| STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: | (X2) MULTIPLE CONSTRUCTION | (X3) DATE SURVEY COMPLETED |
|---|---|---|---|
| | 061419 | A. BUILDING: _____ B. WING _____ | 10/19/2021 |

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| NEW JERSEY FIREMEN'S HOME | 565 LATHROP AVE BOONTON, NJ 07005 |

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| S 000 | Initial Comments<br><br>Annual Survey Date: 10/19/21<br><br>Census: 53<br><br>Sample Size: 8<br><br>The facility is not in compliance with the Standards in the New Jersey Administrative Code, Chapter 8:39, Standards for Licensure of Long Term Care Facilities. The facility must submit a plan of correction, including a completion date, for each deficiency and ensure that the plan is implemented. Failure to correct deficiencies may result in enforcement action in accordance with the Provisions of the New Jersey Administrative Code, Title 8, Chapter 43E, Enforcement of Licensure Regulations. | S 000 | | |
| S 560 | 8:39-5.1(a) Mandatory Access to Care<br><br>(a) The facility shall comply with applicable Federal, State, and local laws, rules, and regulations.<br><br>This REQUIREMENT is not met as evidenced by:<br>Based on interview and review of pertinent facility documentation, it was determined the facility failed to maintain the required minimum direct care staff-to-resident ratios as mandated by the state of New Jersey. This was evident for 6 of 42 shifts reviewed.<br><br>Findings include:<br><br>Reference: New Jersey Department of Health (DOH) memo, dated 01/28/2021, "Compliance with N.J.S.A. (New Jersey Statutes Annotated) 30:13-18, new minimum staffing requirements for | S 560 | | |

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| S 560 | Continued From page 1 | S 560 | | |

nursing homes," indicated the New Jersey Governor signed into law P.L. 2020 c 112, codified at 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:

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 than half of all staff members shall be CNAs, and each direct staff member shall be signed in to work as a CNA 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.

A review of "New Jersey Department of Health Long Term Care Assessment and Survey Program Nurse Staffing Report" completed by the Director of Nursing (DON) for the weeks of 9/26/21 through 10/2/21 and 10/3/21 through 10/9/21, revealed the staffing to residents' ratios did not meet the minimum requirement of 1 CNA to 8 residents for the day shift as documented below:

9/26/21- 5 CNAs for 47 residents
9/28/21- 5 CNAs for 47 residents
10/2/21- 6 CNAs for 49 residents
10/3/21- 6 CNAs for 49 residents
10/5/21- 6 CNAs for 49 residents

Further review of the "New Jersey Department of Health Long Term Care Assessment and Survey

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| S 560 | Continued From page 2<br><br>Program Nurse Staffing Report" completed by the DON for the weeks of 9/26/21 through 10/2/21 and 10/3/21 through 10/9/21, revealed the staffing to residents' ratios did not meet the minimum requirement of 1 CNA to 10 residents for the evening shift as documented below:<br><br>9/26/21- 6 CNAs for 47 residents<br><br>On 10/18/21 at 9:45 AM, the Staffing Coordinator (SC) in the presence of the survey team acknowledged that she was aware of the new mandatory staffing ratio law. The SC stated that the facility was in compliance with minimum staffing requirements and stated, "I was not aware of the days that we were short of staff."<br><br>On 10/19/21 at 10:00 AM, the surveyor, in the presence of the the survey team met with the Administrator and the DON and discussed the staffing ratio concerns. The Administrator and the DON acknowledged and stated they were aware of the new state minimum staffing ratios.<br><br>On 10/19/21 at 10:55 AM, the surveyors met with the Administrator and the DON. There was no additional information provided by the facility. | S 560 | | |
| S1245 | 8:39-17.2(g) Mandatory Dietary Services<br><br>(g) All food service facilities shall operate with safe food handling practices in accordance with Chapter XII of the New Jersey Sanitary Code, N.J.A.C. 8:24.<br><br>This REQUIREMENT is not met as evidenced | S1245 | | |

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| S1245 | Continued From page 3<br>by:<br>Based on observation, interview, and review of facility policies, it was determined that the facility failed to maintain acceptable labeling and dating of foods in the dry storage room, refrigerator and freezer as well as discarding food items past their recommended expiration dates.<br><br>This deficient practice was observed during kitchen tours and was evidenced by the following:<br><br>On 10/12/2021 at 9:25 AM, two surveyors toured the kitchen with the Food Service Director (FSD). In a preparation area located outside the kitchen, both surveyors observed four clear plastic dry cereal dispensers. Each of these dispensers contained varying amounts of cereal and had handwritten, out-of-date labels: 7/1/21 (on two containers), 7/21/21, and 8/6/20. During an interview with the FSD, the surveyors asked if the cereal dispensers were currently being used. The FSD stated, "Yes, we are using them." The surveyors asked about the labels that were on the containers and if they should have been updated. The FSD replied, "Yes, the labels should have been changed."<br><br>During the tour of the dry storage area with the FSD, the two surveyors observed:<br><br>1. Sixteen 12 oz cans of evaporated milk with a "best by" date of 12/8/2020 on the shelf. The FSD stated that the evaporated milk was used for making macaroni and cheese.<br><br>2. One 6 lb 5 oz can of cranberry sauce with a "use by" date of 5/26/21.<br><br>3. One 1 gallon container of Franks Red Hot Sauce with a "use by" date of 9/14/2020. | S1245 | | |

