

STATEMENT OF DEFICIENCIES	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: AL11968825	(X3) DATE SURVEY COMPLETED 05/10/2017
NAME OF PROVIDER OR SUPPLIER CRISTAL PALACE RESORT PB LLC	STREET ADDRESS, CITY, STATE, ZIP CODE 1881 PALM BAY RD NE PALM BAY, FL 32905	

SUMMARY STATEMENT OF DEFICIENCIES
(FINDINGS PRECEDED BY TAGS AND REGULATORY IDENTIFYING INFORMATION)

0000 - Initial Comments

Complaint inspections 2017004739, 20174557 and 2017004040 were conducted on . Cristal Palace Resort PB had deficiencies relating to #2017004739 at the time of the visit.

0008 - Admissions - Health Assessment - 429.26(4-6) FS; 58A-5.0181(2) FAC

Based on record review and interview the facility failed to ensure the health assessment (AHCA 1823) had all required information for 2 of 14 sampled resident records reviewed (#9 and #14).

Findings:

1. A review of resident #9's health assessment (AHCA 1823), dated revealed it did not address whether or not the resident needed help with taking his medications.

On at 12:45 PM. Staff A stated everybody needed assistance with self-administration of medications. She confirmed resident#9's AHCA 1823; dated did not answer the question about the medications.

2. Record review for Resident #14 revealed a Resident Health Assessment form 1823 dated . The health care provider noted the resident required 24 hour nursing and , care. The health care provider did not document whether or not the resident had a communicable and the type of assistance he required with bathing the sections were left blank.

On at 2 PM, the administrator's designee reviewed the 1823 and confirmed the findings.

Class III

0053 - Medication - Administration - 58A-5.0185(4) FAC

Based on observations and interviews the facility failed to maintain a valid copy of a State Clinical Laboratory License as required for a facility that performed resident glucose testing.

Findings:

Observations made during a medication pass for resident #10 on at 4:13 pm revealed that staff H, a licensed nurse, removed a glucose testing machine from the medication cart, she cleaned the machine with , and she had gloves on. Staff H carried the supplies to resident #10, who was sitting in a wheelchair in his . Staff H told resident #10 that she was there to check his sugar.

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Staff H prepped the finger of resident #10 with _____, she stuck his finger with a lancet, and she placed a drop of _____ on the test strip. The _____ machine reflected the result was 145.
On _____ at 10:30 AM the administrator's designee stated she searched on Monday and Tuesday for the Clinical Laboratory Improvement Admendments (CLIA) and State Licensure and was unable to locate it. There had been a lot of staff changes and it may have been misplaced, but she did not have it .

The nurse consultant said on _____ at 10:30 AM that the facility had residents who needed administration and _____ sugar testing, therefore the CLIA and State license were needed.

Class III

0054 - Medication - Records - 58A-5.0185(5) FAC

Based on record review and interview the facility failed to maintain medication observation records (MOR) for 1 of 14 sampled residents (#9).

Findings:

A review of resident #9's health assessment (AHCA 1823) dated _____ revealed his diagnosis was _____. The health assessment did not address whether or not he needed assistance with medications, this section was left blank.

A review of his _____ 2017 MOR revealed blank spots on the following days: _____ and _____. On those days, no evidence showing the medications were given and _____ was monitored.

_____ 5 milligrams (mg) tablet - 1 tablet(s) by mouth (PO) once a day, every day(s), (Prescribed by - name) start date _____. Notes: Take 1 tablet by mouth once a day, hold if _____ less than or equal to 110/MP (manual pressure). _____ 20 mg tab - 1 tablet PO once a day, every day(s), (Prescribed by - name) start date _____. NOTES: take 1 tablet PO once a day, Hold if _____ less than or equal to 120/MP

On _____ at 11:45 AM, Staff A reviewed the MOR but could not explain why the MOR was left blank on those days. She confirmed the resident received assistance with self-administration of medication.

Class III

0055 - Medication - Storage and Disposal - 58A-5.0185(6) FAC

Based on record review and interview the facility failed to ensure medication was discontinued but had

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not expired was returned to the resident or the resident's representative, as appropriate, or was centrally stored by the facility for future use by the resident at the resident's request. If centrally stored by the facility, the discontinued medication must be stored separately from medication in current use, and the area in which it was stored must be marked "discontinued medication." Such medication may be reused if prescribed by the resident's health care provider for 1 of 14 sampled residents (#2) and failed to make sure both prescription and over-the-counter medications, in the resident's were kept locked when the resident was absent, unless the medication was in a secure place within the in some other secure place that was out of sight of other residents for 1 of 14 sampled resident #8.

