

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: ASL510567	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 11/12/2024
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NAME OF PROVIDER OR SUPPLIER HEATHERS SENIOR HOME	STREET ADDRESS, CITY, STATE, ZIP CODE 4570 PRINCETON LANE LAKE IN THE HILLS, IL 60156
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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
A 000	Initial Comment Annual Survey Conducted on 11/12/2024. 295.1060 295.3040	A 000		
A1060	Section 295.1060 Remedies and Sanctions This Regulation is not met as evidenced by: Type 3 Violation Section 295.1060 Remedies and Sanctions f) An establishment that fails to conduct a health care worker background check as required by Section 295.3040 shall be fined \$100 for each offense. This requirement was not met as evidenced by: Based on record review and interview, the facility failed to comply with the Health Care Worker Background Check Act and the Health Care Worker Background Check Code. This failure creates a a substantial probability of harm to a resident or residents. This failure involves 1 of 8 employees reviewed for this requirement (E3). Findings include: During record review on 11/12/2024 at 11:20 AM it was found that E3's (Care Partner) employee file did not include documentation of the Illinois Health Care Worker background check. E3 has a start date of 2/12/2024. During record review on 11/12/2024 at 11:26 AM the surveyor looked E3 up in the live Illinois	A1060		

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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE _____ TITLE _____ (X6) DATE _____

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A1060	Continued From page 1 Healthcare Worker Registry. E3 was listed as eligibility "Not Yet Determined." During interview with E1 (Executive Director) on 11/12/2024 at 12:50 PM they stated, "We will have to have E3 go get fingerprinted."	A1060		
A3040	Section 295.3040 Health Care Worker Background Check This Regulation is not met as evidenced by: Type 3 Violation Section 295.3040 Health Care Worker Background Check An establishment shall comply with the Health Care Worker Background Check Act and the Health Care Worker Background Check Code. Section 955.165 Fingerprint-Based Criminal History Records Check a) Educational entities, other than secondary schools, and health care employers are required to check the Health Care Worker Registry before allowing a student to enter a training program or hiring an employee to determine: 1) Whether a fingerprint-based criminal history records check has previously been conducted, which is indicated by the identifier of "FEE_APP" or "CAAPP". A) As long as the student, applicant or employee has had a background check and stays active on the Health Care Worker Registry, no further fingerprint-based criminal history record	A3040		

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A3040	<p>Continued From page 2</p> <p>checks are required. (Section 33(g) of the Act)</p> <p>B) If the individual has disqualifying convictions and a waiver has not been granted pursuant to this Part, the individual is not allowed to work as a direct care giver for a health care employer or as an individual with access to residents, the resident's living quarters, or the resident's financial, medical or personal records in a long-term care setting.</p> <p>2) Whether the individual is active on the Health Care Worker Registry.</p> <p>b) If the individual has not had a background check or is not active on the Health Care Worker Registry, then the health care employer shall initiate a fingerprint-based criminal history records check. (Section 33(g) of the Act)</p> <p>c) Educational entities and health care employers shall conduct Internet searches on certain web sites, including without limitation the Illinois Sex Offender Registry, the Department of Corrections' Sex Offender Search Engine, the Department of Corrections' Inmate Search Engine, the Department of Corrections Wanted Fugitives Search Engine, the National Sex Offender Public Registry, and the website of the Health and Human Services Office of Inspector General to determine if the applicant has been adjudicated a sex offender, has been a prison inmate, or has committed Medicare or Medicaid fraud, or shall conduct similar searches as provided by the web-based application. (Section 15 of the Act)</p> <p>d) Any student, applicant, or employee to whom the Act and this Part apply and who desires</p>	A3040		

