

Division of Public and Behavioral Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 7766	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 01/02/2024
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NAME OF PROVIDER OR SUPPLIER FERNLEY ESTATES	STREET ADDRESS, CITY, STATE, ZIP CODE 1130 CHISHOLM TRAIL, FERNLEY, NEVADA ,89408
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0000	<p>Initial Comments</p> <p>Inspector Comments: This Statement of Deficiencies was generated as a result of a mandatory regrading survey conducted at your facility on 01/02/23. This State Licensure Survey was conducted in accordance with Nevada Administrative Code (NAC) Chapter 449, Residential Facility for Groups. The facility is licensed for 72 Category II, Residential Facility for Group beds for elderly and disabled persons and/or persons with Alzheimer's Disease. The census at the time of the survey was 47. Nine resident files and six employee files were reviewed. The facility received a grade of C. NAC 449.27706 Resurvey: Application and fee; failure to comply. 2. If the Bureau issues a placard to a residential facility that includes a grade of "C" or "D," the administrator must submit an application to the Bureau for a resurvey of the facility not later than 30 days after the facility receives the placard. The fee for an application for a resurvey is \$600 and must accompany the application. 3. The Bureau may revoke the license of a residential facility that is required to submit an application for a resurvey pursuant to subsection 2 if the facility fails to submit the application in accordance with the provisions of that subsection. The findings and conclusions of any investigation by the Division of Public and Behavioral Health shall not be construed as prohibiting any criminal or civil investigations, actions or other claims for relief that may be available to any party under applicable federal, state or local laws. The following regulatory deficiencies were identified:</p>	0000		
0074 SS= D	<p>Elder Abuse Training - NRS 449.093 Training to recognize and prevent abuse of older persons: Persons required to receive; frequency; topics; costs; actions for failure to complete. 1. An applicant for a license to operate a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care must receive training to recognize and prevent the abuse</p>	0074		01/11/2024

If deficiencies are cited, an approved plan of correction must be returned within 10 days after receipt of this statement of deficiencies.

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE Name: LAURA A HIGMAN Title: Administrator Date: 01/12/2024

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	<p>of older persons before a license to operate such a facility, agency or home is issued to the applicant. If an applicant has completed such training within the year preceding the date of the application for a license and the application includes evidence of the training, the applicant shall be deemed to have complied with the requirements of this subsection. 2. A licensee who holds a license to operate a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care must annually receive training to recognize and prevent the abuse of older persons before the license to operate such a facility, agency or home may be renewed. 3. If an applicant or licensee who is required by this section to obtain training is not a natural person, the person in charge of the facility, agency or home must receive the training required by this section. 4. An administrator or other person in charge of a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care must receive training to recognize and prevent the abuse of older persons before the facility, agency or home provides care to a person and annually thereafter. 5. An employee who will provide care to a person in a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care must receive training to recognize and prevent the abuse of older persons before the employee provides care to a person in the facility, agency or home and annually thereafter. 6. The topics of instruction that must be included in the training required by this section must include, without limitation: (a) Recognizing the abuse of older persons, including sexual abuse and violations of NRS 200.5091 to 200.50995, inclusive; (b) Responding to reports of the alleged abuse of older persons, including sexual abuse and</p>			

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	<p>violations of NRS 200.5091 to 200.50995, inclusive; and (c) Instruction concerning the federal, state and local laws, and any changes to those laws, relating to: (1) The abuse of older persons; and (2) Facilities for intermediate care, facilities for skilled nursing, agencies to provide personal care services in the home, facilities for the care of adults during the day, residential facilities for groups or homes for individual residential care, as applicable for the person receiving the training. 7. The facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care is responsible for the costs related to the training required by this section. 8. The administrator of a facility for intermediate care, facility for skilled nursing or residential facility for groups who is licensed pursuant to chapter 654 of NRS shall ensure that each employee of the facility who provides care to residents has obtained the training required by this section. If an administrator or employee of a facility or home does not obtain the training required by this section, the Division shall notify the Board of Examiners for Long-Term Care Administrators that the administrator is in violation of this section. 9. The holder of a license to operate a facility for intermediate care, facility for skilled nursing, agency to provide personal care services in the home, facility for the care of adults during the day, residential facility for groups or home for individual residential care shall ensure that each person who is required to comply with the requirements for training pursuant to this section complies with such requirements. The Division may, for any violation of this section, take disciplinary action against a facility, agency or home pursuant to NRS 449.160 and 449.163.</p> <p>Inspector Comments: Based on personnel file review and interview, the Administrator failed to ensure 1 of 6 employees received timely annual elder abuse training (Employee #2). Findings include: Employee #2 Employee #2 was hired by the facility as the Vice President of Operations with a start</p>			

