

Agency for Health Care Administration

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>AL11968644</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>01/14/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>WINDSOR OF JACKSONVILLE</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>5939 ROOSEVELT BOULEVARD JACKSONVILLE, FL 32244</b>
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A 000	Initial Comments  A biennial relicensure survey with Limited Nursing Services monitoring was conducted at Windsor Of Jacksonville from _____ to _____. Deficient practice was identified at the time of the survey.	A 000		
A 032	59A-36.007(8) FAC Resident Care - Elopement Standards  59A-36.007 (8) ELOPEMENT STANDARDS. (a) Residents Assessed at Risk for Elopement. All residents assessed at risk for elopement or with any history of elopement must be identified so staff can be alerted to their needs for support and supervision. All residents must be assessed for risk of elopement by a health care provider or a mental health care provider within 30 calendar days of being admitted to a facility. If the resident has had a health assessment performed prior to admission pursuant to paragraph 59A-36.006(2) (a), F.A.C., this requirement is satisfied. A resident placed in a facility on a temporary emergency basis by the Department of Children and Families pursuant to section 415.105 or 415.1051, F.S., is exempt from this requirement for up to 30 days. 1. As part of its resident elopement response policies and procedures, the facility must make, at a minimum, a daily effort to determine that at risk residents have identification on their persons that includes their name and the facility's name, address, and telephone number. Staff trained pursuant to paragraph 59A-36.011(10)(a) or (c), F.A.C., must be generally aware of the location of all residents assessed at high risk for elopement at all times. 2. The facility must have a photo identification of at risk residents on file that is accessible to all	A 032		

AHCA Form 3020-0001  
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

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A 032	<p>Continued From page 1</p> <p>facility staff and law enforcement as necessary . The facility's file must contain the resident's photo identification upon admission or upon being assessed at risk for elopement subsequent to admission. The photo identification may be provided by the facility, the resident, or the resident's representative.</p> <p>(b) Facility Resident Elopement Response Policies and Procedures. The facility must develop detailed written policies and procedures for responding to a resident elopement. At a minimum, the policies and procedures must provide for:</p> <ol style="list-style-type: none"> <li>1. An immediate search of the facility and premises,</li> <li>2. The identification of staff responsible for implementing each part of the elopement response policies and procedures, including specific duties and responsibilities,</li> <li>3. The identification of staff responsible for contacting law enforcement, the resident's family, guardian, health care surrogate, and case manager if the resident is not located pursuant to subparagraph (8)(b)1.; and,</li> <li>4. The continued care of all residents within the facility in the event of an elopement.</li> </ol> <p>(c) Facility Resident Elopement Drills. The facility must conduct and document resident elopement drills pursuant to sections 429.41(1)(a)3. and 429.41(1)(l), F.S.</p> <p>This Statute or Rule is not met as evidenced by: Based on record review and interview, the facility failed to ensure all employees participated in elopement drills twice a year, for two of two years reviewed.</p> <p>The findings include:</p>	A 032		
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A 032	<p>Continued From page 2</p> <p>During an interview with Employee B on . . . . . at 10:15 am, she was asked if she participated in elopement drills since becoming employed in 2019. She stated, "I know they've done one since I started."</p> <p>The Receptionist was interviewed on . . . . . at 2:40 pm. She was asked if she ever went through elopement drills in the two years she had been employed. She explained she had not.</p> <p>During an interview on . . . . . at 2:46 pm, the Health and Wellness Director (HWD) explained they conducted two drills per year. When asked if all staff were present during the drills, she confirmed the facility conducted two per year but they were not asking all staff to be present during each one. The Administrator was also present and confirmed all of the facility's staff were not in both drills conducted twice a year.</p> <p>The elopement drills for 2019 and 2020 were reviewed on . . . . . A drill was conducted on . . . . . which had a sign in sheet with 7 employees on it. On . . . . ., 7 employees signed in, and on . . . . ., 7 employees signed in. Photographic evidence obtained.</p> <p>In 2020, a drill was conducted on . . . . ., and 6 employees signed in as attending. None of the employees were listed as dietary. A drill was conducted on . . . . . 15 staff were in attendance. None of the signatures indicated they were from the dietary department. Photographic evidence obtained.</p> <p>Class III</p>	A 032		

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A 090 A 090	<p>Continued From page 3</p> <p>59A-36.011(11) FAC Training -</p> <p>(11) TRAINING.</p> <p>(a) Currently employed facility administrators, managers, direct care staff and staff involved in resident admissions must receive at least one hour of training in the facility's policies and procedures regarding</p> <p>(b) Newly hired facility administrators, managers, direct care staff and staff involved in resident admissions must receive at least one hour of training in the facility's policy and procedures regarding within 30 days after employment.</p> <p>(c) Training shall consist of the information included in rule 59A-36.009, F.A.C.</p> <p>This Statute or Rule is not met as evidenced by: Based on interview and record review, the facility failed to ensure employees received at least one hour of training regarding for two of three employees sampled.</p> <p>The findings include:</p> <p>A review of the employee record for Employee B was conducted. There was no documentation of training regarding in the record.</p> <p>A review of the employee record for Employee C was conducted. There was no documentation of training regarding in the record.</p> <p>On at 5:00 PM, an interview was conducted with the Receptionist. The Receptionist explained that she was responsible</p>	A 090 A 090		