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A3040	<p>Continued From page 3</p> <p>to be included on the Department of Public Health's Health Care Worker Registry shall authorize the Department of Public Health or its designee to request a fingerprint-based criminal history records check to determine if the individual has a conviction for a disqualifying offense by completing and signing an authorization and disclosure form. This authorization shall allow the Department of Public Health to request and receive information and assistance from any State or local governmental agency. (Section 33(b) of the Act)</p> <p>1) A health care employer may initiate a fingerprint-based criminal history records check required by the Act or this Part for any of its employees or volunteers to whom the Act and this Part apply, but may not use this process to initiate background checks for residents or for employees or volunteers not covered by the Act and this Part. The results of any fingerprint-based criminal history records check required by the Act and this Part shall be entered in the Health Care Worker Registry. (Section 33(f) of the Act)</p> <p>2) No educational entity or health care employer shall use the processes and procedures provided in the Act or this Part to conduct a fingerprint-based criminal history records check for any purpose not authorized by the Act or this Part. Nothing in this Section prohibits an educational entity or health care employer from using means other than the processes and procedures provided in the Act or this Part to conduct a criminal history records check of any student, applicant, or employee who is not covered by the Act or this Part.</p>	A3040		

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A3040	<p>Continued From page 4</p> <p>f) A health care employer who makes a conditional offer of employment to an applicant who is not exempt under Section 955.130, for a position as an employee, shall initiate a fingerprint-based criminal history records check on the applicant, if such a background check has not been previously conducted. A health care employer shall not use the fingerprint-based criminal history records check process provided in the Act and this Part to initiate background checks for applicants for employment positions to which the Act and this Part do not apply. (Section 33(d) of the Act)</p> <p>h) When initiating a background check, an educational entity, health care employer, staffing agency, workforce intermediary, or organization that provides pro bono legal services shall electronically submit to the Department of Public Health the student's, applicant's, or employee's social security number, demographics, disclosure and authorization information in a format prescribed by the Department of Public Health within 2 working days after the authorization is secured. (Section 33 (e) of the Act)</p> <p>i) The student, applicant, or employee shall go to a livescan vendor and have his or her fingerprints collected electronically and transmitted to the Department of State Police within 10 working days after signing the authorization and disclosure form. Each individual shall submit his or her fingerprints in an electronic manner prescribed by the Department of State Police. (Section 33(e) of the Act)</p> <p>1) The student, applicant, or employee shall bring the portion of the livescan request form that is completed by the livescan vendor back to the educational entity or health care employer as</p>	A3040		

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A3040	<p>Continued From page 5</p> <p>proof that his or her fingerprints have been collected. The educational entity or health care employer shall provide the transaction control number, obtained from this portion of the livescan request form, whenever any follow-up inquiries are made about the progress of the background check being processed.</p> <p>2) If the fingerprints are rejected by the Department of State Police, the student, applicant, or employee shall go to a livescan vendor and have his or her fingerprints collected electronically a second time.</p> <p>3) If the fingerprints are rejected by the Department of State Police a second time, the educational entity or health care employer shall conduct a complete name-based UCIA criminal history records check through the Department of State Police and mail a copy of the results of the background check to the Department within 10 working days after receipt. The UCIA criminal history records check shall be requested as prescribed by the Department of State Police. The results of the UCIA criminal history records check shall have been issued by the Department of State Police no earlier than 31 days prior to hire. A UCIA name-based criminal history records check may be used only when there is proof that the individual's fingerprints have been rejected twice by the Department of State Police within the previous 12 months.</p> <p>4) If the student, applicant, or employee does not go to a livescan vendor and have his or her fingerprints collected electronically within 10 working days, the individual shall be suspended from participating in a training program if a student, or suspended from working if an employee, until such time as proof is provided</p>	A3040		

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A3040	<p>Continued From page 6</p> <p>that the individual has had his or her fingerprints collected electronically from a livescan vendor.</p> <p>5) If the student, applicant, or employee has not had his or her fingerprints collected electronically by a vendor within 30 days after being hired or beginning a training program, the employee shall be terminated or the student shall be dropped from the training program. The educational entity or health care employer shall withdraw the background check application from the Health Care Worker Registry.</p> <p>j) The educational entity, health care employer, staffing agency, workforce intermediary, or organization that provides pro bono legal services shall transmit all necessary information and fees to the livescan vendor and Department of State Police within 10 working days after receipt of the authorization for a criminal history records check. (Section 33(e) of the Act)</p> <p>1) Application fees shall include, but are not limited to, the amounts established by the Department of State Police to process fingerprint-based criminal history records checks and the amount charged by the livescan vendor for collecting and transmitting the fingerprints.</p> <p>2) Health care employers that are certified to participate in the Medicaid program are required to pay for certified nursing assistants' (CNA) application fees. These fees shall be a direct pass-through on the cost report submitted by the employer to the Medicaid agency.</p> <p>3) Any student, applicant, or employee who is not a certified nursing assistant may be required to pay all related application and</p>	A3040		

