

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

PRINTED: 09/25/2024  
FORM APPROVED  
OMB NO. 0938-0391

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|--|--|--|--|--|--|
| STATEMENT OF DEFICIENCIES<br>AND PLAN OF CORRECTION                                    |  | (X1) PROVIDER/SUPPLIER/CLIA<br>IDENTIFICATION NUMBER:<br><br><b>315239</b> | (X2) MULTIPLE CONSTRUCTION<br>A. BUILDING _____<br><br>B. WING _____   |  | (X3) DATE SURVEY<br>COMPLETED<br><br><b>C</b><br><br><b>07/19/2024</b> |
| NAME OF PROVIDER OR SUPPLIER<br><br><b>CHILDRENS SPECIALIZED HOSPITAL MOUNTAINSIDE</b> |  |  | STREET ADDRESS, CITY, STATE, ZIP CODE<br><b>150 NEW PROVIDENCE ROAD</b><br><b>MOUNTAINSIDE, NJ 07092</b>                 |  |  |
| (X4) ID<br>PREFIX<br>TAG   | SUMMARY STATEMENT OF DEFICIENCIES<br>(EACH DEFICIENCY MUST BE PRECEDED BY FULL<br>REGULATORY OR LSC IDENTIFYING INFORMATION)   | ID<br>PREFIX<br>TAG  | PROVIDER'S PLAN OF CORRECTION<br>(EACH CORRECTIVE ACTION SHOULD BE<br>CROSS-REFERENCED TO THE APPROPRIATE<br>DEFICIENCY) |  | (X5)<br>COMPLETION<br>DATE   |
| F 000  | INITIAL COMMENTS<br><br>Complaint #:NJ175565<br><br>Survey Dates: 07/18/2024, 07/19/2024<br><br>Census: 54<br><br>Sample Size: 3<br><br>THE FACILITY IS NOT IN SUBSTANTIAL<br>COMPLIANCE WITH THE REQUIREMENTS OF<br>42 CFR PART 483, SUBPART B, FOR LONG<br>TERM CARE FACILITIES BASED ON THIS<br>COMPLAINT VISIT.  | F 000  |  |  |  |
| F 842<br>SS=E  | Resident Records - Identifiable Information<br>CFR(s): 483.20(f)(5), 483.70(i)(1)-(5)<br><br>§483.20(f)(5) Resident-identifiable information.<br>(i) A facility may not release information that is<br>resident-identifiable to the public.<br>(ii) The facility may release information that is<br>resident-identifiable to an agent only in<br>accordance with a contract under which the agent<br>agrees not to use or disclose the information<br>except to the extent the facility itself is permitted<br>to do so.<br><br>§483.70(i) Medical records.<br>§483.70(i)(1) In accordance with accepted<br>professional standards and practices, the facility<br>must maintain medical records on each resident<br>that are-<br>(i) Complete;<br>(ii) Accurately documented;<br>(iii) Readily accessible; and<br>(iv) Systematically organized<br><br>§483.70(i)(2) The facility must keep confidential | F 842  |  |  | 8/21/24  |

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

TITLE

(X6) DATE

Electronically Signed

08/09/2024

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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| F 842  | <p>Continued From page 1</p> <p>all information contained in the resident's records, regardless of the form or storage method of the records, except when release is-</p> <p>(i) To the individual, or their resident representative where permitted by applicable law;</p> <p>(ii) Required by Law;</p> <p>(iii) For treatment, payment, or health care operations, as permitted by and in compliance with 45 CFR 164.506;</p> <p>(iv) For public health activities, reporting of abuse, neglect, or domestic violence, health oversight activities, judicial and administrative proceedings, law enforcement purposes, organ donation purposes, research purposes, or to coroners, medical examiners, funeral directors, and to avert a serious threat to health or safety as permitted by and in compliance with 45 CFR 164.512.</p> <p>§483.70(i)(3) The facility must safeguard medical record information against loss, destruction, or unauthorized use.</p> <p>§483.70(i)(4) Medical records must be retained for-</p> <p>(i) The period of time required by State law; or</p> <p>(ii) Five years from the date of discharge when there is no requirement in State law; or</p> <p>(iii) For a minor, 3 years after a resident reaches legal age under State law.</p> <p>§483.70(i)(5) The medical record must contain-</p> <p>(i) Sufficient information to identify the resident;</p> <p>(ii) A record of the resident's assessments;</p> <p>(iii) The comprehensive plan of care and services provided;</p> <p>(iv) The results of any preadmission screening and resident review evaluations and determinations conducted by the State;</p> | F 842  |  |                            |  |