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A 090	<p>Continued From page 4</p> <p>for maintaining the staff records. She was asked to review the records for Employee B and Employee C. The Receptionist confirmed that neither record contained documentation of the employees having received at least one hour of training regarding</p> <p>After researching more, the Administrator confirmed via email on ..... that there was no additional evidence found to show Employees B and C completed one hour of training specific to</p> <p>Class III</p>	A 090		

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CZ815	<p>408.809; 435.02(2); 435.06 FS Background Screening; Prohibited Offenses</p> <p>408.809 Background screening; prohibited offenses.-</p> <p>(1) Level 2 background screening pursuant to chapter 435 must be conducted through the agency on each of the following persons, who are considered employees for the purposes of conducting screening under chapter 435:</p> <p>(a) The licensee, if an individual.</p> <p>(b) The administrator or a similarly titled person who is responsible for the day-to-day operation of the provider.</p> <p>(c) The financial officer or similarly titled individual who is responsible for the financial operation of the licensee or provider.</p> <p>(d) Any person who is a controlling interest.</p> <p>(e) Any person, as required by authorizing statutes, seeking employment with a licensee or provider who is expected to, or whose responsibilities may require him or her to, provide personal care or services directly to clients or have access to client funds, personal property, or living areas; and any person, as required by authorizing statutes, _____ with a licensee or provider whose responsibilities require him or her to provide personal care or personal services directly to clients, or _____ with a licensee or provider to work 20 hours a week or more who will have access to client funds, personal property, or living areas. Evidence of contractor screening may be retained by the contractor's employer or the licensee.</p> <p>(3) All _____ must be provided in electronic format. Screening results shall be reviewed by the agency with respect to the offenses specified in s. 435.04 and this section, and the qualifying or disqualifying status of the person named in the request shall be maintained in a database. The</p>	CZ815		

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CZ815	<p>Continued From page 1</p> <p>qualifying or disqualifying status of the person named in the request shall be posted on a secure website for retrieval by the licensee or designated agent on the licensee's behalf.</p> <p>(4) In addition to the offenses listed in s. 435.04, all persons required to undergo background screening pursuant to this part or authorizing statutes must not have an . . . awaiting final disposition for, must not have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, and must not have been adjudicated delinquent and the record not have been sealed or expunged for any of the following offenses or any similar offense of another jurisdiction:</p> <p>(a) Any authorizing statutes, if the offense was a felony.</p> <p>(b) This chapter, if the offense was a felony.</p> <p>(c) Section 409.920, relating to Medicaid provider fraud.</p> <p>(d) Section 409.9201, relating to Medicaid fraud.</p> <p>(e) Section 741.28, relating to domestic violence.</p> <p>(f) Section 777.04, relating to attempts, solicitation, and conspiracy to commit an offense listed in this subsection.</p> <p>(g) Section 817.034, relating to fraudulent acts through mail, wire, radio, electromagnetic, photoelectronic, or photooptical systems.</p> <p>(h) Section 817.234, relating to false and fraudulent insurance claims.</p> <p>(i) Section 817.481, relating to obtaining goods by using a false or expired credit card or other credit device, if the offense was a felony.</p> <p>(j) Section 817.50, relating to fraudulently obtaining goods or services from a health care provider.</p> <p>(k) Section 817.505, relating to patient brokering.</p> <p>(l) Section 817.568, relating to criminal use of</p>	CZ815		

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personal identification information.

(m) Section 817.60, relating to obtaining a credit card through fraudulent means.

(n) Section 817.61, relating to fraudulent use of credit cards, if the offense was a felony.

(o) Section 831.01, relating to forgery.

(p) Section 831.02, relating to uttering forged instruments.

(q) Section 831.07, relating to forging bank bills, checks, drafts, or promissory notes.

(r) Section 831.09, relating to uttering forged bank bills, checks, drafts, or promissory notes.

(s) Section 831.30, relating to fraud in obtaining medicinal drugs.

(t) Section 831.31, relating to the sale, manufacture, delivery, or possession with the intent to sell, manufacture, or deliver any counterfeit controlled substance, if the offense was a felony.

(u) Section 895.03, relating to racketeering and collection of unlawful debts.

(v) Section 896.101, relating to the Florida Money Laundering Act.

If, upon rescreening, a person who is currently employed or . . . . . with a licensee and was screened and qualified under s. 435.04 has a disqualifying offense that was not a disqualifying offense at the time of the last screening, but is a current disqualifying offense and was committed before the last screening, he or she may apply for an exemption from the appropriate licensing agency and, if agreed to by the employer, may continue to perform his or her duties until the licensing agency renders a decision on the application for exemption if the person is eligible to apply for an exemption and the exemption request is received by the agency no later than 30 days after receipt of the rescreening results by the person.

