

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 694020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED 7/7/2023
NAME OF PROVIDER OR SUPPLIER MEDILODGE OF GAYLORD			STREET ADDRESS, CITY, STATE, ZIP CODE 508 RANDOM LANE GAYLORD, MI 49735		
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F0000 SS=	INITIAL COMMENTS Medilodge of Gaylord was surveyed for an Abbreviated survey on 07/07/23. Intakes #: MI00138092, MI00136559, MI00136823, MI00137640. Census = 74.	F0000			
F0602 SS= D	Free from Misappropriation/Exploitation §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. This REQUIREMENT is not met as evidenced by: This citations relates to Intake #: MI00138092. Based on interview, and record review, the facility failed to prevent exploitation and the misappropriation of money for one Resident (#1) of seven Residents reviewed for abuse. This deficient practice resulted in financial loss and ongoing stress through continued contact with the perpetrator attempting to recover money. Findings include: Review of Resident #1's Minimum Data Set (MDS) assessment, dated 2/23/23, revealed Resident #1 was admitted to the facility on 11/24/20, with diagnoses including stroke, kidney disease, peripheral neuropathy (disease of nerves causing pain, weakness, and numbness),	F0602	Element #1: Resident #1 gave an employee his debit card and pin number so the employee could borrow money. The employee withdrew \$800 and did not pay resident back in a timely manner. Facility staff were unaware of this until Resident #1 notified a staff member one month after it occurred. During the investigation, the employee admitted to taking \$800 even though they knew it was wrong. The employee repaid all money that was withdrawn. A resident trust account was started in Resident #1's name. The police were notified who did not further prosecute as they felt this was not criminal in nature and the money had been returned in full. Element #2: All residents who keep money or debit/credit cards in their possession at the facility have potential of being affected. Residents residing in the facility and/or those residents with legal representatives were audited to ensure they are aware of the Resident Trust accounts, were offered a lock box for their money/cards/wallet/etc., and educated about not giving staff money/cards for any reason & notifying staff immediately if they notice money missing or staff have asked to borrow money.		8/7/2023

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

TITLE

(X6) DATE

Electronically Signed

07/28/2023

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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	<p>respiratory failure, and depression. Resident #1 required extensive, two-person assistance for bed mobility, transfers, and toileting. The mood assessment revealed no symptoms of depression, and the behavior assessment revealed no behaviors. The Brief Interview of Mental Status (BIMS) assessment revealed a score of 15/15, which showed Resident #1 was cognitively intact. The sensory assessment revealed no sensory impairment, and Resident #1 was able to make himself understood, and was able to understand others.</p> <p>Review of Resident #1's investigation summary, dated 6/22/23, provided by the Nursing Home Administrator (NHA), revealed Resident #1 reported he gave Certified Nurse Aide (CNA) "N" \$600.00 to Certified Nurse Aide (CNA) "I". Resident #1 stated to CNA "I", this occurred before CNA "N" worked her last shift at the facility (in May 2023). The investigation summary indicated CNA "I" reported the incident to the NHA. During the follow-up interview by the NHA, Resident #1 confirmed he "loaned" CNA "N" money; however, it was \$400.00 and clarified he did not feel pressured to loan CNA "N" the money. Resident #1 conveyed the expectation was to get the money back from CNA "N".</p> <p>The investigation summary further clarified Resident #1 was his own responsible party, and local law enforcement was contacted on 6/22/23 due to the suspicion of a possible crime. Further investigation by the NHA revealed Resident #1 had loaned CNA "N" the money. Resident #1 indicated he gave CNA "N" his debit card with the PIN (personal identification number). During the interview of Resident #1 by the NHA, the NHA was shown a message exchange between Resident #1 and CNA "N" on [Name of Social Media platform]. In the message exchange, Resident #1 asked CNA "N" when they would be</p>		<p>New residents will also be audited as they are admitted to the facility.</p> <p>Element #3</p> <p>Misappropriation policy was reviewed and deemed appropriate by QAPI.</p> <p>All staff were re-educated on abuse, with a focus on misappropriation and exploitation prior to working their next shift.</p> <p>Element #4:</p> <p>Audits will be completed weekly for 4 weeks and monthly for 3 months or until substantial compliance is maintained.</p> <p>Results will be brought to QAPI monthly until substantial compliance is maintained.</p> <p>The Administrator or their designee will be responsible for ensuring compliance is maintained.</p>		

