New Jersey Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION A. BUILDING: ____ B. WING ____	(X3) DATE SURVEY COMPLETED
	061211		11/19/2021

NAME OF PROVIDER OR SUPPLIER: ELMS OF CRANBURY, THE

STREET ADDRESS, CITY, STATE, ZIP CODE: 61 MAPLEWOOD AVENUE, CRANBURY, NJ 08512

(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
S 000	Initial Comments THE FACILITY WAS NOT IN COMPLIANCE WITH THE STANDARDS IN THE NEW JERSEY ADMINISTRATIVE CODE, CHAPTER 8:39, STANDARDS FOR LICENSURE OF LONG TERM CARE FACILITIES. THE FACILITY MUST SUBMIT A PLAN OF CORRECTION, INCLUDING A COMPLETION DATE, FOR EACH DEFICIENCY AND ENSURE THAT THE PLAN IS IMPLEMENTED. FAILURE TO CORRECT DEFICIENCIES MAY RESULT IN ENFORCEMENT ACTION IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY ADMINISTRATIVE CODE, TITLE 8, CHAPTER 43E, ENFORCEMENT OF LICENSURE REGULATIONS.	S 000		
S 560	8:39-5.1(a) Mandatory Access to Care (a) The facility shall comply with applicable Federal, State, and local laws, rules, and regulations. This REQUIREMENT is not met as evidenced by: Based on observation, interview, and review of pertinent facility documentation, it was determined the facility failed to maintain the required minimum direct care staff-to-resident ratios as mandated by the state of New Jersey. This deficient practice was evidenced by the following: Reference: NJ State requirement, CHAPTER 112. An Act concerning staffing requirements for nursing homes and supplementing Title 30 of the Revised Statutes. Be It Enacted by the Senate and General Assembly of the State of New Jersey: C.30:13-18	S 560	1. No residents have had a negative outcome due to the facility staffing below the required minimum direct care staff-to-resident ratios as mandated by the state of New Jersey on 11/09/21, 11/10/21, 11/15/21, 11/16/21, 11/17/21, 11/18/21 and 11/19/21. Nurse management and contracted agency staff are in place to ensure residents needs are met. Administrator or Designee will review to ensure the required minimum direct care staff-to-resident ratios as mandated by the state of New Jersey are being met 2. All residents have the potential to be	1/31/22

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE: Electronically Signed | TITLE | (X6) DATE: 12/07/21

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S 560	Continued From page 1 Minimum staffing requirements for nursing homes effective 2/1/21. 1. a. Notwithstanding any other staffing requirements as may be established by law, every nursing home as defined in section 2 of P.L.1976, c.120 (C.30:13-2) or licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) shall maintain the following minimum direct care staff -to-resident ratios: (1) one certified nurse aide to every eight residents for the day shift; (2) one direct care staff member to every 10 residents for the evening shift, provided that no fewer than half of all staff members shall be certified nurse aides, and each staff member shall be signed in to work as a certified nurse aide and shall perform certified nurse aide duties; and (3) one direct care staff member to every 14 residents for the night shift, provided that each direct care staff member shall sign in to work as a certified nurse aide and perform certified nurse aide duties b. Upon any expansion of resident census by the nursing home, the nursing home shall be exempt from any increase in direct care staffing ratios for a period of nine consecutive shifts from the date of the expansion of the resident census. c. (1) The computation of minimum direct care staffing ratios shall be carried to the hundredth place. (2) If the application of the ratios listed in subsection a. of this section results in other than a whole number of direct care staff, including certified nurse aides, for a shift, the number of required direct care staff members shall be rounded to the next higher whole number when the resulting ratio, carried to the hundredth place, is fifty-one hundredths or higher. (3) All computations shall be based on the	S 560	affected by this deficient practice and can identified by the resident roster. The Licensed Nursing Home Administrator or designee will monitor the resident daily census and the daily scheduled staff to ensure the required minimum direct care staff-to-resident ratios are being met as mandated by the state of New Jersey. 3. The Licensed Nursing Home Administrator or designee will educate the Staffing Coordinator on the required minimum direct care staff-to-resident ratios as mandated by the state of New Jersey. The Facility will contract with agency C.N.A.'s to be in compliance with state staffing C.N.A. ratios until adequate staff is hired by the facility. 4. The Licensed Nursing Home Administrator or designee will conduct weekly audits x 2 months to ensure the required minimum direct care staff-to-resident ratios as mandated by the state of New Jersey are being met. The results of these audits will be reviewed at the Quarterly QAPI Meeting.	

