DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	265275	A. BUILDING _____ B. WING _____	C 04/29/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BUTLER REHAB AND HEALTHCARE CENTER	416 S HIGH STREET BUTLER, MO 64730

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F 552 SS=E	Right to be Informed/Make Treatment Decisions CFR(s): 483.10(c)(1)(4)(5)	F 552		

§483.10(c) Planning and Implementing Care.
The resident has the right to be informed of, and participate in, his or her treatment, including:

§483.10(c)(1) The right to be fully informed in language that he or she can understand of his or her total health status, including but not limited to, his or her medical condition.

§483.10(c)(4) The right to be informed, in advance, of the care to be furnished and the type of care giver or professional that will furnish care.

§483.10(c)(5) The right to be informed in advance, by the physician or other practitioner or professional, of the risks and benefits of proposed care, of treatment and treatment alternatives or treatment options and to choose the alternative or option he or she prefers.
This REQUIREMENT is not met as evidenced by:
Based on interview and record review, contracted Physical Therapy Assistant (PTA) A did not adhere to resident's rights to be informed of care or refuse care by not explaining each treatment he/she was providing for seen residents prior to providing their treatments for seven residents (Residents #1, #2, #3, #4, #5, #6 and #7) causing those residents to feel uncomfortable with the PTA A's treatments out of eleven sampled residents. The facility census was 77 residents.

On 4/29/25, the facility Administration was notified of the past noncompliance which occurred on 4/21/25. Facility staff were educated on resident rights, informed care, abuse and neglect

Past noncompliance: no plan of correction required.

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
[signature]	Administrator	5/14/25

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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protocols and customer service. The deficiency was corrected on 4/21/25.

Review of the facility's Resident Rights-Quality of Life Policy revised on May 1, 2023 showed:
-The purpose of the policy was to ensure that all residents are treated with the level of dignity they are entitled to while residing at the facility.
-Each resident was to have been cared for in a manner that promotes and enhances the quality of life, dignity, respect and individuality.
-Facility staff was to always speak respectfully to residents, including addressing the resident by their name and pronoun of choice.
-Facility staff was to have explained all procedures to residents before they were performed.
-Demeaning practices and standards of care that compromised dignity were prohibited.

1. Review of Resident #1's facility Admission Record showed he/she was admitted on 8/26/24 with the following diagnoses:
-Non-traumatic intracerebral brain hemorrhage (also known as a brain bleed or hemorrhagic stroke, is a type of stroke where bleeding occurs within the brain tissue itself).
-Generalized weakness.

Review of the resident's Physician Order Sheet (POS) dated 10/9/24 showed no order for Physical Therapy (PT).

Review of the resident's quarterly Minimum Data Set (MDS-a federally mandated assessment tool completed by facility staff and used for care planning) dated 4/4/25 showed he/she was cognitively intact.

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F 552	Continued From page 2 Review of the facility Investigation dated 4/14/25 showed: -The resident reported that he/she saw contract PTA A walking another resident in the dining room and stated to the PTA that he/she would like to walk like that. -Contract PTA A offered to take him/her to the therapy gym to complete a therapy screen. -The resident agreed and went with contract PTA A to the therapy gym where PTA A completed a manual muscle test (a clinical assessment used to evaluate the strength of individual muscles or muscle groups) on his/her lower legs, hip flexion (the movement where the thigh is brought towards the chest at the hip joint), knee extension (the movement of straightening the knee joint) and knee flexion (the movement that bends the knee joint, decreasing the angle between the thigh and lower leg). -He/she also completed a sit to stand transfer. -After this was completed, he/she walked the resident down to his/her room. -The Contract PTA A reported that the resident got upset with him/her because he/she stated that since the resident was recently discharged off therapy services the resident would likely not be able to get back on therapy. -Once the resident returned to his/her room he/she sat on the bed and the contract PTA A continued the assessment by touching his/her legs, stomach, shoulders and back. -At no point during this time did resident feel uncomfortable. -The resident then reported that contract PTA A touched his/her chest area where resident alleged, he/she exposed his/her breast. -The resident stated that he/she told contract PTA A to leave his/her room so contract PTA A left. -This interaction was an unwitnessed event.	F 552		

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Resident #1 had discharged from the facility and was unable to be reached for interview after multiple attempts to contact.

2. Review of Resident #2's facility Admission Record showed he/she was admitted on 4/4/25 with the following diagnoses:
-Post surgical broken hip.
-Generalized post-surgical weakness.

Review of the resident's POS dated 4/4/25 showed PT to evaluate and treat as indicated and the resident was to have daily PT.

