

 STATEMENT OF DEFICIENCIES & PLAN OF CORRECTION Biennial Survey		Date Completed: 2/13/2024
Name of Facility: EIGHT ROD ROAD Administrator: CHRISTINA MONAGLE LEVEL III RESIDENTIAL CARE FACILITY Census: 4 Total Capacity: 4 License: RCC38769		Address: 300 EIGHT ROD RD AUGUSTA, ME 04330-8112
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Eight Rod Road, a Level III Residential Care Facility, is not in substantial compliance with Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level III Residential Care Facilities, Part of 10-144, Chapter 113. The following requirements were not met:

3 Licensing

3.25 Rates and contracts.

3.25.2 Signing a contract. Each provider and each resident, or someone authorized to act on the resident’s behalf, shall sign a standard contract issued by the department, attached as Appendix A, at the time of any modification of an existing contract and with all new admissions. The resident and/or resident’s legal representative shall be given an original of the signed contract and the provider shall keep a duplicate in the resident’s file. No one other than the resident shall incur any responsibility for the resident’s obligations by signing the contract for admission of the resident. Financial responsibility for the resident’s expenses can only be assumed according to Section 3.25.3.7.

3.25.3.6 The following shall be appended to the contract and made a part thereof:

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3.25.3.6.3 Resident rights;

This has not been met as evidenced by:

Based on record review and interview the facility failed to have evidence of the required attachment (Section 5 Resident Rights) for the signed standard contract issued by the Department for 1 of 2 resident records reviewed.

Finding:

On 2/12/2024 a review of Resident #1s record was completed. The signed standard contract did not include a copy of the required attachment: Section 5 Resident Rights.

An interview was conducted with the House Manager at the time of the survey, who confirmed this finding.

5 RESIDENT RIGHTS

5.12 Right to confidentiality. Residents' records and information pertaining to their personal, medical and mental health status is confidential. Residents and their legal representatives shall have access to all records pertaining to the resident at reasonable times, in the presence of the provider or his/her representative, within one (1) business day of the request. Residents and their legal representatives are entitled to have copies made of their record within one (1) business day of the request. The licensee and employees shall have access to confidential information about each resident only to the extent needed to carry out the requirements of the licensing regulations or as authorized by any other applicable state or federal law. The written consent of the resident or his/her legal

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representative shall be required for release of information to any other persons except authorized representatives of the Department or the Long Term Care Ombudsman Program. The Department shall have access to these records for determining compliance with these regulations. Records shall not be removed from facility, except as may be necessary to carry out these regulations. Upon admission, each resident shall sign and date a written consent which lists individuals, groups, or categories of individuals with whom the program may share information (e.g., sons, daughters, family members or duly authorized licensed practitioners, etc.). A written consent to release of information shall be renewed and time dated every thirty (30) months, pursuant to 22 M.R.S.A. §1711-C (4). Consent may be withdrawn at any time. *[Class IV]*

This has not been met as evidenced by:

Based on record review and interview, 1 out 2 resident records did not contain a current written consent to release information.

Finding:

On 2/12/2024 a review of Resident #1's record was completed. The Residents record did not contain a current written consent to release information.

At the time of the survey, an interview was conducted House Manager who confirmed this finding.

7 MEDICATIONS AND TREATMENTS

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7.3 Medication storage.

7.3.3 Medications/treatments administered by the assisted living program or residential care facility for external use only shall be kept separate from any medications to be taken internally. *[Class III]*

This has not been met as evidenced by:

Based on observation and interview, the facility failed to ensure that medications for external use only were kept separate from medications to be taken internally.

Finding:

On 2/12/2024 a review of Resident #1 and #2's medication storage bins were completed. Internal medications and external use medications were stored in the same bin, not separated.

This information was confirmed with the House Manager at the time of the survey and at the exit interview on 2/12/2024.

7.7 Expired and discontinued medications. For medications administered by the assisted living program or residential care facility, medications shall be removed from use and properly destroyed after the expiration date and when discontinued, according to procedures contained in Section 7.9. They shall be taken out of service and locked separately from other medications until reordered or destroyed. *[Class III]*

This finding has not been met as evidenced by:

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Based on observation and interview, the facility failed to remove expired and discontinued medications from active medications that were in use for 2 of 2 residents.

Finding:

On 2/12/2024 a review of Resident #1 and #2's medication cart was completed. Expired and discontinued medications were kept with active medications that were in use as follows:

- For Resident #1: Refresh Tears with an expiration date of November 2023 was being kept with active medications that were in use.
- For Resident #2: Mupirocin Ointment 2% apply a small amount to each nostril 3 times a day for 7 days written on 10/22/2023.

This finding was confirmed with the House Manager at the time of the survey and at the exit interview on 2/12/2024.