Findings:

1. The 1 day- Adverse report dated indicated an event that was reported to law enforcement. Resident #2 had 2 () pills missing. The report indicated the 3- 11 shift staff relieved the medication cart to another staff; the count was accurate at the time. The 11-7 shift staff handed the keys to the 7-3 shift to pass medications. The 11-7 staff failed to do a count after getting the keys. She claimed she did not have time because she had to tend to her kids. When the 7-3 shift (2) staff counted, they noticed 2 pills were missing. The 15-day adverse report indicated same as the 1-day adverse report.

Review of the and MOR revealed that was not listed as a current medication. A healthcare provider order dated 11/ indicated to discontinue . Continued review revealed no notations regarding the disposition of the .

During an interview on at 11AM with the administrator's designee. When asked by the Agency representative how did the staff get access to the discontinued medications? She replied the medication was discontinued in 2016 but was kept in the medication cart, along with the current medications and after the incident, they were destroyed. The former nursing supervisor instructed the staff to keep all the resident's medications together and those that were discontinued could be destroyed within 30 days. She added the facility had no written notations that the family was notified and given the opportunity to take the medication back or for the medications to be kept in the facility for future use, if prescribed again.

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2. On _____ at 2 PM, resident #7 said her _____ resident #8 was not in the _____. Observations at the time revealed there was a prescription bottle labeled _____ Lax-s 1-2 times daily on the table next to resident #8's bed. Further observations revealed on the base of a light stand was 3 and 1/2 pills were observed out of the bottle. Resident #7 said there was a white bag that was on the floor next to resident #8's bed that had medications inside. Review of the medication in the bag revealed there was _____, Proair, _____, Dpr CRM, _____ 50 Milligrams (mg), _____ / _____ 5-325 mg inside of the bag. Resident #8 left the medication unsecured in the _____, while she was not there and resident #7 was aware the medications were left unsecured.

On _____ at 3:50 PM, the consultant said if the residents kept medications in their _____, they were to be kept in a locked box.

Class III

0056 - Medication - Labeling and Orders - 58A-5.0185(7) FAC

Based on observations and interview the facility failed to store prescription drugs for self- administration, assistance with self-administration or administration unless they were properly labeled and dispensed in accordance with Chapters 465 and 499, F.S., and Rule 64B16-28.108, F.A.C. for 3 of 14 sampled residents (#7, 10 and 20).

Findings:

1. Observations on _____ at 3:30 PM noted the nurses' medication cart contained _____ for the facility residents. Continued observations noted 2 _____ pens tied together with a rubber _____ and 1 loose _____ neither had a prescription label. The nurse consultant stated on _____ at 3:30 PM the medication belonged to resident #20.

2. There was another plastic bag had 5 _____ Flex pens and 2 _____ pens without a prescription label. The nurse consultant stated on _____ at 3:30PM the medication belonged to resident #7.

The nurse consultant said on _____ at 3:30 PM the staff must have thrown away the box with the prescription label.

3. Observations made during a medication pass for resident #10 on _____ at 4:13 pm revealed that staff H, a licensed nurse, removed a _____ glucose testing machine from the medication cart, she cleaned the machine with _____, and she had gloves on. Staff H carried the supplies to resident #10,

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who was sitting in a wheelchair in his Staff H told the resident #10 that she was there to check his sugar. Staff H prepped the finger of resident #10 with , she stuck his finger with a lancet, and she placed a drop of on the test strip. The machine reflected that the result was 145.

Staff H returned to the medication cart and removed a Lantus pen from the cart. The pen did not contain a prescription label. Staff H said the pen originally came from the pharmacy in a labeled container but the facility no longer had the original container.

Staff H approached resident #10 and told him she was going to administer 12 units of She then placed a needle on the pen, she dialed the pen to 12 units, she prepped his right abdomen with , and then she injected the

Class III

0093 - Food Service - Dietary Standards - 58A-5.020(2) FAC

Based on observations, menu review and interview the facility failed to ensure plastic spoons were not used, menus to be served were kept on file for 6 months, to have substitutions with items of comparable nutritional value, substitutions were noted were before or when the meal was served and did not maintain a 3-day emergency supply of non-perishable Milk on hand to meet the needs of the residents in the event of an emergency and did not conspicuously post the planned menus nor were the menus easily available to residents.

