

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

PRINTED: 11/07/2024
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 315387	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 08/19/2024
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NAME OF PROVIDER OR SUPPLIER ALLAIRE REHAB & NURSING	STREET ADDRESS, CITY, STATE, ZIP CODE 115 DUTCH LANE ROAD FREEHOLD, NJ 07728
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F 000	<p>INITIAL COMMENTS</p> <p>Complaint # NJ00176157</p> <p>Census: 130</p> <p>Sample Size: 8</p> <p>THE FACILITY IS NOT IN SUBSTANTIAL COMPLIANCE WITH THE REQUIREMENTS OF 42 CFR PART 483, SUBPART B, FOR LONG TERM CARE FACILITIES BASED ON THIS COMPLAINT VISIT.</p> <p>A Complaint Survey was conducted from 08/13/24 through 08/19/24 to determine compliance with 42 CFR Part 483, for Long Term Care facilities.</p> <p>During the complaint survey, a finding which constituted Immediate Jeopardy (IJ) was identified under 42 CFR 483.10 (a) Resident Rights/Exercise Rights (Federal (F) 550, F561, F603 and F604) as the facility failed to provide that the NJ Ex Order 26.4(b)(1) Resident #6 was treated with respect and dignity, the autonomy to participate in group activities, community dining, serving meals in a dignified manner, freely communicate with visitors, leave rooms at will and were NJ Ex OI from NJ Ex Order 26.4i. Also, 42 CFR 483.70, (F835) indicated that the Administration failed to ensure the facility implemented policies and procedures for Resident Rights and Self Determination as well as policies and procedures to prevent NJ Ex Order 26.4j and NJ Ex Order 26.4(b)(1). The U.S. FOIA (b) (6) failed to ensure that the NJ Ex signed Admission Agreements on admission to the facility.</p>	F 000		
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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE Electronically Signed	TITLE	(X6) DATE 09/13/2024
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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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F 000	Continued From page 1 Reference: The Centers for Medicare and Medicaid Services (CMS) updated Guideline to Surveyors on Federal Requirements for Providing services to Justice Involved individuals, revised 12/23/2016 S & C 16-21-ALL. Under "...Resident Rights SNFs and NFs, as residential environments, must permit residents to have autonomy and choice, to the maximum extent practicable regarding how they wish to live their everyday lives and receive care. Federal statutes and regulations establish an array of individual rights and Page 7- State Survey Agency Directors safeguards. Nursing homes cannot impose conditions or restrictions that undermine resident rights and protections required by federal law. Facilities cannot require prospective residents to give up their rights as a requirement for admission. Resident rights in the nursing home include, but are not limited to the right to: Be free from physical or chemical restraints imposed for discipline or convenience, and not for treatment of a resident's medical condition;9 Choose activities, schedules, and health care consistent with his or her interests, assessments, and plans of care [and] interact with members of the community both inside and outside the facility;10 Personal privacy and confidentiality of his or her personal and clinical records;11 Immediate access to any resident by the following: subject to the resident's right to deny or withdraw consent at any time, immediate family or other relatives of the resident; and subject to reasonable restrictions and the resident's right to deny or withdraw consent at any time, others who are visiting with the consent of the resident; 12 Be free from verbal, sexual, physical, and mental abuse, corporal punishment, and involuntary seclusion.13 Also, nursing home residents must	F 000			

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F 000	Continued From page 2 not only be able to exercise their rights as residents of the facility and as citizens of the United States, but also have the right to be free of interference, coercion, discrimination, or reprisal from the facility in exercising those rights..." The facility was notified of the IJ situation on 8/15/24. An acceptable removal plan was electronically mailed to the Surveyors on 8/15/24 at 10:15 pm, indicating the action the facility will take to prevent NJ Exec Order 26.461 from occurring or recurring. The facility implemented a corrective action plan to remediate the deficient practice. The NJE was discharged from the facility as of NJE at 9:05 p.m. The facility's referral team will review all future NJE referrals to ensure that the rights of NJE can be fully respected if the individual is admitted into the facility. The survey team verified the removal plan on-site on 8/19/24, and determined the IJs for F550 J, F557 J, F561 J, F603 J, F604 J, and F 835 J were removed as of 8/15/24. After the IJ removal, the non-compliance continued from 8/15/2024 for no actual harm with potential for more than minimal harm that is not immediate jeopardy.	F 000			
F 550 SS=J	Resident Rights/Exercise of Rights CFR(s): 483.10(a)(1)(2)(b)(1)(2) §483.10(a) Resident Rights. The resident has a right to a dignified existence, self-determination, and communication with and access to persons and services inside and outside the facility, including those specified in	F 550		8/19/24	

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F 550	<p>Continued From page 3 this section.</p> <p>§483.10(a)(1) A facility must treat each resident with respect and dignity and care for each resident in a manner and in an environment that promotes maintenance or enhancement of his or her quality of life, recognizing each resident's individuality. The facility must protect and promote the rights of the resident.</p> <p>§483.10(a)(2) The facility must provide equal access to quality care regardless of diagnosis, severity of condition, or payment source. A facility must establish and maintain identical policies and practices regarding transfer, discharge, and the provision of services under the State plan for all residents regardless of payment source.</p> <p>§483.10(b) Exercise of Rights. The resident has the right to exercise his or her rights as a resident of the facility and as a citizen or resident of the United States.</p> <p>§483.10(b)(1) The facility must ensure that the resident can exercise his or her rights without interference, coercion, discrimination, or reprisal from the facility.</p> <p>§483.10(b)(2) The resident has the right to be free of interference, coercion, discrimination, and reprisal from the facility in exercising his or her rights and to be supported by the facility in the exercise of his or her rights as required under this subpart. This REQUIREMENT is not met as evidenced by: Complaint # NJ00176157</p> <p>Based on observation, interview, record review,</p>	F 550	<p>1. NJ Ex Order 26.4(b)(1) ; Resident #6) was discharged to prior level of function as deemed safe to discharge</p>		

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F 550	<p>Continued From page 4</p> <p>and review of pertinent facility documents on 8/15/24, it was determined that the facility failed to ensure that 1 of 1 NJ Ex Order 26.4(b)(1) █ Resident #6 was afforded the autonomy to participate in group activities, community dining, serving meals in a dignified manner, freely communicate with visitors, leave rooms at will and NJ Ex Order 26 from NJ Ex Order 26.4(b)(1). The failure to treat Resident #6 respectfully and in a dignified manner had the likelihood to cause NJ Exec Order 26.4b1 █. This was cited as an isolated incident that immediately jeopardizes the health and safety of the NJ Ex that resided in the facility which resulted in an immediate jeopardy(IJ) situation.</p> <p>The findings were as follows:</p> <p>Reference: The Centers for Medicare and Medicaid Services (CMS) updated Guideline to Surveyors on Federal Requirements for Providing services to Justice Involved individuals, revised 12/23/2016 S & C 16-21-ALL, indicated "Resident Rights SNFs and NFs, as residential environments, must permit residents to have autonomy and choice, to the maximum extent practicable regarding how they wish to live their everyday lives and receive care. Federal statutes and regulations establish an array of individual rights and safeguards. Nursing homes cannot impose conditions or restrictions that undermine resident rights and protections required by federal law. Facilities cannot require prospective residents to give up their rights as a requirement for admission ..."</p> <p>The Immediate Jeopardy (IJ) began on NJ Ex Order 26.4(b) █, the date that Resident #6 was admitted to the facility and based on staff interviewed noted</p>	F 550	<p>by Medical Doctor (MD).</p> <p>2. Any NJ Ex admitting to facility has potential to be affected by deficient practice.</p> <p>3. All facility personnel were educated on updated resident rights and exercise of rights. Facility administrative staff were educated on federal requirement for providing services to NJ Ex █.</p> <p>4. Facility's referral team will review all future NJ Ex referrals to ensure that the rights of NJ Ex residents can be fully respected if the individual is admitted into the facility's care. If NJ Ex is admitted, facility social worker or designee will meet with NJ Ex weekly to ensure resident rights are being respected. Results will be reviewed with team at Quality Assurance and Performance Improvement (QAPI) meeting quarterly.</p>		

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F 550	<p>Continued From page 5</p> <p>below, that upon admission has been ^{NJ Ex Order 26.4(b)} each day by NJ Ex Order 26.4(b)(1) of the NJ Ex Order 26.4(b)(1)).</p> <p>The IJ was identified on 08/15/24, when Resident #6 was observed by Surveyors being ^{NJ Ex Order 26.4(b)} to their room, ^{NJ Ex Order 26.4(b)} by ^{NJ Ex Order 26.4(b)} and was not permitted to participate in group activities and community dining. Further observation revealed the ^{NJ Ex} was not allowed to intermingle with other residents or visitors and were restricted from leaving the room at will.</p> <p>The Surveyors reviewed the following in the Electronic Medical Record (EMR).</p> <p>According to the Admission Record, Resident #6 was admitted to the facility with diagnoses which included but not limited to ^{NJ Ex Order 26.4(b)(1)} and NJ Ex Order 26.4(b)(1) .</p> <p>The Minimum Data Set (MDS), an assessment tool, dated ^{NJ Ex Order 26.4(b)}, indicated that Resident #6 had a Brief Interview for Mental Status (BIMS) of ^{NJ Ex} which indicated the resident was ^{NJ Ex Order 26.4(b)(1)} . The MDS also indicated Resident #6 had no ^{NJ Ex Order 26.4(b)(1)} and utilized no ^{NJ Ex Order 26.4(b)} or ^{NJ Ex Order 26.4(b)} .</p> <p>The facility's U.S. FOIA (b) (6) was informed on 08/15/24 at 7:51 p.m., that an Immediate Jeopardy situation existed.</p> <p>An acceptable removal plan was electronically mailed to the Surveyors on 8/15/24 at 10:15 p.m., indicating the action the facility will take to prevent NJ Exec Order 26.4b1 . The facility implemented a corrective action plan to remediate the deficient practice including: The ^{NJ Ex}</p>	F 550			