Review of the resident's Admission MDS dated 4/10/25 showed he/she was not cognitively intact.

Review of the facility's Investigation dated 4/15/25 showed:
-Resident #2 had been interviewed on 4/14/25 and denied any concerns with contract PTA A's treatment.
-On 4/23/25 the resident informed the facility staff that a tall slender person with light hair was inappropriate with him/her.
-The facility Administrator spoke with the resident as soon as it was reported and the resident stated the contract PTA A stared rubbing his/her arm, going down his/her side and down to his/her leg.
-The resident stated the rubbing occurred on top of his/her clothing and there was no touching any private areas.
-The resident did not ask him/her to stop but stated it made him/her feel uncomfortable.
-The resident did state he/she felt safe at the facility and felt that staff treated him/her with dignity and respect.

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During an interview on 4/25/25 at 1:15 P.M., Resident #2 said:
-Contract PTA A just came into his/her room and asked if he/she was ready.
-Resident #2 asked, "ready for what?", to which contract PTA A replied, "your therapy".
-The resident stated that he/she guessed so and contract PTA A began to rub and squeeze his/her legs.
-Contract PTA A said nothing regarding why he/she was rubbing the resident's legs.
-Contract PTA A then asked if the resident would like a massage.
-The resident said he/she guessed so.
-Contract PTA A then began massaging his/her shoulders and proceeded to move down to the resident's chest, not touching his/her breast, but getting near his/her right breast with his/her left hand.
-He/she said something to the contract PTA like, "Hey, what are you doing?" and he/she stopped.
-He/she did not tell anyone at the facility for over two weeks as he/she thought maybe he/she was making a big deal out of nothing.
-But he/she could not get the incident out of his/her mind so he/she told staff about what happened.
-The resident stated that he/she "hated men", as his/her spouse had raped him/her many years ago.
-The incident with contract PTA A made him/her fell "crappy".
-The resident stated he/she never touched his/her breast or private area but felt the therapist came too close.

3. Review of Resident #3's facility Admission Record showed he/she was re-admitted on 3/2/25

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with the following diagnoses:
-Metabolic Encephalopathy (a brain dysfunction resulting from impaired cerebral metabolism due to underlying systemic diseases or condition).
-Muscle weakness.

Review of the resident's Annual MDS dated 4/5/25 showed he/she was cognitively intact.

Review of the resident's POS dated 3/2/25 showed PT was to screen, evaluate and treat as indicated.

Review of the facility's Investigation dated 4/15/25 showed:
-Resident #3 had reported contract PTA A came into his/her room on 4/12/25 asking if he/she wanted therapy services.
-The resident stated he/she did want those services, so contract PTA A started a therapy screen by touching his/her legs.
-PTA A then touched his/her abdomen and under his/her breasts.
-The resident did not tell him/her to stop or report the incident to anyone.
-The facility staff competed an assessment and the resident showed no injuries, and the resident stated no pain.
-The resident stated he/she felt safe in the facility and felt that facility staff treated him/her with dignity and respect.

During an interview on 4/25/25 at 2:50 P.M., Resident #3 said:
-He/she did not realize that he/she was to get therapy services and had not had therapy before.
-Contract PTA A came into his/her room and began massaging his/her shoulders.
-Contract PTA A also pushed on and massaged

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his/her legs all the way up his/her thigh.
-Contract PTA A said nothing to him/her as to what he/she was doing or why he/she was doing it.
-Contract PTA A did not touch his/her breast or private area, but the resident stated even so, he/she felt "molested".

4. Review of Resident #4's facility Admission Record showed he/she was admitted on 2/27/25 with the following diagnoses:
-Heart Attack.
-Left and Right sciatic lumbago (pain in the lower back that also radiates down into the legs and feet).
-Muscle Weakness.

Review of the resident's quarterly MDS dated 4/28/25 showed he/she was cognitively intact.

Review of the resident's POS dated 3/8/25 showed PT was to evaluate and treat.

Review of the facility's Investigation dated 4/15/25 showed:
-Resident #4 had been treated by contract PTA A on 4/12/25.
-The resident reported PTA A came into his/her room and began the resident's scheduled therapy session by touching his/her legs, thighs and mid abdomen.
-The resident reported PTA A having treated him/her previously with no concerns.
-The resident reported he/she did not tell contract PTA A to stop on 4/12/25 and did not report the incident to anyone.
-Resident #4 stated having watched his/her roommate's therapy session as well and contract PTA A had provided therapy to his/her

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roommate's legs.
-Resident #4 was assessed and no issues were found.
-The resident reported no pain and stated he/she felt safe as facility staff always treated him/her with dignity and respect.