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	date of 02/17/14. Employee #2's personnel file lacked documented evidence of annual elder abuse training completed in 2023. On 01/02/24 at 11:07 AM, the Vice President of Operations confirmed Employee #2 lacked documented evidence of annual elder abuse training. Severity: 2 Scope: 1			
0102 SS= D	<p>Personnel File - TB Screening - NAC 449.200 Personnel files. 1. Except as otherwise provided in subsection 2, a separate personnel file must be kept for each member of the staff of a facility and must include: (d) The health certificates required pursuant to chapter 441A of NAC for the employee;</p> <p>Inspector Comments: Based on record review and interview, the facility failed to ensure 1 of 6 sampled employees met the requirements concerning tuberculosis (TB) testing. (Employee #2) Findings include: Employee #2 Employee #2 was hired by the facility as the Vice President of Operations with a start date of 02/17/14. Employee #2's personnel file lacked documented evidence lacked documented evidence of annual TB testing for 2023. On 01/02/24 at 11:07 AM, the Vice President of Operations confirmed Employee #2 lacked documented evidence of annual TB testing for 2023. Severity: 2 Scope: 1</p>	0102		01/11/2024

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0450 SS= D	<p>First Aid & CPR - NAC 449.231 First aid and cardiopulmonary resuscitation. (NRS 449.0302) 1. Within 30 days after an administrator or caregiver of a residential facility is employed at the facility, the administrator or caregiver must be trained in first aid and cardiopulmonary resuscitation. The advanced certificate in first aid and adult cardiopulmonary resuscitation issued by the American Red Cross or an equivalent certification will be accepted as proof of that training.</p> <p>Inspector Comments: Based on record review, document review and interview, the facility failed to ensure 1 of 6 employees had the required cardiopulmonary resuscitation (CPR) and first aid training within 30 days of hire (Employee #2). Findings include: Employee #2 Employee #2 was hired by the facility as the Vice President of Operations with a start date of 02/17/14. Employee #2's personnel file lacked documented evidence CPR and first aid training have been completed. On 01/02/24 at 11:07 AM, the Vice President of Operations confirmed Employee #2 lacked documented evidence of CPR and first aid training. Severity: 2 Scope: 1</p>	0450		01/05/2024

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0624 SS= D	<p>Written Policy on Admissions - NAC 449.2702 Written policy on admissions; eligibility for residency. (NRS 449.0302) 5. A person may not reside in a residential facility if the person ' s physician or the Bureau determines that the person does not comply with the requirements for eligibility.</p> <p>Inspector Comments: Based on clinical record review and interview, the facility failed to ensure a resident was placed in the appropriate memory care setting for 1 of 9 sampled residents (Resident #4). Findings include: Resident #4 Resident #4 was admitted to the facility on 08/21/23, with a diagnosis of progressive dementia. Resident #4 was residing on the assisted living (AL) side of the facility. A History and Physical dated 08/01/23, documented Resident #4 had a diagnosis of dementia. A Physician Placement Determination dated 08/21/23, documented the facility type required by Resident #4 was a residential facility which provided care to persons with Alzheimer's disease or other related dementia. The facility would be equipped with wander control systems and staffing requirements of at least one caregiver to six residents. On 01/02/24 at 11:05 AM, the Wellness Director verbalized Resident #4's Physician Placement Determination documented the resident should reside in memory care. The Wellness Director confirmed the resident was residing in the AL side of the facility. Severity 2 Scope 1</p>	0624		01/02/2024
0859 SS= D	<p>Medical Care of Resident After Illness - NAC 449.274 Medical care of resident after illness, injury or accident; periodic physical examination of resident; rejection of medical care by resident; written records. (NRS 449.0302) 5. Before admission and each year after admission, or more frequently if there is a significant change in the physical condition of a resident, the facility shall obtain the results of a general physical examination of the resident by his or her physician. The resident must be cared for pursuant to any instructions provided by the resident ' s physician.</p>	0859		10/17/2023