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A3040	<p>Continued From page 7</p> <p>fingerprinting fees. (Section 45 of the Act)</p> <p>k) The results of the criminal history records checks shall be maintained by the Department of Public Health's Health Care Worker Registry as long as the employee stays active on the Registry. (Section 33(e) of the Act)</p> <p>l) A health care employer or long-term care facility may conditionally employ an applicant for up to three months pending the results of a fingerprint-based criminal history records check required by the Act and this Part. During this time, the employee shall have adequate supervision, which is the type and frequency of supervision required to prevent abuse, neglect, or theft regarding patients, clients, or residents. (Section 33(l) of the Act)</p> <p>m) The livescan vendors may act as the designee for individuals, educational entities, staffing agencies, workforce intermediaries, organizations that provide pro bono legal services, or health care employers in the collection of Department of State Police fees and deposit those fees into the State Police Services Fund. (Section 33(b) of the Act)</p> <p>n) If the individual is not active on the Health Care Worker Registry, then the health care employer shall initiate a fingerprint-based criminal history record check required by the Act and this Part. (Section 33(g) of the Act)</p> <p>o) If the Department of State Police notifies the Department of Public Health that an employee has a new conviction of a disqualifying offense, based upon fingerprints that were previously submitted, then:</p>	A3040		

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A3040	<p>Continued From page 8</p> <p>1) the Health Care Worker Registry shall notify the employee's last known employer of the offense by sending an automatic e-mail to the health care employer;</p> <p>2) a record of the employee's disqualifying offense shall be entered on the Health Care Worker Registry; and</p> <p>3) the individual shall no longer be eligible to work as an employee unless he or she obtains a waiver pursuant to this Part. (Section 33(h) of the Act)</p> <p>p) The Health Care Worker Registry will indicate only those criminal convictions that are disqualifying under the Act. Nothing in this Part shall prohibit the health care employer from developing policies concerning employment of individuals whose criminal history records checks indicate convictions for offenses that are not disqualifying.</p> <p>(Source: Amended at 44 Ill. Reg. 18422, effective October 29, 2020) Section 955.300 Health Care Worker Registry</p> <p>a) The Department will establish and maintain a Health Care Worker Registry of unlicensed individuals and employees who:</p> <p>1) Are employed or retained by a health care employer as home health care aides, nurse aides, certified nursing assistants, personal care assistants, private duty nurse aides, day training personnel, or an individual working in any similar health-related occupation where he or she provides direct care (e.g., resident attendants, child care/habilitation aides/developmental disabilities aides, and psychiatric rehabilitation</p>	A3040		

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A3040	<p>Continued From page 9</p> <p>services aides), or in positions where they have access to long-term care residents or the living quarters or financial, medical, or personal records of long-term care residents; (Section 10 of the Act)</p> <p>2) Have satisfactorily completed the training required by Section 3-206 of the Nursing Home Care Act, Section 3-206 of the MC/DD Act, or Section 3-206 of the ID/DD Community Care Act; (Section 26 of the Act) or</p> <p>3) Have begun a current course of training as set forth in Section 3-206 of the Nursing Home Care Act, Section 3-206 of the MC/DD Act, or Section 3-206 of the ID/DD Community Care Act. (Section 26 of the Act)</p> <p>b) Any individual or employee placed on the Health Care Worker Registry is required to inform the Department of any change of address within 30 days after the effective date of the change of address. (Section 26 of the Act)</p> <p>c) The Health Care Worker Registry will include the information contained in the registries established under Section 3-206.01 of the Nursing Home Care Act, Section 3-206.01 of the MC/DD Act, and Section 3-206.01 of the ID/DD Community Care Act. (Section 26 of the Act)</p> <p>d) The Health Care Worker Registry will document criminal history records check results pursuant to the requirements of the Act and this Part. (Section 28(c) of the Act)</p> <p>e) The Health Care Worker Registry maintained by the Department exclusive to health care employers, staffing agencies, workforce intermediaries, organizations that provide pro</p>	A3040		