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	<p>coming to see him, and CNA "N" responded they did not know when they were available. Resident #1 reported to the NHA, during this interview, he did not plan to press charges. A police report was made with local law enforcement, and the officer involved reported they would follow-up with Adult Protective Services (APS), and the facility could receive a copy of the report if requested in the event Resident #1 pressed charges. The report number was provided in the investigation report.</p> <p>Review of Resident #1's accident and incident report, requested 7/5/23 from the NHA, received 7/6/23, revealed, "06/30/2023: After it was determined that the amount allegedly borrowed was double what [Resident #1] reported, NHA contacted [local law enforcement officer] and informed him of the new information. ATM camera footage was requested ...and [the officer] stated he would need to follow-up with the Detective Sergeant on the process moving forward ..."</p> <p>Review of the last timecard for CNA "N", provided by the NHA, revealed the last day worked at the facility was 5/21/23, and showed CNA "N" worked from 6:38 a.m. to 6:44 p.m.</p> <p>During an interview on 6/22/23 at 2:13 p.m., the NHA confirmed the facility investigated the incident, and discovered Resident #1 had two \$400.00 charges debited from his bank account on the same day, using his debit card, on May 13th, 2023. The NHA stated, given the two charges debited from his account, Resident #1 was reapproached about pressing charges and reported they " ... would like to think about ..." pressing charges towards CNA "N". The NHA stated the facility's legal team was contacted. The NHA indicated their legal team advised, "They said at this point we would press charges for him ..." The NHA stated the facility also contacted</p>				

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	<p>local law enforcement again, given Resident #1's statement. The NHA confirmed Resident #1 was a reliable reporter of the incident. The NHA reported CNA "N" was contingent status after 5/21/23 and was suspended and subsequently terminated after discovery of the misappropriation. The NHA indicated CNA "N" had received their abuse training including in Elder Abuse. When asked about CNA "N"'s job training and performance, the NHA reported CNA "N" had no prior disciplinary action.</p> <p>Review of Resident #1's debit card transactions, provided by the NHA, revealed two \$400.00 debits on 5/13/23 from a local gas station ATM near the facility. The debits were not timestamped on the report. The facility indicated these reports were obtained with Resident #1's permission prior to the survey.</p> <p>Review of a witness statement by Certified Nurse Aide (CNA) "I", dated 6/22/23, revealed, "[CNA "I"] came to NHA on 6/22/23 and reported that [Resident #1] had asked if [CNA "I"] heard from [CNA "N"] lately. [CNA "I"] said she hadn't and [Resident #1] told [CNA "I"] that [CNA "N"] owed [Resident #1] \$600, which [CNA "N"] borrowed for rent ..."</p> <p>During an interview on 7/7/23 at 3:54 p.m., CNA "I" was asked about the incident on 6/22/23. CNA "I" confirmed Resident #1 reported CNA "N" had taken \$600.00 from his bank debit card for her personal rent (living expenses). CNA "I" reported they were not surprised as CNA "N" had demonstrated unprofessional conduct at work and explained they had completed some of CNA "N"'s resident care responsibilities. This included changing residents' bedding, as CNA "N" reportedly would leave residents in wet bedding and not complete her residents' showers. CNA "I" stated they would assume those responsibilities,</p>				