-During an interview on 4/25/25 at 2:25 P.M., Resident #4 said:
-He/she watched what happened with his/her roommate, Resident #3 and what happened to him/her was not like that.
-Contract PTA A got a "little fresh" with him/her massaging his/her shoulders and touching his/her chest, but nothing more than that.
-The resident stated that he/she did not like what contract PTA A did at all.

5. Review of Resident #5's facility Admission Record showed he/she was admitted on 8/31/24 with the following diagnoses showed:
-Post surgical amputation- (the period following a surgical procedure to remove a limb or part of a limb).
-Stroke.

Review of the resident's quarterly MDS dated 3/3/25 showed he/she was moderately cognitively intact.

Review of the resident's POS dated 4/1/25 showed PT was to evaluate and treat as indicated.

Review of the facility's Investigation dated 4/15/25 showed:
-Resident #5 was interviewed by facility staff as he/she had been a roommate of a resident on therapy services and treated by contract PTA A.

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-The resident reported contract PTA A came into the room and asked if he/she wanted his/her necked and shoulders rubbed.
-The resident said he/she said yes and that the shoulder rub felt good.
-The resident stated contract PTA A, while massaging his/her shoulders contract PTA A's hand began to go own toward his/her shirt.
-The resident reported his/her breasts were not touched and he/she did not tell contract PTA A to stop even though it made the resident feel uncomfortable.
-Resident #5 did not report the incident to anyone and his/her skin assessment showed no concerns.
-The resident reported feeling safe in the facility and that facility staff had treated him/her with dignity and respect.

During an interview on 4/25/25 at 3:23 P.M., Resident #5 said:
-He/she had not had therapy and did not know contract PTA A prior to the incident.
-Contract PTA A did not say anything to the resident, instead he/she just began massaging his/her shoulders.
-The therapist then touched the resident's chest, near but not touching his/her breast.
-The therapist did not touch him/her under his/her shirt.
-The resident was seated in his/her wheelchair while the therapist worked with him/her.
-He/she had spoken to his/her roommate, Resident #6 about what happened and his/her roommate said the same thing happened to Resident #6.
-He/she felt "creepy" after the incident, and it made him/her nervous.
-He/she did not say anything to any staff after it

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happened, until they asked him/her questions about contract PTA A.

6. Review of Resident #6's facility Admission Record showed he/she was re-admitted 11/2/24 with the following diagnoses:
-Cervical spondylosis- (a degenerative condition that affects the bones and discs in the neck (cervical spine).
-Generalized weakness.
-Muscle wasting and atrophy- (both refer to the decrease in muscle mass and strength).

Review of the resident's POS dated 11/27/24 showed PT was to evaluate and treat as indicated.

Review of the resident's annual MDS dated 4/13/25 showed he/she was cognitively intact.

Review of the facility's Investigation dated 4/15/25 showed:
-Resident #6 was treated by contact PTA A over the previous weekend and stated he/she came into the residents' room asking if the resident wanted to walk down the hall.
-The resident stated he/she sat down on the bed and contract PTA A rubbed his/her shoulders with contract PTA A's hand reaching down to his/her mid abdomen over his/her clothes.
-The resident expressed discomfort and contract PTA A left.
-The resident had not reported the incident to anyone, and a skin assessment showed no concerns.
-The resident reported no pain and stated he/she felt safe and the facility staff had always treated him/her with dignity and respect.

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During an interview on 4/25/25 at 1:50 P.M., the resident showed:
-About two to three weeks ago on a Saturday, contract PTA A came into his/her room and said, "I am ready for you".
-He/she asked the therapist what was going to happened and the therapist said he/she could give the resident a massage.
-Contract PTA A then began to massage the resident's shoulders and while doing so, he/she moved his/her hands down towards the resident's right breast, not touching the breast, but getting close.
-The resident knocked the therapist's hand away and said, "what are you doing."
-Contract PTA A just said he/she was giving a massage and the resident told him/her to stop and leave the room.
-Contract PTA A lingered for a short time, watching the resident television near the foot of the bed and then left the room, saying nothing.
-Contract PTA A had never treated the resident before that day and ha not treated him/her since.
-The incident made him/her mad.

7. Review of Resident #7's facility Admission Record showed he/she was admitted on 11/21/23 with the following diagnoses:
-Lumbar spondylosis with myelopathy.
-Stroke.

Review of the resident's POS dated 1/3/24 showed PT was to evaluate and treat.