Findings:

1. Observations on at 10:45 AM revealed the menu was posted in the back of the large dining area in a glass box on the wall. The menu posted was not dated. There was an erasable board located next to it with what was to be served for the day.

On at 12 PM while residents were arriving for lunch, several were asked if they were aware of where the menu was posted. The residents interviewed did not know where the weekly menu was posted. They only knew what they were eating when they arrived to the dining area. Observation revealed several residents used wheelchairs and motorized scooters and did not go into the back of the dining area where the menu was posted to eat their meals.

Observation of the menu on at 12:00 Noon revealed it noted baked chicken, rice, peas, tossed salad and dinner roll. Observation on at 12:10 PM revealed the tossed salad was not served.

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<p>At 12:30 PM, the dietary manager said that the salad was not made because he did not have time to make it. He was the only staff in the kitchen that was cooking.</p> <p>Observations during lunch on _____ at 12:40 PM revealed there were several residents with plastic spoons. Further observation revealed other residents had silverware.</p> <p>During an interview with resident #22, he said he did not want to eat with a plastic fork and he paid too much money to eat with that plastic fork. He threw the spoon away from him.</p> <p>2. On _____ at 12 PM- observations revealed pork, potatoes and tossed salad was served. The menu noted roast beef and gravy, whipped potatoes, green beans, tossed salad, dinner roll and fruit.</p> <p>During an interview with the dietary manager, he said he switched the menus and used what was to be served on Wednesday for Tuesday. He said they had roast beef for dinner and did not want to serve that again for lunch.</p> <p>The dietary manager was asked at the time if he had a list of substitutions and the dated menus for the last 6 months. The Dietary Manager said he did not date the menus and he used cycled menus. He stated he would not know what was served on a given day. He was not aware he had to write substitutions and dates on the menu.</p> <p>3. Observations of the menu on _____ at 12:30 PM revealed it noted the menu was hand written on the erasable board revealed Shepard pie, "whit veg" and dinner roll.</p> <p>The Dietary manager said on _____ that he had switch the menu and on _____ roast beef and gravy, whipped potatoes, green beans, tossed salad and dinner roll and fruit were to be served.</p> <p>Observations on _____ at 12:30 PM revealed the residents were served Shepard's pie with mixed vegetables. There was no fruit served.</p> <p>The dietary manager said on _____ at 12:40 PM he substituted the lunch menu because the ground beef was already thawed out because Ravioli was made for dinner the night before and he did not use all of the ground beef. He did not want to freeze it again after it was thawed. He was asked if he had noted it on the substitution list and he said he had not.</p>		

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On _____ at 12:45 PM observations revealed residents were leaving the table, the only plates on the table were the plates that had food on them, and the residents did not receive the fruit as listed on the menu.

On _____ at 12:50 PM, The dietary manager said he was going to be serving fruit cocktail with the brownies that were going out. He was informed at the time residents were leaving and had already eaten. There was no fruit served with their meals.

Class III

0152 - Physical Plant - Safe Living Environ/Other - 58A-5.023(3) FAC

Based on observation and interview the facility failed to provide a safe living environment and maintain electrical systems are in good working order by: the air conditioning system not working in the kitchen, the elevator permit had expired, the exit doors were not secure and in good working condition. Black-like/brown-like substance & stains was found on the walls, carpet and air conditioning vents.

Findings:

Observations on _____ at 10 AM during my tour, both exit doors in facility's _____ string tied to secure and lock the doors. _____, more observations was noted during the tour including black spots and black stains on the lobby's ceiling near the dining _____, a black stain on the bottom kitchen entry door, and black stains on carpet in the facility especially in the hallways on first & second floors heading to the resident's _____.

A large carpet stain was near _____ on the 1st floor, and near the elevators on 2nd floor.

A black/brown like substance was found in the air conditioning vents, employee break _____, on ceiling near pipes, one pipe was broken and located on 2nd floor near the elevator the red fire extinguisher case had black like substance in it.

In back outside patio, the swimming pool was black in content.

Elevator 1 and 2 permits was expired on _____.

On _____ at 12:30 PM, an interview and a walk around showing the issues with the designee (staff A) and consultant (staff D) who offered no comment and confirmed the findings.