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0874 SS= D	Medication Administration-Report Received - NAC 449.2742 - Administration of medication: Responsibilities of administrator, caregiver and employees of facility. 2. Within 72 hours after the administrator of the facility receives a report submitted pursuant to paragraph (a) of subsection 1, a member of the staff of the facility shall notify the resident's physician of any concerns noted by the person who submitted the report. The report must be reviewed and initialed by the administrator.	0874		10/17/2023

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0920 SS= D	<p>Medication: Storage - NAC 449.2748 Medication: Storage; duties upon discharge, transfer and return of resident. (NRS 449.0302) 1. Medication, including, without limitation, any over-the-counter medication, stored at a residential facility must be stored in a locked area that is cool and dry. The caregivers employed by the facility shall ensure that any medication or medical or diagnostic equipment that may be misused or appropriated by a resident or any other unauthorized person is protected. Medications for external use only must be kept in a locked area separate from other medications. A resident who is capable of administering medication to himself or herself without supervision may keep the resident ' s medication in his or her room if the medication is kept in a locked container for which the facility has been provided a key. 2. Medication stored in a refrigerator, including, without limitation, any over-the-counter medication, must be kept in a locked box unless the refrigerator is locked or is located in a locked room.</p> <p>Inspector Comments: Based on observation, interview, and document review, the facility failed to ensure resident medications were kept secured in the facility for 1 of 7 resident rooms with a resident self-administering medication (Room #210). Findings include: On 01/02/24 at 10:38 AM, in room 210, the resident medications were in various areas in the resident's bedroom. The resident verbalized keeping medications in the bedroom and not locking the medications in the room and shared the room with another resident who was unable to self-administer medications. On 01/02/24 at 10:57 AM, the Vice President of Operations confirmed the medications were not locked and the resident did share a room with a resident who was unable to self-administer medications. The Vice President of Operations explained medications needed to be always kept in a secure location to prevent residents from taking medications not belonging to them. Severity: 2 Scope: 1</p>	0920		01/02/2024

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0936 SS= D	<p>Maintenance and Contents of Separate File - NAC 449.2749 Maintenance and contents of separate file for each resident; confidentiality of information. (NRS 449.0302) 1. A separate file must be maintained for each resident of a residential facility and retained for at least 5 years after he or she permanently leaves the facility. The file must be kept locked in a place that is resistant to fire and is protected against unauthorized use. The file must contain all records, letters, assessments, medical information and any other information related to the resident, including, without limitation: (e) Evidence of compliance with the provisions of chapter 441A of NRS and the regulations adopted pursuant thereto.</p> <p>Inspector Comments: Based on document review, clinical record review and interview, the facility failed to ensure 1 of 9 sampled residents met the requirements concerning tuberculosis (TB) testing in accordance with Nevada Administrative Code (NAC) 441A (Resident #6). Findings include: Resident #6 Resident #6 was admitted to the facility on 11/06/23, with a diagnosis of dementia without behaviors. Resident #6's clinical record contained an initial TB test given on 10/25/23. The TB test lacked a read date. The clinical record lacked documented evidence a second step TB test was completed. On 01/02/24 at 12:06 PM, the Wellness Director confirmed the initial TB test lacked a read date and a second step TB test had not been completed. Severity: 2 Scope: 1</p>	0936		01/16/2024

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0938 SS= D	Maintenance and Contents of Separate File - NAC 449.2749 Maintenance and contents of separate file for each resident; confidentiality of information. (NRS 449.0302) 1. A separate file must be maintained for each resident of a residential facility and retained for at least 5 years after he or she permanently leaves the facility. The file must be kept locked in a place that is resistant to fire and is protected against unauthorized use. The file must contain all records, letters, assessments, medical information and any other information related to the resident, including, without limitation: (g) An evaluation of the resident ' s ability to perform the activities of daily living and a brief description of any assistance he or she needs to perform those activities. The facility shall prepare such an evaluation: (1) Upon the admission of the resident; (2) Each time there is a change in the mental or physical condition of the resident that may significantly affect his or her ability to perform the activities of daily living; and (3) In any event, not less than once each year.	0938		09/14/2023
0950 SS= D	Hospice Care Responsibilities of Staff - NAC 449.275 Residential facility which provides residents with hospice care: Responsibilities of staff; retention of resident with special medical needs. (NRS 449.0302) 1. A residential facility that provides services to a resident who elects to receive hospice care shall obtain a copy of the plan of care required pursuant to NAC 449.0186 for that resident.	0950		09/14/2023
0965 SS= C	Alzheimer's Care - NAC 449.2754 Residential facility which provides care to persons with Alzheimer ' s disease: Application for endorsement; general requirements. (NRS 449.0302) 5. The administrator of such a facility shall prescribe and maintain on the premises of the facility a written statement which includes: (a) The facility ' s policies and procedures for providing care to its residents;	0965		10/17/2023