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| S1245 | Continued From page 4<br><br>4. Multiple items were noted without labels indicating received, "use by" and/or expiration dates. Instead, these items were labeled with a manufacture's code. The FSD was unable to state the date the item was received and/or the "use by" date of the following items:<br>- One 1 gallon container of Marsala Cooking Wine<br>- One 1 gallon container of Distilled Vinegar<br>- One 1 gallon container of Ranch Dressing<br>- Three 1 gallon containers of Kraft Mayonnaise<br>- Four 1 gallon containers of White Cooking Wine<br>- Four 1 gallon containers of Burgundy Cooking Wine.<br><br>At 9:55 AM, during the inspection of the walk-in refrigerator, additional items were observed that were not labeled with dates received, "use by" or "best by" dates. There were also items past their "best by" date as evidenced by the following:<br><br>1. Seven 59 oz Orange Juice containers noted with "best by" date of 10/8/21. The FSD stated he received the containers of orange juice on 10/11/21.<br><br>2. Two large plastic bags of grated Mozzarella Cheese, which were not labeled with any dates.<br><br>3. One large plastic bag of grated Parmesan Cheese with no date on the package.<br><br>4. Three 5 lb. blocks of Yellow American Cheese had no dates noted on their cellophane wrappers.<br><br>5. One zip lock plastic bag containing hotdog's with no open date noted on the bag. The FSD stated that the hotdog's were opened on the previous day.<br><br>At 10:05 AM, the surveyors observed additional | S1245 | | |

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| S1245 | Continued From page 5<br>items that were not properly labeled with dates in the walk-in freezer, including the following:<br><br>1. One plastic zip lock bag containing frozen soup, dated 9/21/21. The FSD could not explain the meaning of the date: whether it represented the date the soup was put into the freezer, needed to be discarded, or when the product was made.<br><br>2. Three plastic zip lock bags labeled "Beef" with no dates noted. The beef was separated from one larger bag into three separate bags. The FSD could not address the date that the beef was separated into smaller bags, when it was received or needed to be discarded.<br><br>3. Three plastic zip lock bags labeled "Chicken." There were no dates noted on the bags of frozen, raw chicken. The FSD could not state when the chicken was transferred from the original packaging, the date it was received or when it needed to be cooked or discarded.<br>The facility's policy "Storage of Food and Supplies," dated 12/15/20 included the following statements:<br><br>"Most, but not all, products contain an expiration date. The words 'sell-by,' 'best-by,' 'enjoy-by' or 'use by' should precede the date. The 'sell-by' date is the last date that food sold or consumed; do not sell products in retail areas or place on patient trays/resident plates past the date on the product. Discard food past the 'use-by,' 'sell-by,' 'best-by,' or 'enjoy-by' date. Cover, label and date unused portions and open packages. Complete all section on a Unidine Universal Date Label or use an approved labeling system. Products are good through the close of business on the date noted on the label...Refer to the Food Storage Chart in this policy to determine discard date for | S1245 | | |

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| S1245 | Continued From page 6 | S1245 | | |

food items... Date and rotate items; first in, first out (FIFO). Discard food past the use-by or expiration date ...

Review of the facility policy for "REFRIGERATED STORAGE LIFE OF FOODS" indicated to "Use the manufacturer's expiration date for products before opened. If there is no expiration date on the package, add the time listed here to date the food received. Add the time in the 'opened' column to the date when the food is prepared or opened. Label when product is 'opened'. The time listed below added to today's date (Chart provided per policy)."

Review of the facility policy for "FREEZER STORAGE LIFE OF FOODS" indicated to "Use manufacturers expiration date for products, BUT DO NOT EXCEED 1 YEAR. If there is no expiration date on the package, add the time listed here to the date the food received. If a case of food is partially used, and the remaining food is exposed to the air (ex: 20# case of frozen vegetables), re-label when the product is 'opened', to use within 3 months. Example: cookie dough (no expiration date) received on 1/3/20 expires at the end of the day on 4/3/20 (Chart provided per policy)."

Review of the facility policy for "DRY STORAGE LIFE OF FOODS" indicated to "Use manufacturer's expiration date for product storage. If there is no expiration date on the package, add the time listed below, the date the food received. The time listed added to today's date. Expiration/use by dates are guidelines; discard products where the quality deemed unacceptable (Chart provided per policy)."

On 10/18/2021 at 11:52 AM, the survey team met with the Administrator and the Director of Nursing

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| S1245 | Continued From page 7<br>(DON) and discussed the above observations and concerns. The DON stated that she and the Administrator discussed everything that the surveyors had reported with the FSD. The DON further stated, "Everything stored should have been labeled." | S1245 | | |