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F 550	<p>Continued From page 6</p> <p>was discharged from the facility as of [REDACTED] at 9:05 p.m. The facility's referral team will review all future [REDACTED] referrals to ensure that the rights of [REDACTED] residents can be fully respected if the individual is admitted into the facility's care.</p> <p>The Surveyors verified the removal plan on-site on 8/19/24 and determined the IJ was removed as of 8/15/2024.</p> <p>The U.S. FOIA (b) (6) [REDACTED] provided the Surveyors with multiple facility policies including, "RESIDENT RIGHTS," reviewed and revised on 01/2024, indicated under "Policy Statement Employees shall treat all residents with kindness, respect, and dignity ...1. Federal and state laws guarantee certain and basic rights to all residents of this facility. These rights include resident's right to: a. a dignified existence; b. be treated with respect, kindness, and dignity; c. be free from abuse, neglect, misappropriation of property and exploitation; d. be free from corporal punishment or involuntary seclusion, and physical or chemical restraints not required to treat the resident's symptoms; e. self-determination; f. communication with and access to people and services, both inside and outside the facility; g. exercise his or her rights as a resident of the facility and as a resident or citizen of the United States; h. be supported by the facility in exercising his or her rights...cc. access to a telephone, mail, and email; dd. Communicate in person and by mail, email, and telephone with privacy...."</p> <p>The facility policy titled, "ABUSE PREVENTION PROGRAM" reviewed and revised on 01/2024, under " Policy Statement Our residents have the right to be free from abuse, neglect ...This</p>	F 550			

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F 550	<p>Continued From page 7</p> <p>includes but is not limited to freedom from corporal punishment, involuntary seclusion ...Policy Interpretation and Implementation As part of the resident abuse prevention, the administration will: 1. Protect our residents from abuse by anyone ...3 ...implement policies and procedures to aid our facility in preventing abuse, neglect, or mistreatment of our residents ..."</p> <p>The facility policy titled "Dining Room Services," dated 5/2024, under "Purpose: The purpose of this policy is to ensure that all residents receive safe, nutritious, and enjoyable dining experiences in a respectful and dignified environment. This policy outlines the standards and procedures for meal service, dietary accommodations, and dining room conduct. Scope: This policy applies to all residents ...Accessibility: The dining room should be easily accessible to all residents ...Resident Rights Choice and Independence: Residents have the right to make choices about their meals and dining experience ...Dignity and Respect: All residents should be treated with dignity and respect during mealtimes ..."</p> <p>The facility policy titled "Activities," reviewed and revised on 3/2024, under "Purpose: The purpose of this policy is to ensure that all residents have access to a variety of meaningful, engaging, and age-appropriate activities that promote physical, emotional, and social well-being ...Scope: This policy applies to all residents ...Resident Rights: Residents have the right to choose which activities they participate in and to decline participation without consequence ..."</p> <p>The facility also failed to comply with the policies titled "Resident Rights," "Abuse Prevention Program", "Dining Room Services", and</p>	F 550			

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F 550	<p>Continued From page 8</p> <p>"Activities" were implemented.</p> <p>During an interview with the Surveyors on 8/15/24 at 9:17 a.m., in the presence of the [U.S. FOIA (b) (6)], [U.S. FOIA (b) (6)], [U.S. FOIA (b) (6)], [U.S. FOIA (b) (6)], [U.S. FOIA (b) (6)], and [U.S. FOIA (b) (6)], the [U.S. FOIA (b) (6)] stated that the [U.S. FOIA (b) (6)] and [U.S. FOIA (b) (6)] had an agreement that upon admission, the [U.S. FOIA (b) (6)] would have [U.S. FOIA (b) (6)] that would stay in the room throughout the day. The visits would have to be scheduled to coincide with the [U.S. FOIA (b) (6)] schedule. The [U.S. FOIA (b) (6)] explained that the [U.S. FOIA (b) (6)] administration instructed the facility to have visitors one day a week and then the [U.S. FOIA (b) (6)] will send the [U.S. FOIA (b) (6)] visitor upstairs to check with the [U.S. FOIA (b) (6)]. The [U.S. FOIA (b) (6)] stated that anything that was brought to Resident #6's room had to be checked by the [U.S. FOIA (b) (6)]. The [U.S. FOIA (b) (6)] also added that the activities for the [U.S. FOIA (b) (6)] had to be given to the [U.S. FOIA (b) (6)] for approval, before giving them to the [U.S. FOIA (b) (6)] and that the Resident was not allowed to participate in activities outside the room as instructed by the [U.S. FOIA (b) (6)].</p> <p>During the tour of the unit on 8/15/24 from 11:17 a.m. to 12:30 p.m., the surveyors observed Resident #6 lying in bed, watching television. The resident's [U.S. FOIA (b) (6)] were [U.S. FOIA (b) (6)] and [U.S. FOIA (b) (6)] were sitting inside the room. The Surveyors further observed Resident #6's cell phone was out of reach. During mealtime, Resident #6 was observed sitting on the side of the bed with [U.S. FOIA (b) (6)]. Resident #6's meal was served on disposable plate and utensils.</p> <p>On 8/15/2024 at 11:17 a.m., the Surveyors</p>	F 550			

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F 550	<p>Continued From page 9</p> <p>interviewed Resident #6. The resident stated that they were not allowed to go out of the room to attend activities or go to the dining room with other residents. The resident also stated that the cell phone can only be used after approval from the [redacted] NJ Ex Order 26.4(b)(1) Resident #6 revealed that meals were served with disposable plate and utensils without knife (plastic or silver) to cut the food. Resident #6 explained that in order to eat the meal, the resident picked up the food and used their hands to break the meat into pieces. The resident stated that they [redacted] NJ Ex Order 26.4(b)(1)</p> <p>During the interview with the Surveyors on 8/15/2024 at 11:48 a.m., the [redacted] NJ Ex Order 26.4(b)(1) stated that they were following the [redacted] NJ Ex Order 26.4(b)(1) policy for Resident #6, by not allowing the resident to leave the room except for [redacted] NJ Ex Order 26.4(b)(1) and [redacted] NJ Ex Order 26.4(b)(1), showers, and other pre-approved medical necessary.</p> <p>A review of Resident #6's Care Plan (CP), initiated on [redacted] NJ Ex Order 26.4(b)(1) and revised on [redacted] NJ Ex Order 26.4(b)(1) revealed "My leisure time will be [redacted] NJ Ex Order 26.4(b)(1). I may need solo leisure materials. Interventions included but not limited, "Recreation Staff will have [redacted] NJ Ex Order 26.4(b)(1) and [redacted] NJ Ex Order 26.4(b)(1) with [Resident #6] ...Any mail or packages must be handed directly to the [redacted] NJ Ex Order 26.4(b)(1) ...Recreation Staff, as requested and as approved by [redacted] NJ Ex Order 26.4(b)(1), will drop off solo leisure supplies such as a deck of playing cards, jigsaw puzzle, word puzzle book, notebook, reading materials, safe writing or coloring implements, etc. Upon request and approval of [redacted] NJ Ex Order 26.4(b)(1) ...We are not permitted to give [Resident #6] any electronics. All items must be [redacted] NJ Ex Order 26.4(b)(1). We are not permitted to provide shopping service for</p>	F 550			

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F 550	<p>Continued From page 10</p> <p>[Resident #6]. We are not able to provide salon services for [Resident #6]; without the approval of the NJ Ex Order 26.4(b)(1) and resident is able to fund the service."</p> <p>During the interview with the Surveyors on 8/15/2024 at 11:59 a.m., the Licensed Practical Nurse (LPN #1), assigned nurse for Resident #6 stated that the NJ Ex Order 26.4(b)(1) stayed in their room all day except when going for a shower or NJ Ex Order 26.4(b)(1). LPN #1 further stated that the NJ Ex Order 26.4(b)(1) does not go into the main dining area to attend activities and eat outside the room.</p> <p>During the interview with the Surveyors on 8/15/2024 at 12:16 p.m., the assigned Certified Nursing Assistant (CNA #1) stated that the NJ Ex Order 26.4(b)(1) was served their meals on disposable plates with plastic utensils, and the NJ Ex Order 26.4(b)(1) would check the tray and remove the NJ Ex Order 26.4(b)(1). The CNA further stated the NJ Ex Order 26.4(b)(1) took showers on scheduled days and the NJ Ex Order 26.4(b)(1) would NJ Ex Order 26.4(b)(1) with the NJ Ex Order 26.4(b)(1).</p> <p>During a follow up interview with the Surveyors on 8/15/24 at 2:30 p.m. with the U.S. FOIA (b) (6) and U.S. FOIA (b) (6) the U.S. FOIA (b) (6) stated he was not aware and never paid attention that the Resident #6 was NJ Ex Order 26.4(b)(1) since Resident #6 was NJ Ex Order 26.4(b)(1) of the NJ Ex Order 26.4(b)(1). The U.S. FOIA (b) (6) stated that she was aware that Resident #6 was NJ Ex Order 26.4(b)(1), since this was the protocol of NJ Ex Order 26.4(b)(1). The U.S. FOIA (b) (6) stated "the NJ Ex Order 26.4(b)(1) the resident had were to NJ Ex Order 26.4(b)(1), medical care, food, and nutrition. The resident can't go out to activities with other residents because of NJ Ex Order 26.4(b)(1). It's a NJ Ex Order 26.4(b)(1) like if [he/she] NJ Ex Order 26.4(b)(1). I don't consider it NJ Ex Order 26.4(b)(1), [he/she] is the NJ Ex Order 26.4(b)(1) and we are an NJ Ex Order 26.4(b)(1)." The U.S. FOIA (b) (6) and U.S. FOIA (b) (6) stated that they do not</p>	F 550			

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F 550	Continued From page 11 consider the Resident #3 [REDACTED] NJ Ex Order 26.4(b)(1). According to U.S. FOIA [REDACTED] and U.S. FOIA (b) (6) Resident #6's rights weren't being followed because the facility was following the [REDACTED] regulations for [REDACTED] NJ Ex Order 26.4(e). During the interview with the Surveyors on 8/15/2024 at 4:01p.m, the [REDACTED] U.S. FOIA confirmed that Resident #6 was not provided an admission agreement. The [REDACTED] U.S. FOIA further confirmed that Resident #6's resident rights (RR) were explained, however, the RR were [REDACTED] NJ Ex Order 26.4(b) because the facility was following the [REDACTED] NJ Ex Order 26.4(b) protocol.	F 550			
F 557 SS=J	NJAC 8:39-4.1(a) 11 Respect, Dignity/Right to have Prsnl Property CFR(s): 483.10(e)(2) §483.10(e) Respect and Dignity. The resident has a right to be treated with respect and dignity, including: §483.10(e)(2) The right to retain and use personal possessions, including furnishings, and clothing, as space permits, unless to do so would infringe upon the rights or health and safety of other residents. This REQUIREMENT is not met as evidenced by: Complaint # NJ00176157 Based on observation, interview, record review, and review of pertinent facility documents on 8/15/2024, it was determined that the facility failed to ensure that 1 of 1 [REDACTED] NJ Ex Order 26.4(b)(1) Resident #6 was afforded the right to retain personal possessions and to have a homelike environment. This failure to treat	F 557	1. [REDACTED] NJ Ex was discharged to prior level of function as deemed safe to discharge by [REDACTED] U.S. FOIA 2. Any [REDACTED] NJ Ex admitting to facility has potential to be affected by deficient practice. 3. All facility personnel were educated on updated resident rights for respect and dignity, and the right to retain and use	8/19/24	

