applicable law. This policy also applies to former employees who are retired." Additionally, the Home conducts Nurse Aide Abuse Registry checks and validation of certification/licensure for CNA/CMT's and nurses. Corrective Action: A review of the personnel records for CNA #1 indicated that no criminal background check, Nurse Aide Abuse Registry check, and validation of the current CNA certification were obtained at the time of re-hire of this employee. These records checks were completed for CNA #1 on 2/20/15. A review of the personnel records for CNA/CMT #2 indicated that this employee's CNA/CMT certification expired thirteen (13) days after hire and that this was not discovered until 2/19/15 when it was verified that the certification for this employee was current. The Human Resources Manager re-read the Home's policy and reviewed his procedures concerning background, registry, and certification checks and has effectively been re-trained on the topic.		

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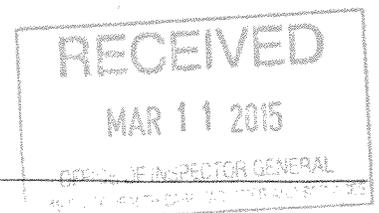
OFFICE OF INSPECTOR GENERAL

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F 226	<p>Continued From page 4</p> <p>Review of the employee file for CNA/CMT #2 revealed the facility hired CNA/CMT #2 on 11/03/14. CNA/CMT #2's certification expired on 11/16/14, thirteen (13) days after hire. The facility failed to reverify her certification status until 02/19/15, 96 days after the certification expired.</p> <p>Review of the facility's Human Resources employee checks revealed the KentuckyCourtNet.gov was used for criminal background checks and the Kentucky Board of Nursing (KBN) website was used to validate Nurse Aide Abuse Registry checks and employees and volunteers were checked for licensure and certifications.</p> <p>Interview with the Director of Human Resources, on 02/19/15 at 8:50 AM, revealed he had rehired CNA #1 with out verification of the Nurse Aide Abuse Registry and criminal background check and did not validate the CNA/s certification. He further hired a CNA/CMT whose Certification expired 13 days after hire without re-verification. In addition he stated he was unaware that a re-hired employee had to be verified.</p> <p>Interview with the Director of Nursing, on 02/19/15 at 2:18 PM, revealed all new staff whether a re-hire or new hire were to have a criminal background check, Nurse Aide Abuse Registry check, and the KBN Licensure/Certification validation prior to the employee's start date. In addition, she stated those verifications were necessary for the protection of residents.</p> <p>Interview with the Administrator, on 02/19/15 at 3:05 PM, revealed Human Resources was responsible to ensure all staff were verified before</p>	F 226	<p>Contacts were made with Patricia Jakubiak from the Provincial Payroll Administration in Illinois who preceded the HR Director in that position. In addition, LSP initiated plans to have Victor Salcido, the Human Resources Manager for the Province of Chicago, to come for additional training in Personnel Management and hiring requirements.</p> <p>Other Possible Instances of Same Practice: To ensure that there were no other employees that were overlooked with regard to criminal background checks, Nurse Aide Abuse Registry checks, and validation of the current CNA/CMT/nurse certifications, the HR Director reviewed all nurse, CNA, and CMT files for completeness on March 2 -3, 2015.</p> <p>To Ensure Deficient Practice Will Not Recur: In addition to re-training on the policy, the HR Director established and will maintain a holding area for new employee files. The files will remain in the holding area until all pertinent records checks are complete and have been verified.</p> <p>All license dates shall be reviewed monthly. All background, registry, and certification checks will be complete before an employee begins work.</p> <p>To Monitor Continued Compliance: These findings will be reported at the next Quality Assurance meeting on 4/15/15. New hire files will be reviewed quarterly at the discretion of the Administrator.</p>	3/14/2015	



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F 226	Continued From page 5 a start date was offered to a new or re-hired employee.	F 226			