Review of the resident's quarterly MDS dated 4/3/25 showed he/she was cognitively intact.

Review of the facility's Investigation dated 4/15 25 showed:

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-Resident #7 was spoken with initially on 4/14/25 and denied any issues. `
-On 4/15/25 the resident then reported he/she wanted to inform the facility that a therapist with gray hair came into his/her room.
-The resident stated he/she asked contract PTA A to rub his/her arm to which contract PTA A began rubbing his/her arm as requested.
-The resident stated that at some point, contract PTA A then touched his/her right breast over his/her shirt.
-Resident #7 told him/her to stop to which contract PTA A said he/she would not do that again.
-The resident did not report the incident to anyone and also that he/she had provided therapy for the resident on the previous weekend and felt the therapist did a good job.
-The resident expressed feeling safe in the facility and that facility staff had always treated him/her with dignity and respect.

During an interview on 4/25/25 at 3:38 P.M., Resident #7 said:
-Contract PTA A had treated the resident on 4/12/25 and he/she had no issues with the treatment.
-Then, the following day, he/she touched his/her breast on the outside of his/her clothing.
-The therapist massaged the resident's shoulders and just got too low on his/her chest.
-The resident was in his/her wheelchair during the treatment and contract PTA A also massaged the resident's arms.
-Contract PTA A said nothing the whole time he/she was with the resident.
-The resident did not say anything to any staff after the incident but felt he/she should have.
-The incident made the resident feel "not good".

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During an interview on 4/25/25 at 4:39 P.M., contract PTA A said:
-He/she had two weeks to reflect on the accusations and felt completely blindsided.
-He/she felt as thought he/she did nothing wrong and followed the treatment plans as they were supposed to be done.
-He/she spoke to all the residents throughout the treatments, always telling the residents what he/she was doing and why he/she was doing it.
-He/she did not use massage as part of the resident's treatment plans.
-The only thing he/she could think of what that when he/she was palpating their muscles to check for muscle tone, the resident's could have thought that felt like a massage.
-He/she ran his/her hands up and down their arms and legs, pressing throughout to see how their muscles felt.
-At no point did he/she feel that he/she touched the residents inappropriately or varied the treatments from the treatment plans.
-There were some residents whom he/she treated who were upset that after evaluation, he/she was unable to continue with any more therapy for one reason or another.
-He/she felt that for some reason, the residents misinterpreted his/her treatments as something inappropriate when that was not his/her intention.

8. During an interview on 4/29/25 at 10:56 A.M., Social Worker A said:
-It was reported to him/her on 4/14/25 by some residents who had all been out smoking together that contract PTA A had allegedly inappropriately touched Resident #1 the day before during a therapy treatment.
-He/she immediately went and report the

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	265275	A. BUILDING _____ B. WING _____	C 04/29/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BUTLER REHAB AND HEALTHCARE CENTER	416 S HIGH STREET BUTLER, MO 64730

(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) COMPLETION DATE
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allegation to the facility Administrator.

During an interview on 4/29/25 at 1:07 P.M., Contract Therapy Agency Director A said:
-It would have been appropriate therapy treatment for contract PTA A to have taken a hold of the residents' arm and while completing range of motion (ROM), placed his/her hand on the resident pectoral muscle located in the chest to evaluation how that muscle reacted to the movement.
-It would have been appropriate therapy practice for contract PTA A to have taken a hold of the residents' leg and while performing ROM on the leg, to have placed his/her hand on the inner thigh to evaluate how the leg muscles were performing during ROM.
-He/she would have expected that prior to contract PTA A beginning treatment for the residents to have explained to the resident exactly where he/she was going to touch them and why.
-He/she would have expected contract PTA A to have explained everything being done for each resident, so the resident was not confused or surprised by what was happening.
-He/she would have expected contract PTA A to have ensured the resident was able to hear what the therapist was saying before any explanations were made.
-He/she could understand how a resident might believe massage was being completed by the therapist, especially if the therapist did not explain what was being done during treatment.

During an interview on 5/2/25 at 3:00 P.M., the Director of Nursing (DON) and facility Administrator said:
-He/she would have expected that any staff

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F 552	Continued From page 14 member whether contract or regular staff to have maintained the resident's dignity and never made them feel uncomfortable. -He/she would have expected contract PTA A to have fully explained each portion of the therapy treatment prior to performing the therapy. -He/she would have expected contract PTA A to have made sure each resident could hear the therapist well. -He/she would have hoped the residents all felt they could always come and report any issues or negative experiences to a facility staff member. MO00252818 MO00253280	F 552		