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A3040	<p>Continued From page 10</p> <p>bono legal services, and educational entities will clearly indicate whether an individual is eligible for employment and will include the following:</p> <ol style="list-style-type: none"> 1) The individual's name; 2) His or her current address; 3) Social Security number or federal taxpayer identification number; 4) The date and location of the training course completed by the individual; (Section 26 of the Act) 5) Information identifying where an individual received his or her clinical training; (Section 3-206(a)(5) of the Nursing Home Care Act) 6) Whether the individual has any of the disqualifying convictions listed in Section 25 of the Health Care Worker Background Check Act from the date of the training course completed by the individual; 7) The date of the individual's last criminal records check; (Section 26 of the Act) 8) Whether the individual has any findings as reported by the Inspector General of the Department of Human Services, under subsection (s) of Section 1-17 of the Department of Human Services Act; (Section 27(g) of the Act) 9) Whether the individual has a waiver pending under Section 40 of the Health Care Worker Background Check Act (Section 3-206.01(a-5)(1) of the Nursing Home Care Act), and the following language: 	A3040		

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A3040	<p>Continued From page 11</p> <p>"A waiver granted by the Department of Public Health is a determination that the individual is eligible to work in a health care facility. The Equal Employment Opportunity Commission provides guidance about federal law regarding hiring of individuals with criminal records." (Section 3-206.01(a-5)(2) of the Nursing Home Care Act); and</p> <p>10) A link to Equal Employment Opportunity Commission guidance regarding hiring of individuals with criminal records. (Section 3-206.01(a-5)(3) of the Nursing Home Care Act)</p> <p>f) The publicly accessible version of the Health Care Worker Registry will:</p> <p>1) Report that an individual is ineligible to work, if he or she has a disqualifying offense under Section 25 of the Health Care Worker Background Check Act and has not received a waiver under Section 40 of the Act;</p> <p>2) Report that an individual is eligible to work, if the individual has received a waiver for one or more disqualifying offenses under Section 40 of the Act and he or she is otherwise eligible to work. The publicly accessible Health Care Worker Registry shall not report information regarding the granting or denial of a waiver; (Section 3-206.01(a-10) of the Nursing Home Care Act)</p> <p>3) Include findings as reported by the Department that an employee, or former employee, has been guilty of abuse or neglect of a resident or misappropriation of resident property or whether the Department has made any other applicable finding as set forth in this Part, including the employee's, or former</p>	A3040		

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A3040	<p>Continued From page 12</p> <p>employee's, statement relating to the finding or a clear and accurate summary of the statement; (Section 27(f) of the Act) and</p> <p>4) Include findings as reported by the Inspector General of the Department of Human Services, under subsection (s) of Section 1-17 of the Department of Human Services Act. (Section 27(g) of the Act)</p> <p>(Source: Amended at 47 Ill. Reg. 6567, effective April 27, 2023)</p> <p>This requirement was not met as evidenced by:</p> <p>Based on record review and interview, the facility failed to comply with the Health Care Worker Background Check Act and the Health Care Worker Background Check Code. This failure creates a a substantial probability of harm to a resident or residents. This failure involves 1 of 8 employees reviewed for this requirement (E3).</p> <p>Findings include:</p> <p>During record review on 11/12/2024 at 11:20 AM it was found that E3's (Care Partner) employee file did not include documentation of the Illinois Health Care Worker background check. E3 has a start date of 2/12/2024.</p> <p>During record review on 11/12/2024 at 11:26 AM the surveyor looked E3 up in the live Illinois Healthcare Worker Registry. E3 was listed as eligibility "Not Yet Determined."</p> <p>During interview with E1 (Executive Director) on 11/12/2024 at 12:50 PM they stated, "We will have to have E3 go get fingerprinted."</p>	A3040		

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