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| F 842  | <p>Continued From page 2</p> <p>(v) Physician's, nurse's, and other licensed professional's progress notes; and</p> <p>(vi) Laboratory, radiology and other diagnostic services reports as required under §483.50. This REQUIREMENT is not met as evidenced by:</p> <p>Complaint # NJ175565</p> <p>Based on observations, interviews, medical record review, and other pertinent facility documents on 07/18/2024 and 07/19/2024, it was determined that the facility who has been in an NJ Ex Order 26.4(b)(1) of the NJ Ex Order 26.4(b)(1) of NJ Ex Order 26.4(b)(1) of NJ Ex Order 26.4(b)(1) failed to provide documentation in the residents' medical records of consents, declinations, and family education for NJ Ex Order 26.4(b)(1) testing.</p> <p>This deficient practice was identified for 51 out of 54 residents and evidenced by the following:</p> <p>During an interview with the Surveyor on 07/18/2024 at 1:03 P.M., the U.S. FOIA (b) (6) stated she did obtain some consents for NJ Ex Order 26.4(b)(1) testing from parents and guardians through emails and phone calls. The U.S. FOIA provided the Surveyor with 3 email communications for consent for testing between U.S. FOIA and 3 residents' families. U.S. FOIA stated, "I deleted the other emails containing consents". The U.S. FOIA further stated that there was no documentation that family education or attempts to obtain consent for NJ Ex Order 26.4(b)(1) was provided in the residents' medical records. The U.S. FOIA stated, "documentation of families that declined are only</p> | F 842  | <p>1. Fifty one (51) residents were found to have been affected by the deficient practice outlined in the CMS-2567.</p> <p>2. All residents have the potential to be affected by this deficient practice.</p> <p>3. All Advanced Practice Nurses and the US FOIA (b)(6) will receive education on policy "LTC - Medical Records" by the completion date, or before their next shift.</p> <p>4. Compliance of the documentation of consent in the electronic medical record will be monitored by the Medical Director or their designee in the form of electronic medical record reviews. There will be five (5) observations per month until 100% compliance 3 consecutive months. Audit reports will be submitted to the QAPI committee quarterly.</p> |                            |  |

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| F 842  | <p>Continued From page 3</p> <p>on the spreadsheet". The [U.S. FOIA] stated that consents were needed every time before testing was conducted.</p> <p>During an interview with the Surveyor on 07/19/2024 at 11:42 A.M., the [U.S. FOIA (b) (6)] stated "the medical team which consists of the [U.S. FOIA (b) (6)] and [U.S. FOIA] were responsible for notifying resident's families of testing and obtaining consents".</p> <p>During an interview with the Surveyor on 07/19/2024 at 1:08 P.M., the [U.S. FOIA] stated the medical team was directed by the [U.S. FOIA] to obtain consents for [NJ Ex Order 2] testing. The [U.S. FOIA] further stated, "only spreadsheet was proof of documentation that consents were obtained in addition to 3 emails received from parents and guardians".</p> <p>During an interview with the Surveyor on 07/19/2024 at 1:13 P.M., the [U.S. FOIA (b) (6)] stated "the standard of practice was to document in the resident's chart". The [U.S. FOIA] further stated that the expectation was that all consents should be documented in residents' chart.</p> <p>During an interview with the Surveyor on 07/19/2024 at 2:21P.M., the [U.S. FOIA (b) (6)] stated consents were the responsibility of the Medical Team. The [U.S. FOIA (b)] further stated the expectation was the medical team would obtain consents from residents' families and guardians. The [U.S. FOIA (b)] stated, "the expectation was that whether consents are obtained or not, it should be documented in the resident's medical record".</p> | F 842  |  |                            |  |

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| F 842  | Continued From page 4<br><br>Review of the facility's policy dated 01/22/2024 and titled "Nursing Documentation System" revealed under "Policy", "Documentation is a crucial aspect of the implementation of the nursing process." Under "Critical Documentation Times/Frequencies", "Due to the need for continuity across shifts, there are six critical documentation times. These are initial assessment upon admission/readmission, when baseline assessment changes, evaluation of progress towards outcomes, patient education..."<br><br>Review of the facility's policy dated 01/30/2024 and titled "Medical Record Content" revealed under "Procedures", "There is evidence of informed consent in the patient's medical record."<br><br>Review of the facility's policy dated 01/11/2024 and titled "LTC-Medical Records" revealed under "Policy Statement", "The Medical Record shall include (at least) the following: 13. Signed consent and release forms." | F 842  |  |                            |  |
| F 880<br>SS=D  | NJAC 8.39-35.2 (d) (13)<br>Infection Prevention & Control<br>CFR(s): 483.80(a)(1)(2)(4)(e)(f)<br><br>§483.80 Infection Control<br>The facility must establish and maintain an infection prevention and control program designed to provide a safe, sanitary and comfortable environment and to help prevent the development and transmission of communicable diseases and infections.<br><br>§483.80(a) Infection prevention and control program.<br>The facility must establish an infection prevention   | F 880  |  | 8/21/24                    |  |