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	<p>as they were frequently covering residents care on the same hall. CNA "I" also reported CNA "N" would speak disrespectfully to staff and swore in the resident care hallways. CNA "I" reported they had told facility nurses [unnamed] of the ongoing concerns, as well as Staff "M". CNA "I" stated, "[CNA "N"] neglected the needs of her residents ..."</p> <p>During an interview on 7/7/23 at approximately 5:05 p.m., the NHA, with Surveyor present, asked Resident #1 regarding any missing money. The NHA, per request, led the interview, due to Resident #1 earlier reporting feeling stressed (prior to survey start) regarding the missing money, and local law enforcement was reportedly investigating the incident further. Resident #1 was interviewed briefly per NHA request; the interview lasted about 15 minutes. Resident #1 stated, "There was a CF [clarified as certified nurse aide] ... I leant her money from my ATM [debit] card. She went to the ATM and got [withdrew] \$400.00. I'm not sure what I told her ..." Resident #1 clarified they had only agreed for CNA "N" to withdraw \$400.00 from their account. Resident #1 had also learned from the NHA, CNA "N" had withdrawn an additional \$400.00 from Resident #1's account, totaling \$800. Resident #1 stated this bothered him but conveyed he had not decided on whether or not to press charges. Resident #1 stated his priority was getting his money back. Resident #1 confirmed per NHA questioning, the money was intended to be a loan to CNA "N" and did not feel pressured into giving money to CNA "N". The NHA asked Resident #1 if he expected the money to be returned to him. Resident #1 replied, "[CNA "N"] said she was going to pay the police," and then opened his cell phone screen to the NHA and Surveyor. The cell phone showed text messages from former staff, CNA "N", on "Tuesday (6/20/23)", and an ongoing text communication thread between CNA "N" and Resident #1. CNA</p>				

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	<p>"N" indicated in text, they were going to return the money to Resident #1; however, they were trying to figure out the best way to return the money. Resident #1's text responses were brief, acknowledging receipts of the texts, and he did not appear to comment otherwise. Resident #1 was asked how this made him feel [receipt of the text messages from CNA "N"], and he responded, "Stressed." The interview was stopped here by NHA and Surveyor, due to Resident #1's reported feelings of stress, and emotional support was provided by NHA and Surveyor. Resident #1 was not re-interviewed during the survey at the strong suggestion by the NHA to minimize any psychosocial impact to Resident #1 and avoid impedance of the ongoing law enforcement investigation. During the interview, the NHA offered Resident #1 use of a facility trust fund for his money. Resident #1 reported he would consider cutting up his bank card, and use cash in low amounts from the facility, given they had already lost a large amount of money to CNA "N". Resident #1 expressed not being made aware this was an option, although they had reported the misappropriation to facility staff on 06/22/23.</p> <p>During a follow-up interview on 7/05/23 at approximately 5:20 p.m., the NHA was asked how they were going to protect Resident #1 from the ongoing exploitation by CNA "N" given continued contact was evident between CNA "N" and Resident #1. Resident #1 also still had his bank debit card on his person. Surveyor also reiterated Resident #1 reported feelings of psychosocial distress from these communications during the joint interview with the NHA. The NHA reported they were coming up with a plan to protect Resident #1 following the interview, which included nursing staff watching the facility entrance, and not allowing CNA "N" to enter the facility. The NHA did not mention contacting law enforcement despite the implications of this incident being a criminal matter, given the text</p>						

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	<p>messages showing CNA "N" admitted to taking money from Resident #1. Resident #1 still possessed their bank card, and the potential risk remained for additional exploitation and misappropriation. The NHA was asked if they had offered Resident #1 use of a facility trust fund prior, given Resident #1 verbalized interest in using a facility trust fund during the interview. The NHA explained they had not had time since the incident occurred on 6/22/23. The NHA verbalized it was within Resident #1's rights to do what he chose with his money. The NHA verbalized they would ensure the safety of Resident #1 post the interview.</p> <p>During an interview on 7/6/23 at approximately 8:00 a.m., the NHA was asked for any follow-up. The NHA reported they made sure Resident #1 was safe in the facility. The NHA however indicated they had not notified law enforcement of the newly reported communications between Resident #1 and CNA "N".</p> <p>Review of the Electronic Medical Record (EMR) including Resident #1's Care Plan (accessed 07/05/23) revealed no progress notes or any documentation of the incident, including nursing or social services notes, to ascertain any psychosocial affect related to Resident #1's misappropriation of his money.</p> <p>Review of the EMR on 7/6/23 revealed no new care plan goals or interventions to protect Resident #1 from ongoing exploitation and continued contact by CNA "N" towards Resident #1.</p> <p>During an interview on 7/6/23 at 11:15 a.m., the Social Services (SS) designee, SS "F", was asked if they were aware of the misappropriation of Resident #1's money by CNA "N", and the ongoing contacts between them. SS "F" reported</p>						