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S 560	Continued From page 2 midnight census for the day in which the shift begins. d. Nothing in this section shall be construed to affect any minimum staffing requirements for nursing homes as may be required by the Commissioner of Health for staff other than direct care staff, including certified nurse aides, or to restrict the ability of a nursing home to increase staffing levels, at any time, beyond the established minimum ... On 11/09/21, 11/10/21, 11/15/21, 11/16/21, 11/17/21, 11/18/21, and 11/19/21, the surveyors observed eleven to sixteen Certified Nursing Aides (CNA)s working on the working on the first and second floors throughout the facility. These CNAs provided direct care to the residents who resided at the facility. Review of "New Jersey Department of Health Long Term Care Assessment and Survey Program Nurse Staffing Report" for the weeks of 10/24/21 and 10/31/21 revealed the facility was deficient in CNA staffing for residents on 10 of 14-day shifts, deficient for CNAs to total staff on 2 of 14 evening shifts and deficient for total staff for residents on 1 of 14 overnight shifts as follows: 10/24/21 had 13 CNAs for 109 residents on the day shift, required 14 CNAs. 10/25/21 had 13 CNAs for 106 residents on the day shift, required 14 CNAs. 10/25/21 had 6 CNAs to 13 total staff on the evening shift, required 7 CNAs. 10/26/21 had 13 CNAs for 106 residents on the day shift, required 14 CNAs.	S 560		

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S 560	Continued From page 3 10/27/21 had 13 CNAs for 106 residents on the day shift, required 14 CNAs. 11/01/21 had 14 CNAs for 115 residents on the day shift, required 15 CNAs. 11/01/21 had 6 CNAs to 13 total staff on the evening shift, required 7 CNAs. 11/02/21 had 14 CNAs for 115 residents on the day shift, required 15 CNAs. 11/03/21 had 14 CNAs for 115 residents on the day shift, required 15 CNAs. 11/04/21 had 13 CNAs for 115 residents on the day shift, required 15 CNAs. 11/05/21 had 14 CNAs for 115 residents on the day shift, required 15 CNAs. 11/06/21 had 14 CNAs for 116 residents on the day shift, required 15 CNAs. 11/06/21 had 8 total staff for 116 residents on the overnight shift, required 9 total staff. The surveyor reviewed the staffing for CNAs during the 7:00 AM - 3:00 PM, 3:00 PM - 11:00 PM, and 11:00 PM - 7:00 AM shifts during the re-certification survey from 11/09/21 through 11/19/21 which revealed the following: Tuesday, November 9, 2021. Census (number of resident's who resided in the facility) was 116. 7:00AM - 3:00 PM, 13 CNAs scheduled to work. 116/ (divided by) 13 = (equals) 8.9 3:00 PM - 11:00 PM, 8.5 CNAs scheduled to work. 116/8.5 = 13.6 11:00 PM - 7:00 AM, 6 CNAs scheduled to work.	S 560		

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S 560	Continued From page 4 116/6 = 19.3 Wednesday, November 10, 2021. Census was 111. 7:00AM - 3:00 PM, 11 CNAs scheduled to work. 111/11 = 10. 3:00 PM - 11:00 PM, 6.5 CNAs scheduled to work. 111/6.5 =17 11:00 PM - 7:00 AM, 6.5 CNAs scheduled to work. 111/6.5 = 17 Thursday, November 11, 2021. Census was 113. 7:00AM - 3:00 PM, 13 CNAs scheduled to work. 113/13 = 8.6 3:00 PM - 11:00 PM, 9 CNAs scheduled to work. 113/9 = 12.5 11:00 PM - 7:00 AM, 5 CNAs scheduled to work. 113/5 = 22.6 Friday, November 12, 2021. Census was 114. 7:00AM - 3:00 PM, 12 CNAs scheduled to work. 114/12 = 9.5 3:00 PM - 11:00 PM, 5.5 CNAs scheduled to work. 114/5.5 = 20 11:00 PM - 7:00 AM, 6 CNAs scheduled to work. 114 /6 = 19 Saturday, November 13, 2021. Census was 113. 7:00AM - 3:00 PM, 11 CNAs scheduled to work. 113/11 = 10 3:00 PM - 11:00 PM, 8.5 CNAs scheduled to work. 113/8.5 = 13 11:00 PM - 7:00 AM, 4 CNAs scheduled to work. 113/4 = 28.25 Sunday, November 14, 2021. Census was 112. 7:00AM - 3:00 PM, 12 CNAs scheduled to work. 112/12 = 9.3 3:00 PM - 11:00 PM, 9 CNAs scheduled to work. 112/9 = 12.4	S 560		