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0994 SS= D	Alzheimer 's Care Standards for Safety - NAC 449.2756 Residential facility which provides care to persons with Alzheimer ' s disease: Standards for safety; personnel required; training for employees. (NRS 449.0302) 1. The administrator of a residential facility which provides care to persons with Alzheimer ' s disease shall ensure that: (e) Knives, matches, firearms, tools and other items that could constitute a danger to the residents of the facility are inaccessible to the residents.	0994		10/17/2023
0999 SS= E	Alzheimer 's Care Standards for Safety - NAC 449.2756 Residential facility which provides care to persons with Alzheimer ' s disease: Standards for safety; personnel required; training for employees. (NRS 449.0302) 1. The administrator of a residential facility which provides care to persons with Alzheimer ' s disease shall ensure that: (g) All toxic substances are not accessible to the residents of the facility.	0999		10/17/2023
0053 SS= D	Administrator's Responsibilities-Complete Rec - NAC 449.194 Responsibilities of administrator. (NRS 449.0302) The administrator of a residential facility shall: 4. Ensure that the records of the facility are complete and accurate. Inspector Comments: Based on observation, interview and record review, the facility failed to ensure 1 of 6 employees had employee file documentation present at the facility (Employee #2). Findings include: Employee #2 Employee #2 was hired by the facility as the Vice President of Operations with a start date of 02/17/14. On 01/02/24 at 11:07 AM, the Vice President of Operations explained corporate employees did not have a file at each community. The Vice President of Operations verbalized Employee #2 would be considered a team member and would be required to complete the same training requirements. The Vice President of Operations confirmed Employee #2 did not have an employee file present and complete at the facility. Severity: 2 Scope: 1	0053		01/12/2024

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1001 SS= D	Elderly Care Training for Caregivers - NAC 449.2758 Residential facility which provides care for elderly persons or persons with disabilities: Training for caregivers. (NRS 449.0302) 1. Within 60 days after being employed by a residential facility for elderly persons or persons with disabilities, a caregiver must receive not less than 4 hours of training related to the care of those residents.	1001		10/17/2023
1035 SS= D	Care to Persons with Dementia - NAC 449.2768 Residential facility which provides care to persons with dementia: Training for employees. (NRS 449.0302, 449.094) 1. Except as otherwise provided in subsection 2, the administrator of a residential facility which provides care to persons with any form of dementia shall ensure that: (a) Each employee of the facility who has direct contact with and provides care to residents with any form of dementia, including, without limitation, dementia caused by Alzheimer ' s disease, successfully completes: (1) Within the first 40 hours that such an employee works at the facility after he or she is initially employed at the facility, at least 2 hours of training in providing care, including emergency care, to a resident with any form of dementia, including, without limitation, Alzheimer ' s disease, and providing support for the members of the resident ' s family.	1035		10/17/2023

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1036 SS= D	Care to Persons with Dementia - NAC 449.2768 Residential facility which provides care to persons with dementia: Training for employees. (NRS 449.0302, 449.094) 1. Except as otherwise provided in subsection 2, the administrator of a residential facility which provides care to persons with any form of dementia shall ensure that: (a) Each employee of the facility who has direct contact with and provides care to residents with any form of dementia, including, without limitation, dementia caused by Alzheimer ' s disease, successfully completes: (2) In addition to the training requirements set forth in subparagraph (1), within 3 months after such an employee is initially employed at the facility, at least 8 hours of training in providing care to a resident with any form of dementia, including, without limitation, Alzheimer ' s disease.	1036		10/17/2023
1037 SS= D	Care to Persons with Dementia - NAC 449.2768 Residential facility which provides care to persons with dementia: Training for employees. (NRS 449.0302, 449.094) 1. Except as otherwise provided in subsection 2, the administrator of a residential facility which provides care to persons with any form of dementia shall ensure that: (a) Each employee of the facility who has direct contact with and provides care to residents with any form of dementia, including, without limitation, dementia caused by Alzheimer ' s disease, successfully completes: (3) If such an employee is licensed or certified by an occupational licensing board, at least 3 hours of continuing education in providing care to a resident with dementia, which must be completed on or before the anniversary date of the first date the employee was initially employed at the facility. The requirements set forth in this subparagraph are in addition to those set forth in subparagraphs (1) and (2), may be used to satisfy any continuing education requirements of an occupational licensing board, and do not constitute additional hours or units of continuing education required by the occupational licensing board. (4) If such an employee is a caregiver, other than a caregiver described	1037		01/11/2024