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F 557	<p>Continued From page 12</p> <p>Resident #6 respectfully and in a dignified manner had the likelihood to NJ Exec Order 26.4b1 [REDACTED]. This was cited as an isolated incident that immediately jeopardizes the health and safety of the NJE which resulted in an immediate jeopardy (IJ) situation.</p> <p>The findings were as follows:</p> <p>Reference: The Centers for Medicare and Medicaid Services (CMS) updated Guideline to Surveyors on Federal Requirements for Providing services to Justice Involved individuals, revised 12/23/2016 S & C 16-21-ALL. Under " ...Resident Rights SNFs and NFs, as residential environments, must permit residents to have autonomy and choice, to the maximum extent practicable regarding how they wish to live their everyday lives and receive care. Federal statutes and regulations establish an array of individual rights and Page 7- State Survey Agency Directors safeguards. Nursing homes cannot impose conditions or restrictions that undermine resident rights and protections required by federal law. Facilities cannot require prospective residents to give up their rights as a requirement for admission. Resident rights in the nursing home include, but are not limited to the right to: Be free from physical or chemical restraints imposed for discipline or convenience, and not for treatment of a resident's medical condition; 9 Choose activities, schedules, and health care consistent with his or her interests, assessments, and plans of care [and] interact with members of the community both inside and outside the facility; 10 Personal privacy and confidentiality of his or her personal and clinical records; 11 Immediate access to any resident by the following: subject to the resident's right to deny or withdraw consent at</p>	F 557	<p>personal possessions. Facility administrative staff were educated on federal requirement for providing services to NJE</p> <p>4. Facility's referral team will review all future NJE referrals to ensure that the rights, dignity, respect, and has the right to retain and use personal possessions of NJE residents can be fully respected if the individual is admitted into the facility's care. If NJE is admitted, facility social worker or designee will meet with NJE weekly to ensure resident rights, dignity, respect, and has the right to retain and use personal possessions are being respected. Results will be reviewed with team at QAPI meeting quarterly.</p>		

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F 557	<p>Continued From page 13</p> <p>any time, immediate family or other relatives of the resident; and subject to reasonable restrictions and the resident's right to deny or withdraw consent at any time, others who are visiting with the consent of the resident; 12 Be free from verbal, sexual, physical, and mental abuse, corporal punishment, and involuntary seclusion. 13 Also, nursing home residents must not only be able to exercise their rights as residents of the facility and as citizens of the United States, but also have the right to be free of interference, coercion, discrimination, or reprisal from the facility in exercising those rights ..."</p> <p>The Immediate Jeopardy (IJ) began on [redacted] NJ Ex Order 26.4(b), the date that Resident #6 was admitted to the facility and based on staff interviewed noted below, that upon admission has been [redacted] NJ Ex Order 26.4(b) each day by [redacted] NJ Ex Order 26.4(b)(1) of the [redacted] NJ Ex Order 26.4(b)(1). The IJ situation was identified on 08/15/24, when Residents #6 was observed being [redacted] NJ Ex Order 26.4(b) to their room [redacted] NJ Ex Order 26.4(b)(1), and not permitted to participate in group activities, community dining, and being served meals in a dignified manner. The [redacted] NJ Ex was not allowed intermingling with other residents, communicating with visitors, and leaving the room at will.</p> <p>The Surveyors reviewed the following in the Electronic Medical Record (EMR).</p> <p>Review of the Admission Record (AR), Resident #6 was admitted to the facility with diagnoses which included but was not limited: [redacted] NJ Ex Order 26.4(b)(1), [redacted] NJ Ex Order 26.4(b)(1), [redacted] NJ Ex Order 26.4(b)(1), [redacted] NJ Ex Order 26.4(b)(1), [redacted] NJ Ex Order 26.4(b)(1), [redacted] NJ Ex Order 26.4(b)(1), [redacted] NJ Ex Order 26.4(b)(1), [redacted] NJ Ex Order 26.4(b)(1).</p>	F 557		

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F 557	<p>Continued From page 14</p> <p>The Minimum Data Set (MDS), an assessment tool dated [redacted], indicated that Resident #6's BIMS was [redacted] showing [redacted], and [redacted] from staff in Activities of Daily Living (ADL). The MDS further indicated under "Section F- Preferences for Customary Routine and Activities ...F0400. Interview for Daily and Activity Preferences" revealed that while Resident was in the facility, the Resident was interviewed and stated that it is "Important, but [redacted] or [redacted] 1) to choose what [redacted]; 2.) to take care of your [redacted]; 3.) to choose between a [redacted] or [redacted]; 4.) to be able to use the [redacted] ..."</p> <p>Review of the Resident's Care Plans (CP) initiated on dated [redacted] and revised on [redacted]. The CP indicated "My leisure time will be [redacted]. I may need solo leisure materials. The CP interventions included but were not limited to " ...Recreation Staff will have minimal and supervised interactions with [Resident #6]...Any mail or packages must be handed directly to the [redacted] ...Recreation Staff, as requested and as approved by the [redacted] will drop off solo leisure supplies such as; deck of playing cards, jigsaw puzzle, word puzzle book, notebook, reading materials, safe writing or coloring implements, etc. Upon request and approval of [redacted]; We are not permitted to give [Resident #6] any electronics. Any and all items must be handed to [redacted]. We are not permitted to provide shopping service for [Resident #6]. We are not able to provide salon services for [Resident #6] without the approval of the [redacted] ..." initiated on [redacted], created on [redacted]</p>	F 557			

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F 557	<p>Continued From page 15</p> <p>NJ Ex Order 26.4(b)(1), and revised on NJ Ex Order 26.4(b)(1)."</p> <p>The facility U.S. FOIA (b) (6)) was informed on 08/15/24 at 7:51 p.m., that an Immediate Jeopardy situation existed.</p> <p>An acceptable removal plan was electronically mailed to the surveyors on 8/15/2024 at 10:15 p.m., indicating the action the facility will take to prevent serious harm from occurring or recurring. The facility implemented a corrective action plan to remediate the deficient practice, the NJ Ex was discharged from the facility as of NJ Ex Order 26.4. The facility provided education to all administrative facility personnel on CMS guidance in reference to federal requirements for providing services to NJ Ex O and to ensure that the rights of NJ Ex C can be respected if the individuals is admitted into the facility care.</p> <p>The Surveyors verified the removal plan on-site on NJ Ex Order 26.4 and determined the IJ was removed as of 8/15/2024.</p> <p>The U.S. FOIA (b) (6)) provided the Surveyors with multiple facility policies including, a policy titled "Resident Rights" dated 02/2024, included under "Policy Explanation and Compliance Guidelines" that "prior to or upon admission, the social service designee, or another designated staff member, will inform the resident of the resident's rights and responsibilities. 2. Exercise of rights. The resident has the right to exercise his or her rights as a resident of the facility and as a citizen or resident of the United States. 5. Respect and Dignity. The resident has a right to be treated with respect and dignity including the right to be free of any physical or chemical restraint... 6.</p>	F 557			

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F 557	Continued From page 17 During the tour of the [redacted] floor on 8/15/2024 at 11:17 a.m., Resident #6 and [redacted] were inside Resident #6's room. Resident #6 was lying on their bed with hospital gown and the [redacted] were [redacted] were NJ Ex Order 26.4(b)(1) . The cell phone was observed by the window out of the resident's reach. During the interview with the Surveyors on 8/15/2024 at 11:17 a.m., Resident #6 stated that they could only use the cell phone to call their loved ones after the [redacted] approval and was not allowed to have any items brought from the outside. Resident #6 stated that approval is needed from [redacted] before being allowed to do anything.	F 557			
F 561 SS=J	NJAC 8:39-4.1 Self-Determination CFR(s): 483.10(f)(1)-(3)(8) §483.10(f) Self-determination. The resident has the right to and the facility must promote and facilitate resident self-determination through support of resident choice, including but not limited to the rights specified in paragraphs (f) (1) through (11) of this section. §483.10(f)(1) The resident has a right to choose activities, schedules (including sleeping and waking times), health care and providers of health care services consistent with his or her interests, assessments, and plan of care and other applicable provisions of this part. §483.10(f)(2) The resident has a right to make	F 561		8/19/24	

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F 561	<p>Continued From page 18</p> <p>choices about aspects of his or her life in the facility that are significant to the resident.</p> <p>§483.10(f)(3) The resident has a right to interact with members of the community and participate in community activities both inside and outside the facility.</p> <p>§483.10(f)(8) The resident has a right to participate in other activities, including social, religious, and community activities that do not interfere with the rights of other residents in the facility.</p> <p>This REQUIREMENT is not met as evidenced by: Complaint # NJ00176157</p> <p>Based on observation, interview, record review, and review of pertinent facility documents on 8/15/24, it was determined that the facility failed to ensure that 1 of 1 NJ Ex Order 26.4(b)(1) █ Resident #6 was afforded the right to make own choices regarding aspects of life and care; participate in activities and interact with other residents inside of the facility.</p> <p>The failure to treat Resident #6 respectfully and in a dignified manner had the NJ Exec Order 26.4b1 █ This was cited as an isolated incident that immediately jeopardizes the health and safety of the █ that resided in the facility which resulted in an IJ situation.</p> <p>The findings were as follows:</p> <p>Reference: The Centers for Medicare and Medicaid Services (CMS) updated Guideline to Surveyors on Federal Requirements for Providing services to Justice Involved individuals, revised 12/23/2016 S & C 16-21-ALL, indicated "Resident</p>	F 561	<ol style="list-style-type: none"> █ was discharged to prior level of function as deemed safe to discharge by MD. Any █ admitting to facility has potential to be affected by deficient practice. All facility personnel were educated on updated resident rights for self determination. Facility administrative staff were educated on federal requirement for providing services to █ Facility's referral team will review all future █ referrals to ensure that the rights, for self determination of █ residents can be fully respected if the individual is admitted into the facility's care. If █ is admitted, facility social worker or designee will meet with █ weekly to ensure resident rights for self determination are being respected. Results will be reviewed with team at QAPI meeting quarterly. 		