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CZ815	Continued From page 3  (5) The costs associated with obtaining the required screening must be borne by the licensee or the person subject to screening. Licensees may reimburse persons for these costs. The Department of Law Enforcement shall charge the agency for screening pursuant to s. 943.053(3). The agency shall establish a schedule of fees to cover the costs of screening. (6)(a) As provided in chapter 435, the agency may grant an exemption from disqualification to a person who is subject to this section and who: 1. Does not have an active professional license or certification from the Department of Health; or 2. Has an active professional license or certification from the Department of Health but is not providing a service within the scope of that license or certification. (b) As provided in chapter 435, the appropriate regulatory board within the Department of Health, or the department itself if there is no board, may grant an exemption from disqualification to a person who is subject to this section and who has received a professional license or certification from the Department of Health or a regulatory board within that department and that person is providing a service within the scope of his or her licensed or certified practice. (7) The agency and the Department of Health may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section, chapter 435, and authorizing statutes requiring background screening and to implement and adopt criteria relating to retaining _____ pursuant to s. 943.05(2). (8) There is no reemployment assistance or other monetary liability on the part of, and no cause of action for damages arising against, an employer that, upon notice of a disqualifying offense listed	CZ815			

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CZ815	<p>Continued From page 4</p> <p>under chapter 435 or this section, terminates the person against whom the report was issued, whether or not that person has filed for an exemption with the Department of Health or the agency.</p> <p>435.06 Exclusion from employment.-</p> <p>(1) If an employer or agency has reasonable cause to believe that grounds exist for the denial or termination of employment of any employee as a result of background screening, it shall notify the employee in writing, stating the specific record that indicates noncompliance with the standards in this chapter. It is the responsibility of the affected employee to contest his or her disqualification or to request exemption from disqualification. The only basis for contesting the disqualification is proof of mistaken identity.</p> <p>(2)(a) An employer may not hire, select, or otherwise allow an employee to have contact with any _____ person that would place the employee in a role that requires background screening until the screening process is completed and demonstrates the absence of any grounds for the denial or termination of employment. If the screening process shows any grounds for the denial or termination of employment, the employer may not hire, select, or otherwise allow the employee to have contact with any _____ person that would place the employee in a role that requires background screening unless the employee is granted an exemption for the disqualification by the agency as provided under s. 435.07.</p> <p>(b) If an employer becomes aware that an employee has been _____ for a disqualifying offense, the employer must remove the employee from contact with any _____ person that places the employee in a role that requires</p>	CZ815		
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CZ815	<p>Continued From page 5</p> <p>background screening until the . . . . is resolved in a way that the employer determines that the employee is still eligible for employment under this chapter.</p> <p>(c) The employer must terminate the employment of any of its personnel found to be in noncompliance with the minimum standards of this chapter or place the employee in a position for which background screening is not required unless the employee is granted an exemption from disqualification pursuant to s. 435.07.</p> <p>(d) An employer may hire an employee to a position that requires background screening before the employee completes the screening process for training and orientation purposes. However, the employee may not have direct contact with . . . . persons until the screening process is completed and the employee demonstrates that he or she exhibits no behaviors that warrant the denial or termination of employment.</p> <p>(3) Any employee who refuses to cooperate in such screening or refuses to timely submit the information necessary to complete the screening, including . . . . if required, must be disqualified for employment in such position or, if employed, must be dismissed.</p> <p>(4) There is no reemployment assistance or other monetary liability on the part of, and no cause of action for damages against, an employer that, upon notice of a conviction or . . . . for a disqualifying offense listed under this chapter, terminates the person against whom the report was issued or who was . . . ., regardless of whether or not that person has filed for an exemption pursuant to this chapter.</p> <p>435.02 Definitions--For the purposes of this chapter, the term:</p>	CZ815		

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CZ815	<p>Continued From page 6</p> <p>(2) "Employee" means any person required by law to be screened pursuant to this chapter, including, but not limited to, persons who are contractors, licensees, or volunteers.</p> <p>This Statute or Rule is not met as evidenced by: Based on record review and interview, the facility failed to ensure active background screenings were maintained for one of three employees reviewed for compliance with background screenings (Employee C) .</p> <p>The findings include:</p> <p>A review of the employment records for Employee C was conducted on . . . . . The employee was hired on . . . . . as a nurse. Her background screening had an eligibility date of . . . . ., which was over five years and required renewal (Photographic evidence obtained). Employee C was on duty providing care to residents at the time of the survey.</p> <p>On . . . . . at 5:00 PM, an interview was conducted with the Receptionist. She was asked to review the background screening for Employee C. She confirmed that the background screening in the record had expired and acknowledged that a rescreening is required every five years.</p> <p>Unclassified</p>	CZ815		