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	<p>they were not made aware, and they would have followed up with Resident #1 had they known. SS "F" reported any incident and follow-up with the potential for abuse including misappropriation would typically be documented and included in the medical record. SS "F" clarified they would have provided psychosocial follow-up to ascertain any psychosocial affect, given this was an abuse allegation. SS "F" reviewed the EMR and their Social Services records, and confirmed they and the other facility social worker did not note the incident or provide any follow-up. SS "F" reported the Social Services Director (SSD) was on vacation, and the NHA reported earlier in the survey they were unavailable for interview, as they had traveled out of the country. Surveyor was unable to confirm if the SSD was aware of the incident, per NHA report.</p> <p>During an interview on 7/6/23 at 3:07 p.m., the NHA reported they had heard back from CNA "N", and said they were planning on coming to the facility on 7/10/23 to return the \$800.00 to Resident #1. As stated, prior, Resident #1 was only aware of CNA "N" having \$400.00 belonging to Resident #1. The NHA clarified they arranged to meet CNA "N" in the parking lot to retrieve the money with another staff member and had not planned on notifying the police at the time of this interview. The NHA was also asked if they were going to consider obtaining screenshots show to the NHA and Surveyor, of Resident #1's text messages between Resident #1 and CNA "N", with Resident #1's permission. The NHA reported they would consult with their legal team for clarification. The NHA soon after followed up with Surveyor, and stated they would not ask Resident #1 for screenshots, per their legal team. The NHA explained this would require a warrant by the police, and they had concerns regarding this being an ongoing investigation and did not want to cause Resident #1 more stress. The NHA reported they were not requesting the police</p>				

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	<p>report due to the cost and stated it would take up to two weeks to be made available.</p> <p>Review of an email thread, received from the NHA, showed communication from CNA "N" to the NHA. The email, dated 7/5/23, revealed CNA "N" acknowledged misappropriation of Resident #1's money by them, and stated, "...I have [Resident #1's] money and planned to bring it up to him but life has been busy ...I know I signed a contract, but I had a moment of weakness and thought I could just turn around and give it right back ..."</p> <p>During an interview on 7/7/23 at 3:28 p.m., Staff "M" confirmed CNA "N" was at times demeaning, had an attitude, and was very rude towards staff. They reported the concerns re unprofessional workplace conduct to the former NHA, who reportedly administered disciplinary action.</p> <p>Review of CNA "N"'s employee personnel file with the NHA after the interview revealed no disciplinary action or write up in the file.</p> <p>Review of the policy, "Abuse, Neglect, and Exploitation", revised 10/24/2022, revealed, "Policy: It is the policy of this facility to provide for the health, welfare, and rights of each resident by developing and implementing written policies and procedures that prohibit and prevent abuse, neglect, exploitation, and misappropriation of resident property. Definitions: ..."Exploitation" means taking advantage of a resident for personal gain through the use of manipulation, intimidation, threats, or coercion. "Misappropriation of Resident Property" means the deliberate misplacement, exploitation, or wrongful, temporary, or permanent, use of a resident's belongings or money ..."Mistreatment" means inappropriate treatment or exploitation of a</p>				

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	resident ...Protection of Resident. The facility will make efforts to ensure all residents are protected from physical and psychosocial harm, as well as additional abuse, during and after investigation. Examples include but are not limited to: ...C. Increased supervision of the alleged victim and residents ...E. Protection from retaliation. F. Providing emotional support and counseling to the resident during and after the investigation ...G. Revision of the resident's care plan ..."						