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F 561	<p>Continued From page 19</p> <p>Rights SNFs and NFs, as residential environments, must permit residents to have autonomy and choice, to the maximum extent practicable regarding how they wish to live their everyday lives and receive care. Federal statutes and regulations establish an array of individual rights and safeguards. Nursing homes cannot impose conditions or restrictions that undermine resident rights and protections required by federal law. Facilities cannot require prospective residents to give up their rights as a requirement for admission ..."</p> <p>The Immediate Jeopardy (IJ) began on [redacted] NJ Ex Order 26.4(b), the date that Resident #6 was admitted to the facility and based on staff interviewed noted below, that upon admission has been [redacted] NJ Ex Order 26.4(b) each day by [redacted] NJ Ex Order 26.4(b)(1) of the [redacted] NJ Ex Order 26.4(b)(1).</p> <p>The IJ was identified on 08/15/24, when Resident #6 was observed by the Surveyors being [redacted] NJ Ex Order 26.4(b) in their room, [redacted] NJ Ex Order 26.4(b)(1), and was [redacted] NJ Ex Order 26.4(b)(1) to participate in group activities and community dining. Further observation revealed the [redacted] NJ Ex was not allowed to intermingle with other residents or visitors and were restricted from leaving their room at will.</p> <p>The Surveyors reviewed the following in the Electronic Medical Record (EMR).</p> <p>According to the Admission Record, Resident #6 was admitted to the facility with diagnoses which included but not limited to [redacted] NJ Ex Order 26.4(b)(1) [redacted] and [redacted] NJ Ex Order 26.4(b)(1).</p> <p>The Minimum Data Set (MDS), an assessment tool, dated [redacted] NJ Ex Order 26.4(b), indicated that Resident #6 had a Brief Interview for Mental Status (BIMS) of</p>	F 561			

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F 561	<p>Continued From page 20</p> <p> NJ Ex which indicated the Resident was NJ Ex Order 26.4(b)(1). The MDS also indicated Resident #6 had no NJ Ex Order 26.4(b)(1) and utilized no NJ Ex Order 26.4 or NJ Ex Order 26.4(b). </p> <p> A review of Resident #6's Care Plan (CP), initiated on NJ Ex Order 26.4 and revised on NJ Ex Order 26.4(b)(1) revealed "My leisure time will be NJ Ex Order 26.4(b)(1). I may need solo leisure materials. Interventions included but not limited, "Recreation Staff will have NJ Ex Order 26.4 and NJ Ex Order 26.4(b)(1) with [Resident #6] ...Any mail or packages must be handed directly to the NJ Exec ...Recreation Staff, as requested and as approved by the NJ Exec Order 2 will drop off solo leisure supplies such as deck of playing cards, jigsaw puzzle, word puzzle book, notebook, reading materials, safe writing or coloring implements, etc. Upon request and approval of NJ Exec ...We are not permitted to give [Resident #6] any electronics. Any and all items must be handed to the NJ Exec Order. We are not permitted to provide shopping service for [Resident #6]. We are not able to provide salon services for [Resident #6]; without the approval of the NJ Ex Order 26.4(b)(1) and NJ Ex Or ability to fund the service." </p> <p> The facility U.S. FOIA (b) (6) was informed on 08/15/24 at 7:51 p.m., that an Immediate Jeopardy situation existed. </p> <p> An acceptable removal plan was electronically mailed to the Surveyors on NJ Ex Order 26.4 at 10:15 pm, indicating the action the facility will take to prevent serious harm from occurring or recurring. The facility implemented a corrective action plan to remediate the deficient practice including: The NJ Ex was discharged from the facility as of NJ Ex Order 26.4 at 9:05 p.m. The facility's referral team will review all </p>	F 561			

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F 561	<p>Continued From page 21</p> <p>future ^{NJ E} referrals to ensure that the rights can be fully respected if the individual is admitted into the facility's care.</p> <p>The Surveyors verified the removal plan on-site on ^{NJ Ex Order 26.4} and determined the IJ was removed as of ^{NJ Ex Order 26.4(b)(1)}.</p> <p>The U.S. FOIA (b) (6) provided the Surveyors with multiple facility policies including, titled, "RESIDENT RIGHTS," reviewed and revised on 01/2024, indicated under "Policy Statement Employees shall treat all residents with kindness, respect, and dignity ...1. Federal and state laws guarantee certain and basic rights to all residents of this facility. These rights include resident's right to: a. a dignified existence; b. be treated with respect, kindness, and dignity; c. be free from abuse, neglect, misappropriation of property and exploitation; d. be free from corporal punishment or involuntary seclusion, and physical or chemical restraints not required to treat the resident's symptoms; e. self-determination; f. communication with and access to people and services, both inside and outside the facility; g. exercise his or her rights as a resident of the facility and as a resident or citizen of the United States; h. be supported by the facility in exercising his or her rights...cc. access to a telephone, mail, and email; dd. Communicate in person and by mail, email, and telephone with privacy...."</p> <p>The facility policy titled, "ABUSE PREVENTION PROGRAM," reviewed and revised on 01/2024, under " Policy Statement Our residents have the right to be free from abuse, neglect ...This includes but is not limited to freedom from corporal punishment, involuntary seclusion</p>	F 561			

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CENTERS FOR MEDICARE & MEDICAID SERVICES

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FORM APPROVED
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F 561	<p>Continued From page 22</p> <p>...Policy Interpretation and Implementation As part of the resident abuse prevention, the administration will: 1. Protect our residents from abuse by anyone ...3 ...implement policies and procedures to aid our facility in preventing abuse, neglect, or mistreatment of our residents ..."</p> <p>The facility policy titled "Dining Room Services," dated 5/2024, under "Purpose: The purpose of this policy is to ensure that all residents receive safe, nutritious, and enjoyable dining experiences in a respectful and dignified environment. This policy outlines the standards and procedures for meal service, dietary accommodations, and dining room conduct. Scope: This policy applies to all residents ...Accessibility: The dining room should be easily accessible to all residents ...Resident Rights Choice and Independence: Residents have the right to make choices about their meals and dining experience ...Dignity and Respect: All residents should be treated with dignity and respect during mealtimes ..."</p> <p>The facility policy titled "Activities," reviewed and revised on 3/2024, under "Purpose: The purpose of this policy is to ensure that all residents have access to a variety of meaningful, engaging, and age-appropriate activities that promote physical, emotional, and social well-being ...Scope: This policy applies to all residents ...Resident Rights: Residents have the right to choose which activities they participate in and to decline participation without consequence ..."</p> <p>The facility also failed to ensure that the facility policies titled "RESIDENT RIGHTS," "ABUSE PREVENTION PROGRAM" "Dining Room Services" and "Activities" were implemented</p>	F 561			

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F 561	<p>Continued From page 23</p> <p>During an interview with the Surveyors on 8/15/24 at 9:17 a.m., in the presence of the U.S. FOIA (b) (6), U.S. FOIA (b) (6), U.S. FOIA (b) (6), U.S. FOIA (b) (6), and U.S. FOIA (b) (6), the U.S. FOIA (b) (6) stated that the NJ Ex Order 26.4(b)(1), U.S. FOIA (b) (6) and U.S. FOIA (b) (6) had an agreement that upon admission, that the NJ Ex Order 26.4(b)(1) would have NJ Ex Order 26.4(b)(1) that stayed in the room throughout the day, the visits have to be scheduled, and the visitor schedule was to be the same as NJ Ex Order 26.4(b)(1). The U.S. FOIA (b) (6) explained that the NJ Ex Order 26.4(b)(1) instructed the facility to have visitors once a day during the week. The U.S. FOIA (b) (6) will send the NJ Ex Order 26.4(b)(1) visitor upstairs to check in with the NJ Ex Order 26.4(b)(1). The U.S. FOIA (b) (6) stated that anything that was brought to Resident #6's room had to be checked by the NJ Ex Order 26.4(b)(1). The U.S. FOIA (b) (6) also added that the NJ Ex Order 26.4(b)(1) had approved leisure activities by the NJ Ex Order 26.4(b)(1) the activities had to be given to the NJ Ex Order 26.4(b)(1) before giving them to the NJ Ex Order 26.4(b)(1) and that the Resident was not allowed to participate in activities outside the room as instructed by the NJ Ex Order 26.4(b)(1).</p> <p>During the tour of the unit on 8/15/24, from 11:17 a.m. to 12:30 p.m., the Surveyors observed Resident #6 lying in bed, watching television, with their NJ Ex Order 26.4(b)(1), and NJ Ex Order 26.4(b)(1) were sitting inside the room. The Surveyors further observed Resident #6's cell phone was out of reach. During lunch time, the resident was observed sitting on the side of the bed with their U.S. FOIA (b) (6). Resident #6's meal was served on a disposable plate with disposable utensils.</p> <p>During the interview with the Surveyors on 8/15/2024, at 11:17 a.m., Resident #6 stated that</p>	F 561			

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F 561	<p>Continued From page 24</p> <p>they were not allowed to go out of their room to attend activities or go to the dining room with other residents. They also stated that the cell phone can only be used after approval from the [REDACTED] Resident #6 revealed that they were served with disposable plates and utensils without knife (plastic or silver) to cut the food. Resident #6 explained that they picked up their food and used their hands to break the meat into pieces. The [REDACTED] voiced that they [REDACTED] NJ Ex Order 26.4(b)(1)</p> <p>During the interview with the Surveyors on 8/15/2024 at 11:48 a.m., [REDACTED] stated that they were following the [REDACTED] NJ Ex Order 26.4(b)(1) [REDACTED] policy for Resident #6. The resident was not allowed to leave their room except for [REDACTED] NJ Ex Order 26.4(b)(1) [REDACTED]), showers, and other pre-approved medical necessities.</p> <p>During the interview with the Surveyors on 8/15/2024, at 11:59 a.m. the Licensed Practical Nurse (LPN #1), the assigned nurse for Resident #6 stated that the [REDACTED] stayed in their room all day except when they received showers and [REDACTED] NJ Ex Order 26.4(b)(1). LPN #1 further stated the [REDACTED] does not go into the main dining area to attend activities and to receive meals.</p> <p>During the interview with the Surveyors on 8/15/2024, at 12:16 p.m., the assigned Certified Nursing Assistant (CNA #1) for Resident #6 stated that the resident was served meals with disposable plates, plastic utensils, and cups. The [REDACTED] would check Resident #6's tray and remove the [REDACTED] The [REDACTED] further stated that the resident took showers on scheduled days, and the [REDACTED] would [REDACTED] NJ Ex Order 26.4(b)(1) during that time.</p>	F 561			