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S 560	Continued From page 5 11:00 PM - 7:00 AM, 3 CNAs scheduled to work. 112/3 = 37 Monday, November 15, 2021. Census was 112. 7:00AM - 3:00 PM, 13 CNAs scheduled to work. 112/13 = 8.6 3:00 PM - 11:00 PM, 10 CNAs scheduled to work. 112/10 = 11.2 11:00 PM - 7:00 AM, 6 CNAs scheduled to work. 112/6 = 18.6 Tuesday, November 16, 2021. Census was 113. 7:00AM - 3:00 PM, 14 CNAs scheduled to work. 113/14 = 8.0 3:00 PM - 11:00 PM, 6.5 CNAs scheduled to work. 113/6.5 = 17.3 11:00 PM - 7:00 AM, 6 CNAs scheduled to work. 113/6 = 18.8 Wednesday, November 17, 2021. Census was 115. 7:00AM - 3:00 PM, 14.5 CNAs scheduled to work. 115/14.5 = 7.9 3:00 PM - 11:00 PM, 8 CNAs scheduled to work. 115/8 =14.3 11:00 PM - 7:00 AM, 7 CNAs scheduled to work. 115/7 = 16 Thursday, November 18, 2021. Census was 116. 7:00AM - 3:00 PM, 16 CNAs scheduled to work. 116/16 = 7.25 3:00 PM - 11:00 PM, 9.5 CNAs scheduled to work. 116/9.5 =12.1 11:00 PM - 7:00 AM, 7 CNAs scheduled to work. 116/7 = 16.5 Friday, November 19, 2021. Census was 116. 7:00AM - 3:00 PM, 14 CNAs scheduled to work. 116/14 = 8.2 3:00 PM - 11:00 PM, 8 CNAs scheduled to work.	S 560		

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S 560	Continued From page 6 116/8 = 14.5 11:00 PM - 7:00 AM, 6 CNAs scheduled to work. 116/6 = 19.3 On 11/17/21 at 9:39 AM, the surveyor interviewed the CNA working on the second floor who stated that she currently had 17 residents on her care assignment during the 7:00 AM to 3:00 PM shift. The CNA further stated that she usually worked the 3:00 PM - 11:00 PM shift and would care for 12 to 17 residents during her shift. The CNA further stated that during the 3:00 PM - 11:00 PM shift, the nurses tried to help as much as they could, but the amount of work was overwhelming. On 11/18/21 at 9:58 AM, the surveyor conducted a telephonic interview with 3:00 PM - 11:00 PM CNA who worked on the second floor during the 3:00 PM - 11:00 PM shift. The CNA stated that the facility was short staffed and the night prior, there were maybe three or four CNAs working on the 3:00 PM -11:00 PM shift and he had 17 or 18 residents on his care assignment. On 11/18/21 at 10:46 AM, the surveyor interviewed the 7:00 AM - 3:00 PM CNA who worked on the first floor who stated that when she worked the 7:00 AM - 3:00 PM shift, she would usually have nine to 11 residents on her care assignment. The CNA stated that, "due to the crisis, we've been short" and had eight to nine residents that we care for at minimum. The CNA further stated that sometimes she worked the 3:00 PM - 11:00 PM shift and would have 14 -15 residents on her care assignment. On 11/19/21 at 11:09 AM, the surveyor interviewed the Administrator who stated the minimum staffing requirements for the state of New Jersey were one CNA per eight residents	S 560		

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S 560	Continued From page 7 during the 7:00 AM - 3:00 PM shift, one CNA per ten residents on the 3:00 PM -11:00 PM shift, and one CNA for 14 residents on the 11:00 PM -7:00 AM shift.	S 560		