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| F 880  | <p>Continued From page 5</p> <p>and control program (IPCP) that must include, at a minimum, the following elements:</p> <p>§483.80(a)(1) A system for preventing, identifying, reporting, investigating, and controlling infections and communicable diseases for all residents, staff, volunteers, visitors, and other individuals providing services under a contractual arrangement based upon the facility assessment conducted according to §483.70(e) and following accepted national standards;</p> <p>§483.80(a)(2) Written standards, policies, and procedures for the program, which must include, but are not limited to:</p> <p>(i) A system of surveillance designed to identify possible communicable diseases or infections before they can spread to other persons in the facility;</p> <p>(ii) When and to whom possible incidents of communicable disease or infections should be reported;</p> <p>(iii) Standard and transmission-based precautions to be followed to prevent spread of infections;</p> <p>(iv) When and how isolation should be used for a resident; including but not limited to:</p> <p>(A) The type and duration of the isolation, depending upon the infectious agent or organism involved, and</p> <p>(B) A requirement that the isolation should be the least restrictive possible for the resident under the circumstances.</p> <p>(v) The circumstances under which the facility must prohibit employees with a communicable disease or infected skin lesions from direct contact with residents or their food, if direct contact will transmit the disease; and</p> <p>(vi) The hand hygiene procedures to be followed</p> | F 880  |  |                            |  |

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| F 880  | <p>Continued From page 6<br/>by staff involved in direct resident contact.</p> <p>§483.80(a)(4) A system for recording incidents identified under the facility's IPCP and the corrective actions taken by the facility.</p> <p>§483.80(e) Linens.<br/>Personnel must handle, store, process, and transport linens so as to prevent the spread of infection.</p> <p>§483.80(f) Annual review.<br/>The facility will conduct an annual review of its IPCP and update their program, as necessary. This REQUIREMENT is not met as evidenced by:<br/>Complaint # NJ175565</p> <p>Based on observations, interviews, medical record review and review of other facility documentation on 07/19/2024, it was determined that the facility failed to implement appropriate infection control measures for the storage of respiratory equipment.</p> <p>This deficient practice was identified for 1 of 6 resident rooms observed for infection control.</p> <p>This deficient practice was evidenced by the following:</p> <p>1.) During a tour of a resident room on North Wing of facility unit on 07/19/2024 at 12:11P.M., the Surveyor observed ventilator connector and tubing on the floor of room.</p> <p>During an interview with the Surveyor on 07/19/2024 at 12:13 P.M., the <b>U.S. FOIA (b) (6)</b></p> | F 880  | <p>1. One resident was found to have been affected by the deficient practice outlined in the CMS-2567. To correct this deficient practice the <b>NJ Ex Order 26.4b1</b> was immediately discarded.</p> <p>2. All residents who are ventilator dependent have the potential to be affected by this deficient practice.</p> <p>3. All Registered Nurses, Licensed Practical Nurses and Respiratory Therapists will receive education on the proper storage of in use ventilator tubing by the completion date, or before their next shift.</p> <p>4. Compliance with the proper storage of in use ventilator tubing will be monitored by the Respiratory Care Service Manager or their designee in the form of direct observation. There will be five (5) observations per week until 100%</p> |                            |  |