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F 603 SS=J	<p>During the interview with the Surveyors on 8/15/2024 at 4:01p.m., the U.S. FOIA (b) (6) [REDACTED] confirmed that Resident #6 was not provided an admission agreement. The U.S. FOIA [REDACTED] further confirmed that Resident #6's resident rights were explained on admission, however, the rights were not being implemented because the facility was following the NJ Ex Order 26.4(b)(1) [REDACTED] protocol for NJ Ex Order 26.4(b)(1) [REDACTED].</p> <p>NJAC 8:39-27.1(a)</p> <p>Free from Involuntary Seclusion CFR(s): 483.12(a)(1)</p> <p>§483.12 The resident has the right to be free from abuse, neglect, misappropriation of resident property, and exploitation as defined in this subpart. This includes but is not limited to freedom from corporal punishment, involuntary seclusion and any physical or chemical restraint not required to treat the resident's medical symptoms.</p> <p>§483.12(a) The facility must-</p> <p>§483.12(a)(1) Not use verbal, mental, sexual, or physical abuse, corporal punishment, or involuntary seclusion; This REQUIREMENT is not met as evidenced by: Complaint # NJ00176157</p> <p>Based on observation, interview, review of resident medical records and other pertinent facility documentation it was determined that the facility failed to ensure that 1 of 1 NJ Ex Order 26.4(b)(1) [REDACTED]</p>	F 603		8/19/24	
			<p>1. NJE [REDACTED] was discharged to prior level of function as deemed safe to discharge by U.S. FOIA [REDACTED]</p> <p>2. Any NJE [REDACTED] admitting to facility has potential to be affected by deficient practice.</p>		

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F 603	<p>Continued From page 26</p> <p>NJ Ex Order 26.4(b)(1) (Resident #6) was free from NJ Ex Order 26.4(b)(1). The NJ Ex Order 26.4(b)(1) was NJ Ex Order 26.4(b)(1) from having autonomy and to make choices to the maximum extent practicable regarding how they wish to live their everyday lives and receive care with the same rights as nursing home residents. The failure to allow NJ Ex Order 26.4(b)(1) autonomy posed the likelihood to cause NJ Exec Order 26.4b1 which resulted in an Immediate Jeopardy (IJ) situation.</p> <p>The findings were as follows:</p> <p>Reference: The Centers for Medicare and Medicaid Services (CMS) updated Guideline to Surveyors on Federal Requirements for Providing services to Justice Involved individuals, revised 12/23/2016 S & C 16-21-ALL, documented Skilled Nursing Facilities must permit residents to have autonomy and choice to the maximum extent practicable regarding how they wish to live their everyday lives and receive care with the same rights as nursing home residents.</p> <p>The Immediate Jeopardy (IJ) began on NJ Ex Order 26.4(b)(1), the date that Resident #6 was admitted to the facility and based on staff interviewed noted below, that upon admission has been NJ Ex Order 26.4(b)(1) each day by NJ Ex Order 26.4(b)(1) of the NJ Ex Order 26.4(b)(1).</p> <p>The IJ was identified on NJ Ex Order 26.4(b)(1), when Resident #6 was observed by the Surveyors being NJ Ex Order 26.4(b)(1) to their room, NJ Ex Order 26.4(b)(1), and was not permitted to participate in group activities and community dining. Further observation revealed the NJ Ex Order 26.4(b)(1) was not allowed to intermingle or communicate with other residents or visitors and were restricted from leaving the room at will.</p> <p>The Surveyors reviewed the following in the</p>	F 603	<p>3. All facility personnel were educated on updated resident rights to be free from involuntary seclusion. Facility administrative staff were educated on federal requirement for providing services to NJ Ex Order 26.4(b)(1).</p> <p>4. Facility's referral team will review all future NJ Ex Order 26.4(b)(1) referrals to ensure that the rights, to be free from seclusion of NJ Ex Order 26.4(b)(1) residents can be fully respected if the individual is admitted into the facility's care. If NJ Ex Order 26.4(b)(1) is admitted, facility social worker or designee will meet with NJ Ex Order 26.4(b)(1) weekly to ensure resident rights to be free from seclusion are being respected. Results will be reviewed with team at QAPI meeting quarterly.</p>		

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F 603	<p>Continued From page 27</p> <p>Electronic Medical Record (EMR).</p> <p>According to the Admission Record, Resident # 6 was admitted to the facility with diagnoses which included NJ Ex Order 26.4(b)(1), NJ Ex Order 26.4(b)(1), NJ Ex Order 26.4(b). According to the MDS dated NJ Ex Order 26.4(b), Resident #6 had a BIMS of NJ Ex and was assessed as having no NJ Ex Order 26.4(b)(1) and utilized no NJ Ex Order 26.4 or NJ Ex Order 26.4(b)(1). A review of the Individualized Care Plans revealed no care plans were initiated for NJ Ex Order 26.4(b)(1).</p> <p>Review of the resident's Individualized Care Plans (CP) dated NJ Ex Order 26.4(b), did not address that the resident required NJ Ex Order 26.4(b)(1) from the NJ Ex Order 26.4(b)(1) for all aspects of activities of daily living (ADLs). The CP did not address that the resident was not permitted to leave the room unless for showering an NJ Ex Order 26.4(b)(1) accompanied by NJ Ex Order 26.4(b).</p> <p>The facility U.S. FOIA (b) (6) was informed on NJ Ex Order 26.4(b) at 7:51 p.m., that an Immediate Jeopardy situation existed.</p> <p>An acceptable removal plan was electronically mailed to the Surveyors on NJ Ex Order 26.4 at 10:15 pm, indicating the action the facility will take to prevent NJ Exec Order 26.4b1. The facility implemented a corrective action plan to remediate the deficient practice including: The NJ E was discharged from the facility as of NJ Ex Order 26.4 at 9:05 p.m. The facility's referral team will review all future NJ E referrals to ensure that the rights of NJ E residents can be fully respected if the individual is admitted into the facility's care.</p> <p>The Surveyors verified the removal plan on-site</p>	F 603			

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F 603	<p>Continued From page 28</p> <p>on ^{NJ Ex Order 26.4} and determined the IJ was removed as of ^{NJ Ex Order 26.4(D)(1)}.</p> <p>The U.S. FOIA (b) (6) provided the Surveyors with multiple facility policies including, the policy dated 01/2024 and titled, "Resident Rights" indicated that " Federal and state laws guarantee certain and basic rights to all residents of this facility. These rights include resident's right to: a. dignified existence; b. be treated with respect, kindness, and dignity; c. be free from abuse, neglect, misappropriation of property and exploitation; d. be free from corporal punishment or involuntary seclusion, and physical or chemical restraints not required to treat the resident's symptoms; e. self-determination; f. communication with and access to people and services, both inside and outside the facility; g. exercise his or her rights as a resident of the facility and as a resident or citizen of the United States; h. be supported by the facility in exercising his or her rights; ...t. privacy and confidentiality; ...aa. Visit and be visited by others from outside the community; ...cc. access to a telephone, mail, and email; dd. Communicate in person and by mail, email, and telephone with privacy."</p> <p>The facility policy dated 3/2024 and titled, "Activities" indicated that, "The purpose of this policy is to ensure that all residents have access to a variety of meaningful, engaging, and age-appropriate activities that promote physical, emotional, and social well-being. This policy outlines the standards and procedures for planning, implementing, and evaluating activity programs." Under the sub-heading "Activity Program Development" indicated that, "Activities should be inclusive, allowing residents of all</p>	F 603			

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F 603	<p>Continued From page 29</p> <p>physical and cognitive abilities to participate." Under the sub-heading "Resident Participation" indicated that, "Residents have the right to choose which activities they participate in and to decline participation without consequence. Their choices should be respected, and alternative options should be offered when possible."</p> <p>The facility also failed to comply with the policies titled "Resident Rights," "Abuse Prevention Program", "Dining Room Services", and "Activities" were implemented.</p> <p>On 8/15/24 at 2:30 p.m., Surveyors interviewed the U.S. FOIA (b) (6) who stated that she and the U.S. FOIA (b) (6) had a meeting with the NJ Ex Order 26.4(b)(1) facility staff U.S. FOIA (b) (6) and U.S. FOIA (b) (6) prior to accepting the "inmate". They both stated that the NJ Ex Order 26.4(b)(1) administration staff stated that Resident #6 is NJ Ex Order 26.4(b)(1) of NJ Ex Order 26.4(b)(1). The U.S. FOIA (b) (6) stated that collectively as a team the facility agreed to accept NJ Ex Order 26.4(b)(1) and that the facility follows the guidelines of NJ Ex Order 26.4(b)(1). The U.S. FOIA (b) (6) and U.S. FOIA (b) (6) stated that the NJ Ex Order 26.4(b)(1) administration informed them that Resident #6 is not allowed to participate in activities outside of the room. They further stated that NJ Ex Order 26.4(b)(1) informed them that Resident #6 also has restricted visits. The visitors are only allowed two days a week.</p> <p>On 08/15/2024 at 11:59 a.m., the Surveyors interviewed Licensed Practical Nurse (LPN#1) who stated that she has worked for the facility for NJ Ex Order 26.4b1 on day shift for four months. LPN #1 stated that there was only one NJ Ex Order 26.4b1 residing on the unit (Resident #6). She stated that there are NJ Ex Order 26.4b1</p>	F 603		

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F 603	<p>Continued From page 30</p> <p>NJ Ex Order 26.4(b)(1) the resident and that Resident #6 only comes out of their room for showers and NJ Ex Order 26.4(b)(1); and the NJ Ex Order 26.4(b)(1) are always with the resident.</p> <p>On 08/15/2024 at 11:17 a.m., the Surveyors interviewed Resident #6, who was observed being NJ Ex Order 26.4(b)(1) by NJ Ex Order 26.4(b)(1) with NJ Ex Order 26.4(b)(1). The NJ Ex Order 26.4(b)(1) stepped outside of the room to allow the Surveyors to speak with the resident. Resident #6 stated that NJ Ex Order 26.4(b)(1) never step outside the room to allow for privacy. The resident stated that they do not receive privacy when speaking on the phone and when the medical staff are communicating about their medical information. The Surveyors asked if the resident was always NJ Ex Order 26.4(b)(1). The resident stated that they were either NJ Ex Order 26.4(b)(1) to the bed or just NJ Ex Order 26.4(b)(1). The resident stated that it depends on the NJ Ex Order 26.4(b)(1) that is working that shift. Resident #6 also stated that unless they are going to NJ Ex Order 26.4(b)(1) or to a shower, they must stay in the room. Resident #6 stated that NJ Ex Order 26.4(b)(1) remain at the door when NJ Ex Order 26.4(b)(1).</p> <p>On 08/15/2024 at 11:40 a.m., the Surveyors interviewed the NJ Ex Order 26.4(b)(1) that were NJ Ex Order 26.4(b)(1) Resident #6. They stated that the resident is to NJ Ex Order 26.4(b)(1) either NJ Ex Order 26.4(b)(1) to the NJ Ex Order 26.4(b)(1) or the NJ Ex Order 26.4(b)(1) are NJ Ex Order 26.4(b)(1). The NJ Ex Order 26.4(b)(1) stated that the resident NJ Ex Order 26.4(b)(1) facility activities and could not intermingle with other residents. They further stated that the resident could only leave the room NJ Ex Order 26.4(b)(1) for showering or any other reason that was medically necessary. They stated the resident must eat in the room and could not eat in the main dining room with the other residents. The NJ Ex Order 26.4(b)(1) stated that</p>	F 603			