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On at 12:30 PM, an interview with the Maintenance Director who confirmed that he was unable to locate any maintenance log or request forms made by residents for repairs.

On at 11:45 PM, a telephone exit conference was conducted with staff A was completed to clarify the black/brown like substance found on the second floor inside the red fire extinguisher case and she confirmed the finding.

On at 10:55 AM, it was observed to be very hot in the kitchen, there was a large fan blowing and the door was opened to the outside. The dietary manager said it was very hot in the kitchen and he was told they were working on getting the air conditioner repaired. He said he was hired over a month ago and the Air Conditioner was not working when he started to work at the facility.

The Dietary manager said the vent over the grill was not working, the grill could not be used because the kitchen would be smoky, he also said one of the top ovens was not working appropriately, sometimes it worked and sometimes it did not so he did not use it.

On at 1 PM, one of the facility's consultants said an air conditioner was ordered and she did not know when it would arrive.

On at 3:15 PM, An invoice was provided from the Air Conditioning company that noted the air conditioner was ordered on The Administrator Designee said at the time she was told it would be repaired on in the morning.

Observation on of kitchen at 10 AM revealed the large fan was still in use and the back door was open. The Dietary manager stated at the time that the air conditioner was not repaired.

On at 10:35 AM, the administrator's designee provided another invoice from the Air conditioning company dated that noted, Install new a/c 3 ton for kitchen. The unit will be installed on due to factory problems with the unit.

Class III

0160 - Records - Facility - 58A-5.024(1) FAC

Based on record review the facility did not make sure to maintain a grievance procedure for receiving and responding to resident complaints and recommendations as described in Rule 58A-5.0182, F.A.C.

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<p>Findings:</p> <p>During an interview with the administrator's designee on at 2:30 PM who stated she had searched for the grievance log/procedure on Monday and Tuesday and was unable to locate it. There had been a lot of staff changes and it may have been misplaced.</p> <p>Class III</p> <p>Z809 - Proof of Financial Ability to Operate - 59A-35.062(3)(e)&(7);408.803(7) &.810(8)</p> <p>Based on Financial Account Reviews and Interviews the facility failed to provide evidence they had the Financial Ability to Operate.</p> <p>Findings:</p> <p>On at 11:10 AM, the administrator's designated manager was asked to provide bank statements from all facility accounts, payroll statements and utility/vendor invoices from 2017 to the present.</p> <p>Statements from 3 TD accounts (ending in 3032, 0118, 4284) at TD bank were presented and reviewed. Statements reviewed from the three accounts provided showed references of transfers to and from other TD checking accounts ending in 3065, 9859, 8798. Statements for those accounts were not provided for review.</p> <p>The statement that was provided for the Checking account (ending in 4284) was reviewed for dates from 10 to , 2017. The requested statement was not provided.</p> <p>The statements showed a running balance ranging from (negative) \$97.75 (. . . .) to \$43, 118.00 (. . . .). The statements showed that electronic deposits from Sunshine and United Healthcare continue to be deposited to this account. eDebits and eTransfers were made this month from this account to 3 other facility accounts. No checks were written from this account from - Ending balance on was \$279.37.</p> <p>The statement that was provided for the Payroll account (ending in 3032, as identified by facility manager) statement was reviewed for dates from 1 to , 2017.</p> <p>The statement showed a running balance between (negative) \$203.66 (. . . .) and (positive) \$34,874.65 (. . . .). The statement for the same account shows overdraft fees charged on , and The ending balance on was \$3073.36.</p> <p>Checks #s written from this account between 3/1 and range, in sequence, from 356 to 366.</p>		

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The statement that was provided for the account ending in 0118 dated from 1 to , 2017. The statements showed a running balance ranging from \$1061.63 () to \$79,865.22 (). The higher balances in reflect several deposits of \$30,000 from the account ending in 4284, but the statement for that account was not provided for review.

Checks written from this account between and had the following check numbers: 4 checks, in different amounts, with the #1 (dated 3/7, 3/8, 3/8 & 5/5), #217, 219, 1036, 1044, 1078, 1085, 1086, 1090-1104 (in sequence), 1106-1117 (in sequence), 1119-1121 (in sequence), 675298, 675299, 675303, 675304, 675305, 675472, 675473, 710220 & 752240.

When asked why there were so many varied check numbers, the designee manager stated she did not know and that everything came from the accounting office in Miami.