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| F 880  | <p>Continued From page 7</p> <p>(U.S. FOIA (b) (6)) confirmed the ventilator connector and tubing was on the floor in the room. The (U.S. FOIA (b) (6)) further stated that the ventilator connector and tubing should not be on the floor. The (U.S. FOIA (b) (6)) further stated, "tubing is put and stored across ventilator machine". The (U.S. FOIA (b) (6)) stated that the Respiratory Therapy Staff usually disconnects the ventilator connector and tubing.</p> <p>During an interview with the Surveyor on 07/19/2024 at 12:24 P.M., the (U.S. FOIA (b) (6)) stated "when disconnecting a resident from the ventilator, ventilator tubing gets hung over ventilator equipment". The (U.S. FOIA (b) (6)) further stated the expectation was the ventilator connector and tubing should not be on the floor.</p> <p>During an interview with the Surveyor on 07/19/2024 at 1:13 P.M., the (U.S. FOIA (b) (6)) stated that ventilator tubing should be stored in the basket next to the ventilator and not on the floor. The (U.S. FOIA (b) (6)) further stated the expectation was "ventilator tubing should not be stored on the floor".</p> <p>During an interview with the Surveyor on 07/19/2024 at 2:21 P.M., the (U.S. FOIA (b) (6)) stated the expectation was that no respiratory equipment and tubing should be stored on the floor. (U.S. FOIA (b) (6)) further stated, "I can't answer how respiratory equipment is supposed to be stored". The Surveyor requested a policy from (U.S. FOIA (b) (6)) on Respiratory Equipment Storage. (U.S. FOIA (b) (6)) stated the facility did not have policy on Respiratory Equipment Storage.</p> <p>NJAC 8.39-19.4 (a)</p> | F 880  | <p>compliance, then five (5) observations per month until 100% compliance for 3 consecutive months. Audit reports will be submitted to the QAPI committee quarterly.</p> |                            |  |



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## POST-CERTIFICATION REVISIT REPORT

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| PROVIDER / SUPPLIER / CLIA / IDENTIFICATION NUMBER<br>315239    | MULTIPLE CONSTRUCTION<br>A. Building<br>B. Wing  | DATE OF REVISIT<br>8/21/2024 |
| NAME OF FACILITY<br>CHILDRENS SPECIALIZED HOSPITAL MOUNTAINSIDE | STREET ADDRESS, CITY, STATE, ZIP CODE<br>150 NEW PROVIDENCE ROAD<br>MOUNTAINSIDE, NJ 07092 |                              |

This report is completed by a qualified State surveyor for the Medicare, Medicaid and/or Clinical Laboratory Improvement Amendments program, to show those deficiencies previously reported on the CMS-2567, Statement of Deficiencies and Plan of Correction, that have been corrected and the date such corrective action was accomplished. Each deficiency should be fully identified using either the regulation or LSC provision number and the identification prefix code previously shown on the CMS-2567 (prefix codes shown to the left of each requirement on the survey report form).

| ITEM<br>Y4                                | DATE<br>Y5             | ITEM<br>Y4   | DATE<br>Y5            | ITEM<br>Y4 | DATE<br>Y5 |
|---|------------------------|--|-----------------------|------------|------------|
| ID Prefix F0842                           | Correction             | ID Prefix F0880  | Correction            | ID Prefix  | Correction |
| Reg. # 483.20(f)(5), 483.70(i)(1)-(5)     | Completed              | Reg. # 483.80(a)(1)(2)(4)(e)(f)  | Completed             | Reg. #     | Completed  |
| LSC                                       | 08/21/2024             | LSC  | 08/21/2024            | LSC        |            |
| ID Prefix                                 | Correction             | ID Prefix  | Correction            | ID Prefix  | Correction |
| Reg. #                                    | Completed              | Reg. #   | Completed             | Reg. #     | Completed  |
| LSC                                       |                        | LSC  |                       | LSC        |            |
| ID Prefix                                 | Correction             | ID Prefix  | Correction            | ID Prefix  | Correction |
| Reg. #                                    | Completed              | Reg. #   | Completed             | Reg. #     | Completed  |
| LSC                                       |                        | LSC  |                       | LSC        |            |
| ID Prefix                                 | Correction             | ID Prefix  | Correction            | ID Prefix  | Correction |
| Reg. #                                    | Completed              | Reg. #   | Completed             | Reg. #     | Completed  |
| LSC                                       |                        | LSC  |                       | LSC        |            |
| ID Prefix                                 | Correction             | ID Prefix  | Correction            | ID Prefix  | Correction |
| Reg. #                                    | Completed              | Reg. #   | Completed             | Reg. #     | Completed  |
| LSC                                       |                        | LSC  |                       | LSC        |            |
| REVIEWED BY STATE AGENCY                  | REVIEWED BY (INITIALS) | DATE   | SIGNATURE OF SURVEYOR | DATE       |            |
| REVIEWED BY CMS RO                        | REVIEWED BY (INITIALS) | DATE   | TITLE                 | DATE       |            |
| FOLLOWUP TO SURVEY COMPLETED ON 7/19/2024 |                        | <input type="checkbox"/> CHECK FOR ANY UNCORRECTED DEFICIENCIES. WAS A SUMMARY OF UNCORRECTED DEFICIENCIES (CMS-2567) SENT TO THE FACILITY? <input type="checkbox"/> YES <input type="checkbox"/> NO |                       |            |            |