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F 603	<p>Continued From page 31</p> <p>visitation of anyone must be approved by [REDACTED] NJ Ex Order 26</p> <p>On 08/15/2024 at 12: 15 p.m., the Surveyors interviewed the [REDACTED] U.S. FOIA (b) (6)) who stated that based on experience, they would only offer room-based activities. She stated that the resident was not offered to attend any activities out of the room.</p> <p>On 08/15/2024 at 12:16 p.m., the Surveyors interviewed the Certified Nursing Assistant (CNA #1), who stated that all meals were provided in the room, and the resident was never offered to eat in the main dining with the other residents.</p> <p>On 8/19/24 at 9:57a.m., the Surveyors interviewed Activity Aide #1, who stated that every day the activities staff would do morning room visits. She stated that if she offered anything besides coffee, it had to be approved by the [REDACTED] NJ Ex Order She said that if the resident asked for a coloring book or pen, everything had to be approved by the [REDACTED] US FOIA (b)(6).</p> <p>On 08/15/24 at 4:01p.m., the Surveyors interviewed the [REDACTED] U.S. FOIA (b) (6)) who stated that she had been employed by the facility for [REDACTED] NJ Ex Order 26.4(b)(1). She explained during the initial social services visit, that it's her protocol to review Resident's Rights (RR) and the Advanced Directives. She stated that RR are reviewed with all alert and oriented residents. She stated that when the [REDACTED] NJ Ex was admitted to the facility, she explained to the resident rights and advanced directives. She stated that resident is being [REDACTED] NJ Ex Order 26.4(b)(1) and that the interventions that are put into place by the [REDACTED] NJ Ex Order and [REDACTED] NJ Ex Order 2 and not from the facility.</p>	F 603			

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F 603	Continued From page 32	F 603			
F 604 SS=J	<p>Right to be Free from Physical Restraints CFR(s): 483.10(e)(1), 483.12(a)(2)</p> <p>§483.10(e) Respect and Dignity. The resident has a right to be treated with respect and dignity, including:</p> <p>§483.10(e)(1) The right to be free from any physical or chemical restraints imposed for purposes of discipline or convenience, and not required to treat the resident's medical symptoms, consistent with §483.12(a)(2).</p> <p>§483.12 The resident has the right to be free from abuse, neglect, misappropriation of resident property, and exploitation as defined in this subpart. This includes but is not limited to freedom from corporal punishment, involuntary seclusion and any physical or chemical restraint not required to treat the resident's medical symptoms.</p> <p>§483.12(a) The facility must-</p> <p>§483.12(a)(2) Ensure that the resident is free from physical or chemical restraints imposed for purposes of discipline or convenience and that are not required to treat the resident's medical symptoms. When the use of restraints is indicated, the facility must use the least restrictive alternative for the least amount of time and document ongoing re-evaluation of the need for restraints. This REQUIREMENT is not met as evidenced by: Complaint # NJ00176157</p>	F 604		8/19/24	
			1. [REDACTED] was discharged to prior level of function as deemed safe to discharge by		

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F 604	<p>Continued From page 33</p> <p>Based on observation, interview, review of resident medical records and other pertinent facility documentation it was determined the facility failed to ensure that 1 of 1 [redacted] (Resident #6) was [redacted] from [redacted] NJ Ex Order 26.4(b)(1). The failure to treat residents respectfully and in a dignified manner had the [redacted] NJ Exec Order 26.4b1, that resulted in an immediate jeopardy (IJ) situation.</p> <p>The findings were as follows:</p> <p>Reference: The Centers for Medicare and Medicaid Services (CMS) updated Guideline to Surveyors on Federal Requirements for Providing services to Justice Involved individuals, revised 12/23/2016 S & C 16-21-ALL, documented Skilled Nursing Facilities must permit residents to have autonomy and choice to the maximum extent practicable regarding how they wish to live their everyday lives and receive care with the same rights as nursing home residents.</p> <p>The Immediate Jeopardy (IJ) began on [redacted] NJ Ex Order 26.4(b), the date that Resident #6 was admitted to the facility and based on staff interviewed noted below, that upon admission has been [redacted] NJ Ex Order 26.4(b)(1) each day by [redacted] NJ Ex Order 26.4(b)(1) of the [redacted] NJ Ex Order 26.4(b)(1) [redacted]. The IJ was identified on [redacted] NJ Ex Order 26.4(b)(1), when Resident #6 was observed by the Surveyors with [redacted] NJ Ex Order 26.4(b)(1) and [redacted] NJ Ex Order 26.4(b)(1) [redacted].</p> <p>The Surveyors reviewed the following in the Electronic Medical Record (EMR).</p> <p>According to the Admission Record, Resident # 6 was admitted to the facility with diagnoses which</p>	F 604	<p>[redacted] US FOIA</p> <p>2. Any [redacted] NJE admitting to facility has potential to be affected by deficient practice.</p> <p>3. All facility personnel were educated on updated resident rights to be free from physical restraints. Facility administrative staff were educated on federal requirement for providing services to [redacted].</p> <p>4. Facility's referral team will review all future [redacted] NJE referrals to ensure that the rights, to be free from physical restraints of [redacted] residents can be fully respected if the individual is admitted into the facility's care. If [redacted] NJE is admitted, facility social worker or designee will meet with [redacted] weekly to ensure resident rights to be free from physical restraints are being respected. Results will be reviewed with team at QAPI meeting quarterly.</p>		

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F 604	<p>Continued From page 34</p> <p>included NJ Ex Order 26.4(b)(1), NJ Ex Order 26.4(b)(1) NJ Ex Order 26.4(b)(1). According to the MDS dated NJ Ex Order 26.4(b)(1), Resident #6 had a BIMS of NJ Ex Order 26.4(b)(1) and was assessed as having no NJ Ex Order 26.4(b)(1) and utilized no NJ Ex Order 26.4(b)(1) or NJ Ex Order 26.4(b)(1), however Resident #6 was observed by the Surveyors on 08/15/24 at 11:17 a.m., NJ Ex Order 26.4(b)(1).</p> <p>A review of the Individualized Care Plans revealed no care plans were initiated for restraints. The CP did not address that the resident NJ Ex Order 26.4(b)(1) from the NJ Ex Order 26.4(b)(1) for all aspects of activities of daily living (ADLs). The CP did not address that the resident was not permitted to leave the room unless for showering and NJ Ex Order 26.4(b)(1) accompanied by the NJ Ex Order 26.4(b)(1).</p> <p>There were no consents for the use of NJ Ex Order 26.4(b)(1).</p> <p>The facility U.S. FOIA (b) was informed on 08/15/24 at 7:51 p.m., that an Immediate Jeopardy situation existed.</p> <p>An acceptable removal plan was electronically mailed to the Surveyors on 8/15/24 at 10:15 pm, indicating the action the facility will take to prevent serious harm from occurring or recurring. The facility implemented a corrective action plan to remediate the deficient practice including: The NJ Ex Order 26.4(b)(1) was discharged from the facility as of NJ Ex Order 26.4(b)(1) at 9:05 p.m. The facility's referral team will review all future NJ Ex Order 26.4(b)(1) referrals to ensure that the rights of NJ Ex Order 26.4(b)(1) residents can be fully respected if the individual is admitted into the facility's care.</p> <p>The Surveyors verified the removal plan on-site</p>	F 604			

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F 604	<p>Continued From page 35 on 8/19/24 and determined the IJ was removed as of 8/15/2024.</p> <p>The U.S. FOIA (b) (6) provided the Surveyors with multiple facility policies including, the policy dated 01/2024 and titled, "Resident Rights" indicated that " Federal and state laws guarantee certain and basic rights to all residents of this facility. These rights include resident's right to: a. dignified existence; b. be treated with respect, kindness, and dignity; c. be free from abuse, neglect, misappropriation of property and exploitation; d. be free from corporal punishment or involuntary seclusion, and physical or chemical restraints not required to treat the resident's symptoms; e. self-determination; f. communication with and access to people and services, both inside and outside the facility; g. exercise his or her rights as a resident of the facility and as a resident or citizen of the United States; h. be supported by the facility in exercising his or her rights; ...t. privacy and confidentiality; ...aa. Visit and be visited by others from outside the community; ...cc. access to a telephone, mail, and email; dd. Communicate in person and by mail, email, and telephone with privacy."</p> <p>The facility policy dated 02/2024 and titled, "Use of Restraints" indicated that "restraints should only be used for the safety and well-being of the residents and only after other alternatives have been tried unsuccessfully. Restraints shall only be used to treat the resident's medical symptoms and never for discipline or staff convenience. When the use of restraints is indicated, the least restrictive alternative will be used for the least amount of time necessary, and the ongoing re-evaluation for the need for restraints will be</p>	F 604			

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F 604	<p>Continued From page 36</p> <p>documented. 6.) Prior to placing a resident in restraints, there shall be a pre-restraining assessment and review to determine the need for restraints. The assessment shall be used to determine possible underlying causes of the problematic medical symptom and to determine if there are less restrictive interventions that may improve the symptoms. 9.) Restraints shall only be used upon the written order of a physician and after obtaining consent from the resident and/or representative (sponsor). The order shall include the following: a. specific reason for the restraint; b. how the restraint will be used to benefit the resident's medical symptom; and c. the type of restraint, and period of time for the use of the restraint."</p> <p>The facility also failed to comply with the policies titled "Resident Rights," and " Physical Restraints" were implemented.</p> <p>On 8/15/24 at 2:30 p.m., the Surveyors interviewed the [U.S. FOIA (b) (6)] and the [U.S. FOIA (b) (6)] who stated that she and the [U.S. FOIA (b) (6)] had meeting with the [NJ Ex Order 26.4(b)(1)] staff [U.S. FOIA (b) (6)] and [U.S. FOIA (b) (6)] prior to accepting the [NJ Ex Order 26.4(b)(1)]. They both stated that the [NJ Ex Order 26.4(b)(1)] administrative staff indicated that Resident #6 is [NJ Ex Order 26.4(b)(1)] of [NJ Ex Order 26.4(b)(1)] and the [NJ Ex Order 26.4(b)(1)] have been in use since admission. The [U.S. FOIA (b) (6)] stated that "collectively as a team, they agreed to accept [NJ Ex Order 26.4(b)(1)] and will follow the guidelines of the [NJ Ex Order 26.4(b)(1)]."</p> <p>On 08/15/2024 at 11:59 a.m., the Surveyors interviewed Licensed Practical Nurse (LPN#1) who stated that she has worked for the facility for [NJ Ex Order 26.4(b)(1)] and has been the [NJ Ex Order 26.4(b)(1)] on</p>	F 604			