During review of the bank statements provided, a line item debit listed as "ADP EEPAY/GARNWC" appeared on : account ending in 4284 in the amount of \$20,145.07. In a phone interview on at 2:30PM with an ADP Payroll services representative, she stated that the line item shown on the bank statement that was listed as "CCD DEBIT, ADP EEPAY/GARNWC EEPAY/GARN" could indicate the client is garnished to an outside payee for some amount owed, but that was protected information and she was not permitted to discuss it as per the privacy policy.

Two pages bank statements from Bank of America were received from the designated manger on . One page did not have any account number or identifying information on it. It showed "Online Banking" at the top and showed the "Account balance history" from - . There was no name of the owner of the account on the page.

The second page did not have any account owner information or account numbers on it. The dates on this page were from - .

Invoices from , , and , from the utility companies were requested on at 11:10 AM. Three utility bills were provided on at 9:30 AM.

Spectrum (cable) invoice date was reviewed. The current charges totaled \$1036.95; the past due amount was \$1032.95. No , or , statements were provided.

Florida City Gas invoice date was reviewed. The current charges billed totaled \$394.09; the past due amount was \$1517.49 shown as paid on . No , or , statements were provided.

SCS Elevator Co LLC invoice dated was provided for review. The invoice was stamped "paid" on , in the amount of \$850.00. No previous balance was shown. No , or , statements were provided.

Invoices for Waste Management, Electric, Water were not provided as requested.

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Copies of cancelled checks were provided for the following accounts:

FPL, check #1013, dated ... in the amount of \$4000.00, from a Bank of America account ending in 3209. No electric company invoices were provided.
 City of Palm Bay, Bank of America check #1008, dated ..., in the amount of \$5533.57, from a Bank of America account ending in 3209. No water ill invoices were provided.
 Spectrum Enterprise, Bank of America check #1012, dated ..., in the amount of \$2069.90, from a Bank of America account ending in 3209. Only the ... invoice was provided.
 SCS Elevator, Bank of America check #1011, dated ..., in the amount of \$850.00, from a Bank of America account ending in 3209.
 Florida City Gas, Bank of America check #1009, dated ..., in the amount of \$394.09, from a Bank of America account ending in 3209.
 The bank statement for the account on which the above checks were written was requested, but not provided.

Invoices were requested for the food vendor, Cheney Brothers, from ... through ..., 2017. Review of the information provided by the facility found one email dated ... from Cheney Bros to the facility with "payments for ... and ..." in the body of the email. The email stated, "Payment Check 1065 from TD account #0118 and Payment ..., Check #675298 from TD bank account 118" No amounts were shown. Bank statements from ... were not requested or provided. The " ..., check #675298 was shown on the ... TD bank statement ending in 0118 as clearing the bank on ... in the amount of \$8088.33. No ... payments were shown. Another page provider by the facility was a table dated ... to ... with columns for "amount due" and "running balance." The running balance on ... was listed as \$16,400.75. When asked on ... what the columns represented and what the current balance due was, the designated manager and the person who identified themselves as being the next administrator stated they could not explain the information.

Review of the caregiver staff schedule for ..., 2017 documented "Agency LPNs" were scheduled on the following dates: 4/3, 4/6, ..., in an interview with Staff A on 5/9 at 1:00 PM, she stated they used Arbor Staffing. In a phone interview with Arbor Staffing on ... at 1:15 PM, the head of Payroll stated they had only ever sent an LPN to this facility on two dates: ... and ... She restated they never provided nurses in the month of ..., 2017. On ... at 2:25pm, Staff A said she was certain it was Arbor Staffing that was used in ..., but the manager who was responsible was no longer working at the facility for her to check.

In an interview with Staff F on ... at 11:30AM, he said he is paid on time, but they do need more staff to cover the duties they have.

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In an interview with Staff G on . . . at 11:45 AM, she stated she liked her job, and did get her first paycheck on time. She enjoyed being in laundry but they just moved her to housekeeping because they did not have enough housekeepers.

In an interview with staff E on . . . at 11:00AM, she stated that she has been paid for time worked, but she does not receive overtime pay. Her last timesheet was submitted for 92 hours and she was paid for only 40. She said the person who is going to be administrator soon promised she was getting that fixed. However, she added she only gets straight hourly pay for hours over 40, not time and a half.

The facility continues to show instability through past due service provider accounts and unstable bank balances.

Unclassified