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F 604	<p>Continued From page 37</p> <p>day shift for [REDACTED]. LPN #1 stated that there was only one [REDACTED] residing on the unit (Resident #6). She stated that there are [REDACTED] the resident. She stated that Resident #6 only comes out of the room for shower and [REDACTED], and always [REDACTED]. She stated that on the days she works, she sees that the resident is [REDACTED] unless going to [REDACTED] or going for a shower.</p> <p>On 08/15/2024 at 11:17 a.m., the Surveyors interviewed Resident #6. The resident was observed to have [REDACTED]. The [REDACTED] stepped outside of the room to allow surveyors to speak with resident. Resident stated that [REDACTED] never step outside the room to allow for privacy. The Surveyors asked if resident was [REDACTED]. The resident stated that it depends on the [REDACTED] if they are [REDACTED] are [REDACTED] or just [REDACTED]</p> <p>On 08/15/2024 at 11:40 a.m., the Surveyors interviewed the [REDACTED] that were [REDACTED] Resident #6. They stated that the [REDACTED] is to [REDACTED]. The [REDACTED] can be [REDACTED] or only the [REDACTED]</p>	F 604			
F 835 SS=J	<p>NJAC 8:39-7.3(a) Administration CFR(s): 483.70</p> <p>§483.70 Administration. A facility must be administered in a manner that enables it to use its resources effectively and efficiently to attain or maintain the highest practicable physical, mental, and psychosocial</p>	F 835		8/19/24	

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F 835	<p>Continued From page 38</p> <p>well-being of each resident. This REQUIREMENT is not met as evidenced by: Complaint # NJ 176157</p> <p>Based on observation, interviews, and review of pertinent facility documents on 8/15/2024, it was determined that the facility U.S. FOIA (b) (6) failed to a.) ensure the facility implemented policies and procedures for Resident Rights and Self Determination as well as policies and procedures to prevent NJ Ex Order 26.4(b)(1) and NJ Ex Order 26.4(b)(1) b.) ensure residents signed an Admission Agreements upon admission to the facility; c.) were afforded the autonomy to participate in group activities, community dining, serving meals in a dignified manner, freely communicate with visitors, and to leave rooms at will; and d.) ensure facility policies for NJ Ex Order 26.4(b)(1) were in compliance with State and Federal regulations. This deficient practice was identified for 1 of 1 NJE reviewed (Resident #6).</p> <p>The findings were as follows:</p> <p>Reference: The Centers for Medicare and Medicaid Services (CMS) updated Guideline to Surveyors on Federal Requirements for Providing services to Justice Involved individuals, revised 12/23/2016 S & C 16-21-ALL. Under " ...Resident Rights SNFs and NFs, as residential environments, must permit residents to have autonomy and choice, to the maximum extent practicable regarding how they wish to live their everyday lives and receive care. Federal statutes and regulations establish an array of individual rights and Page 7- State Survey Agency Directors safeguards. Nursing homes cannot impose</p>	F 835	<ol style="list-style-type: none"> 1. NJE was discharged to prior level of function as deemed safe to discharge by US FOIA 2. Any NJE admitting to facility has potential to be affected by deficient practice. 3. The facility revised and updated policies and procedures including but not limited to residents' rights, self-determination, physical restraints and seclusion to include NJE, and based on State and Federal requirements. The facility educated Social Worker (SW) on the importance of obtaining resident/responsible party signature on the admission agreement. The facility educated staff members on residents' rights including but not limited to autonomy, community dining, dignity, visitation and communication, and freedom of seclusion. 4. If NJE is admitted, facility social worker or designee will conduct weekly audit to ensure that NJE (or his/her responsible party) signed the admission agreement. Results will be reviewed with team at QAPI meeting quarterly. Policies and procedures will be reviewed on annual and as needed basis. 		

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

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F 835	<p>Continued From page 39</p> <p>conditions or restrictions that undermine resident rights and protections required by federal law. Facilities cannot require prospective residents to give up their rights as a requirement for admission. Resident rights in the nursing home include, but are not limited to the right to: Be free from physical or chemical restraints imposed for discipline or convenience, and not for treatment of a resident's medical condition; 9 Choose activities, schedules, and health care consistent with his or her interests, assessments, and plans of care [and] interact with members of the community both inside and outside the facility; 10 Personal privacy and confidentiality of his or her personal and clinical records; 11 Immediate access to any resident by the following: subject to the resident's right to deny or withdraw consent at any time, immediate family or other relatives of the resident; and subject to reasonable restrictions and the resident's right to deny or withdraw consent at any time, others who are visiting with the consent of the resident; 12 Be free from verbal, sexual, physical, and mental abuse, corporal punishment, and involuntary seclusion. 13 Also, nursing home residents must not only be able to exercise their rights as residents of the facility and as citizens of the United States, but also have the right to be free of interference, coercion, discrimination, or reprisal from the facility in exercising those rights ..."</p> <p>The Immediate Jeopardy (IJ) began on [NJ Ex Order 26.4(b)], the date that Resident #6 was admitted to the facility and based on staff interviewed noted below, that upon admission has been [NJ Ex Order 26.4(b)] each day by [NJ Ex Order 26.4(b)(1)] of the [NJ Ex Order 26.4(b)(1)].</p> <p>The IJ situation was identified on [NJ Ex Order 26.4(b)] when</p>	F 835			

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F 835	<p>Continued From page 40</p> <p>Resident #6 was observed by the Surveyors being ^{NJ Ex Order 26.4(b)} and NJ Ex Order 26.4(b)(1) in the room NJ Ex Order 26.4(b)(1) ^{NJ Ex Order 26.4(b)}, from participating in group activities, community dining, being served meals in a dignified manner, intermingling with other residents, communicating with visitors and leaving the room at will.</p> <p>The Surveyors reviewed the following in the Electronic Medical Record (EMR).</p> <p>According to the Admission Record, Resident #6 was admitted to the facility with diagnoses which included but not limited to ^{NJ Ex Order 26.4(b)(1)} and NJ Ex Order 26.4(b)(1).</p> <p>The Minimum Data Set (MDS), an assessment tool, dated ^{NJ Ex Order 26.4(b)} indicated that Resident #6 had a Brief Interview for Mental Status (BIMS) of ^{NJ Ex} which indicated the Resident was ^{NJ Ex Order 26.4(b)(1)}. The MDS also indicated Resident #6 had no ^{NJ Ex Order 26.4(b)(1)} and utilized no ^{NJ Ex Order 26.4} or ^{NJ Ex Order 26.4(b)}.</p> <p>A review of Resident #6's Care Plan (CP), initiated on ^{NJ Ex Order 26.4} and revised on ^{NJ Ex Order 26.4(b)(1)} revealed "My leisure time will be ^{NJ Ex Order 26.4(b)(1)}. I may need solo leisure materials. Interventions included but not limited, "Recreation Staff will have minimal and ^{NJ Ex Order 26.4(b)(1)} with [Resident #6] ...Any mail or packages must be handed directly to the ^{NJ Excep} ...Recreation Staff, as requested and as approved by the ^{NJ Excep Order 2} will drop off solo leisure supplies such as deck of playing cards, jigsaw puzzle, word puzzle book, notebook, reading materials, safe writing or coloring implements, etc. Upon request and approval of ^{NJ Excep} ...We are not</p>	F 835			

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F 835	<p>Continued From page 41</p> <p>permitted to give [Resident #6] any electronics. Any and all items must be handed to the [redacted]. We are not permitted to provide shopping service for [Resident #6]. We are not able to provide salon services for [Resident #6]; without the approval of the NJ Ex Order 26.4(b)(1) [redacted] and [redacted] ability to fund the service."</p> <p>A review of the Resident's Physician's orders did not reveal any orders for [redacted]. The orders did reveal a dietary order specifying that only plastic spoons are to be on the tray.</p> <p>The facility U.S. FOIA (b) (6) [redacted] was informed on [redacted] at 7:51 p.m., that an Immediate Jeopardy situation existed.</p> <p>An acceptable removal plan was electronically mailed to the Surveyors on [redacted] at 10:15 p.m., indicating the action the facility will take to prevent [redacted] from occurring or recurring. The facility implemented a corrective action plan to remediate the deficient practice including: The [redacted] was discharged from the facility as of [redacted] at 9:05 p.m. The facility's referral team will review all future [redacted] referrals to ensure that the rights of [redacted] residents can be fully respected if the individual is admitted into the facility's care. The facility will review, and update policies annually and as needed.</p> <p>The Surveyors verified the removal plan on-site on [redacted] and determined the IJ was removed as of [redacted].</p> <p>On 08/15/24, the U.S. FOIA (b) (6) [redacted] provided the surveyors with multiple facility policies including "Dining Room Services and Activities". The Dining Room Services policy with</p>	F 835		

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FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 315387	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 08/19/2024
NAME OF PROVIDER OR SUPPLIER ALLAIRE REHAB & NURSING			STREET ADDRESS, CITY, STATE, ZIP CODE 115 DUTCH LANE ROAD FREEHOLD, NJ 07728		
(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) COMPLETION DATE	
F 835	<p>Continued From page 42</p> <p>a revised date of 3/ 2024, included under the purpose section, "The purpose of this policy is to ensure that all residents receive safe, nutritious, and enjoyable dining experiences in a respectful and dignified environment." The facility policy dated 3/2024 titled "Activities" indicated that, "The purpose of this policy is to ensure that all residents have access to a variety of meaningful, engaging, and age-appropriate activities that promote physical, emotional, and social well-being. This policy outlines the standards and procedures for planning, implementing, and evaluating activity programs." Under the sub-heading "Activity Program Development" indicated that, "Activities should be inclusive, allowing residents of all physical and cognitive abilities to participate." Under the sub-heading "Resident Participation" indicated that, "Residents have the right to choose which activities they participate in and to decline participation without consequence. Their choices should be respected, and alternative options should be offered when possible."</p> <p>A review of the facility policy titled "Care Plans, Comprehensive, Person-Centered" with a review date of 1/2024 revealed under, "Policy Statement" that, "A comprehensive, person-centered care plan that includes measurable objectives and timetables to meet the resident's physical, psychosocial and functional needs developed and implemented for each resident."</p> <p>A review of the undated facility's "Job Description " for Administrator document revealed that the duties of the Administrator included but not limited to:</p> <ul style="list-style-type: none"> - Develop, maintain, and implement 	F 835			

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F 835	<p>Continued From page 43</p> <p>operational policies and procedures to meet residents' needs in compliance with federal, state, and local requirements.</p> <ul style="list-style-type: none"> - Determine the personnel requirements of the facility and hire or arrange for sufficient staff to implement the facility policies and procedures. - Develop a monitoring system to assure compliance with federal, state, and local requirements. <p>On 8/15/24 at 2:30 p.m., the Surveyors interviewed the [redacted] and the U.S. FOIA (b) (6) [redacted] who stated that she and the [redacted] had meeting with the NJ Ex Order 26.4(b)(1) [redacted] Administrative staff [redacted], and U.S. FOIA (b) (6) [redacted] prior to accepting the "inmate". They both stated that the [redacted] Administrative staff indicated that Resident #6 is under the jurisdiction of [redacted] and the use of restraints have been in use since admission. The U.S. FOIA (b) (6) [redacted] stated that "collectively as a team, they agreed to accept the [redacted] and will follow the guidelines of [redacted]."</p> <p>On 08/15/2024 at 11:59 a.m., the Surveyors interviewed Licensed Practical Nurse (LPN#1) who stated that she has worked for the facility for [redacted] and has been the [redacted] on day shift for [redacted]. LPN #1 stated that there was only one [redacted] residing on the unit (Resident #6). She stated that there are [redacted] the resident. She stated that Resident #6 only comes out of the room for shower and [redacted], and [redacted] are always present.</p> <p>On 08/15/2024 at 11:17 a.m., the Surveyors</p>	F 835		

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F 835	<p>Continued From page 44</p> <p>interviewed Resident #6, who was observed to be interviewed by NJ Ex Order 26.4(b)(1) by NJ Ex Order 26.4(b)(1), and the resident's NJ Ex Order 26.4(b)(1) were NJ Ex Order 26.4(b)(1). The NJ Ex Order 26.4(b)(1) stepped outside of the room to allow the Surveyors to speak with resident. Resident #6 stated that NJ Ex Order 26.4(b)(1) never step outside the room to allow for privacy. Resident #6 stated there is no privacy is permitted when speaking on the phone and when the medical staff are communicating medical information with the resident. The Surveyors asked if resident was NJ Ex Order 26.4(b)(1) and the resident stated that NJ Ex Order 26.4(b)(1) are NJ Ex Order 26.4(b)(1) or NJ Ex Order 26.4(b)(1). The resident stated that they only leave the room for NJ Ex Order 26.4(b)(1) and showers, and the NJ Ex Order 26.4(b)(1) are always present.</p> <p>On 08/15/2024 at 11:40 a.m., the Surveyors interviewed the NJ Ex Order 26.4(b)(1). The NJ Ex Order 26.4(b)(1) stated that the resident is to NJ Ex Order 26.4(b)(1), either NJ Ex Order 26.4(b)(1) or the NJ Ex Order 26.4(b)(1). The NJ Ex Order 26.4(b)(1) stated that the resident cannot attend facility activities and could not intermingle with other residents, and that the resident could only leave the room for showers or any other reason that was medically necessary. The NJ Ex Order 26.4(b)(1) stated that Resident #6, could only eat in the room and not in the main dining room with the other residents. The NJ Ex Order 26.4(b)(1) stated that visitation of anyone must be approved by NJ Ex Order 26.4(b)(1).</p> <p>On 08/15/2024 at 12:15 p.m., the Surveyors interviewed the U.S. FOIA (b) (6) who stated that based on experience, they would only offer room-based activities. She stated that the resident was not offered to attend any activities outside of the room.</p>	F 835			

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

PRINTED: 11/07/2024
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NAME OF PROVIDER OR SUPPLIER ALLAIRE REHAB & NURSING			STREET ADDRESS, CITY, STATE, ZIP CODE 115 DUTCH LANE ROAD FREEHOLD, NJ 07728		
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F 835	Continued From page 45 On 08/15/24 at 4:01 p.m., the Surveyors interviewed the U.S. FOIA (b) (6) , who stated that she had been employed by the facility for NJ Ex Order 26.4(b)(1) . She explained that, during the initial Social Services visit on admission, that it's her protocol to review Resident's Rights (RR) and the Advanced Directives. She stated that RR are reviewed with all alert and oriented residents. She stated that when the NJ was admitted to the facility, she explained to the Resident Rights and Advanced Directives. She stated that Resident #6 is NJ Ex Order and that the interventions that are put into place by the NJ Ex Ord and NJ Ex Order 2 and not from the facility." NJAC 8:39-4.1 NJAC 8:39-4.1 (6) NJAC 8:39-4.1 (a), 11 NJAC 8:39-7.3(a) NJAC 8:39-9.2(a) NJAC 8:39-27.1(a)	F 835			

New Jersey Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 061314	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 08/19/2024
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NAME OF PROVIDER OR SUPPLIER ALLAIRE REHAB & NURSING	STREET ADDRESS, CITY, STATE, ZIP CODE 115 DUTCH LANE ROAD FREEHOLD, NJ 07728
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(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, 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: Complaint #NJ00176157 Based on review of pertinent facility documentation, it was determined that the facility failed to ensure staffing ratios were met to maintain the required minimum staff-to-resident ratios as mandated by the state of New Jersey for 3 of 35 day shifts as follows: This deficient practice had the potential to affect all residents. Findings include: Reference: New Jersey Department of Health (NJDOH) memo, dated 01/28/2021, "Compliance with N.J.S.A. (New Jersey Statutes Annotated) 30:13-18, new minimum staffing requirements for nursing homes," indicated the New Jersey	S 560	1. All residents are at risk to affected by the deficient practice 2. The facility will utilize internal and external resources to increase recruitment of direct staff and to ensure the availability of other staffing resources (e.g contracted staff) in the event of staffing shortage. The facility distributed retention bonuses and bonus pay to ensure shifts are staffed appropriately. 3. For the next month the administrator or designee will review the projected staffing hours daily to ensure staffing hours above state minimum. 4. Findings will be submitted for 3 months to the monthly qapi committee who will	8/19/24

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

TITLE

(X6) DATE

Electronically Signed

09/13/24

New Jersey Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 061314	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 08/19/2024
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NAME OF PROVIDER OR SUPPLIER ALLAIRE REHAB & NURSING	STREET ADDRESS, CITY, STATE, ZIP CODE 115 DUTCH LANE ROAD FREEHOLD, NJ 07728
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S 560	<p>Continued From page 1</p> <p>Governor signed into law P.L. 2020 c 112, codified as N.J.S.A. 30:13-18 (the Act), which established minimum staffing requirements in nursing homes. The following ratio (s) were effective on 02/01/2021:</p> <p>One Certified Nurse Aide (CNA) to every eight residents for the day shift. One direct care staff member to every 10 residents for the evening shift, provided that no fewer of all staff members shall be CNAs and each direct staff member shall be signed into work as a certified nurse aide and shall perform nurse aide duties: and 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 CNA and perform CNA duties.</p> <p>As per the "Nurse Staffing Report" completed by the facility for the the 5 weeks of staffing from 07/14/2024 to 08/17/2024 , the staffing to resident ratios did not meet the minimum requirement of one CNA to eight residents for the day shift as documented below:</p> <p>-07/28/24 had 15 CNAs for 133 residents on the day shift, required at least 17 CNAs.</p> <p>-08/07/24 had 14 CNAs for 134 residents on the day shift, required at least 17 CNAs.</p> <p>-08/11/24 had 15 CNAs for 129 residents on the day shift, required at least 16 CNAs.</p>	S 560	determine further interventions as needed.	
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POST-CERTIFICATION REVISIT REPORT

PROVIDER / SUPPLIER / CLIA / IDENTIFICATION NUMBER 315387	Y1	MULTIPLE CONSTRUCTION A. Building B. Wing	Y2	DATE OF REVISIT 9/19/2024	Y3
NAME OF FACILITY ALLAIRE REHAB & NURSING			STREET ADDRESS, CITY, STATE, ZIP CODE 115 DUTCH LANE ROAD FREEHOLD, NJ 07728		

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 Y4	DATE Y5	ITEM Y4	DATE Y5	ITEM Y4	DATE Y5
ID Prefix F0550	Correction	ID Prefix F0557	Correction	ID Prefix F0561	Correction
Reg. # 483.10(a)(1)(2)(b)(1)(2)	Completed	Reg. # 483.10(e)(2)	Completed	Reg. # 483.10(f)(1)-(3)(8)	Completed
LSC	08/19/2024	LSC	08/19/2024	LSC	08/19/2024
ID Prefix F0603	Correction	ID Prefix F0604	Correction	ID Prefix F0835	Correction
Reg. # 483.12(a)(1)	Completed	Reg. # 483.10(e)(1), 483.12(a)(2)	Completed	Reg. # 483.70	Completed
LSC	08/19/2024	LSC	08/19/2024	LSC	08/19/2024
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 <input type="checkbox"/>	REVIEWED BY (INITIALS)	DATE	SIGNATURE OF SURVEYOR	DATE
REVIEWED BY CMS RO <input type="checkbox"/>	REVIEWED BY (INITIALS)	DATE	TITLE	DATE
FOLLOWUP TO SURVEY COMPLETED ON 8/19/2024		<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		

STATE FORM: REVISIT REPORT

PROVIDER / SUPPLIER / CLIA / IDENTIFICATION NUMBER 061314	MULTIPLE CONSTRUCTION A. Building B. Wing	DATE OF REVISIT 9/19/2024
NAME OF FACILITY ALLAIRE REHAB & NURSING	STREET ADDRESS, CITY, STATE, ZIP CODE 115 DUTCH LANE ROAD FREEHOLD, NJ 07728	

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ITEM Y4	DATE Y5	ITEM Y4	DATE Y5	ITEM Y4	DATE Y5
ID Prefix S0560	Correction	ID Prefix _____	Correction	ID Prefix _____	Correction
Reg. # 8:39-5.1(a)	Completed	Reg. # _____	Completed	Reg. # _____	Completed
LSC _____	08/19/2024	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 _____	
ID Prefix _____	Correction	ID Prefix _____	Correction	ID Prefix _____	Correction
Reg. # _____	Completed	Reg. # _____	Completed	Reg. # _____	Completed
LSC _____		LSC _____		LSC _____	

REVIEWED BY STATE AGENCY <input type="checkbox"/>	REVIEWED BY (INITIALS)	DATE	SIGNATURE OF SURVEYOR	DATE
REVIEWED BY CMS RO <input type="checkbox"/>	REVIEWED BY (INITIALS)	DATE	TITLE	DATE
FOLLOWUP TO SURVEY COMPLETED ON 8/19/2024		<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		