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NAME OF PROVIDER OR SUPPLIER FERNLEY ESTATES		STREET ADDRESS, CITY, STATE, ZIP CODE 1130 CHISHOLM TRAIL, FERNLEY, NEVADA ,89408		
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	<p>in subparagraph (3), at least 3 hours of training in providing care to a resident with dementia, which must be completed on or before the anniversary date of the first date the employee was initially employed at the facility. The requirements set forth in this subparagraph are in addition to those set forth in subparagraphs (1) and (2).</p> <p>Inspector Comments: Based on record review and interview, the facility failed to ensure 1 of 2 employees completed the required minimum of additional three hours of training in providing care to a resident with dementia by the hire anniversary date (Employee #2). Findings include: Employee #2 Employee #2 was hired by the facility as the Vice President of Operations with a start date of 02/17/14. Employee #2's personnel file lacked documented evidence of annual dementia training for 2023. On 01/02/24 at 11:07 AM, the Vice President of Operations confirmed Employee #2 lacked documented evidence of annual dementia training for 2023. Severity: 2 Scope: 3</p>			

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NAME OF PROVIDER OR SUPPLIER FERNLEY ESTATES	STREET ADDRESS, CITY, STATE, ZIP CODE 1130 CHISHOLM TRAIL, FERNLEY, NEVADA ,89408
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1540 SS= D	<p>Cultural Competency Training - R016-20 Section 14.1 1. Pursuant to subsection 1 of NRS 449.103, within 30 business days after the course or program is assigned a course number by the Division pursuant to section 18 of this regulation or within 30 business days of any agent or employee being contracted or hired, whichever is later, and at least once each year thereafter, a facility shall conduct training relating specifically to cultural competency for any agent or employee of the facility who provides care to a patient or resident of the facility so that the agent or employee may: (a) More effectively treat patients or care for residents, as applicable; and (b) Better understand patients or residents who have different cultural backgrounds, including, without limitation, patients or residents who fall within one or more of the categories in paragraphs (a) to (f), inclusive, of subsection 1 of NRS 449.103.</p> <p>Inspector Comments: Based on personnel record review and interview, the facility failed to ensure cultural competency training was completed timely for 1 of 6 sampled employees required to obtain cultural competency training (Employee #2). Findings include: Employee #2 Employee #2 was hired by the facility as the Vice President of Operations with a start date of 02/17/14. Employee #2's personnel file lacked documented evidence of Cultural Competency training. On 01/02/24 at 11:07 AM, the Vice President of Operations confirmed Employee #2 lacked documented evidence of completion of cultural competency. Severity: 2 Scope: 1</p>	1540		01/11/2024
1700 SS= D	<p>Annual Assessment of History of Each Resident - NRS 449.1845 Administrator of residential facility for groups to conduct annual assessment of history of each resident and cause provider of health care to conduct certain examinations and assessments; placement based on assessment. 1. The administrator of a residential facility for groups shall: (a) Annually cause a qualified provider of health care to conduct a physical examination of each resident of the facility; (b) Annually conduct an assessment of the</p>	1700		10/23/2023

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	<p>history of each resident of the facility, which must include, without limitation, an assessment of the condition and daily activities of the resident during the immediately preceding year; and (c) Cause a qualified provider of health care to conduct an assessment of the condition and needs of a resident of the facility to determine whether the resident meets the criteria prescribed in paragraph (a) of subsection 2: (1) Upon admission of the resident to the facility; and (2) If a physical examination, assessment of the history of the resident or the observations of the administrator or staff of the facility, the family of the resident or another person who has a relationship with the resident indicate that: (I) The resident may meet those criteria; or (II) The condition of the resident has significantly changed. 2. If, as a result of an assessment conducted pursuant to paragraph (c) of subsection 1, the provider of health care determines that the resident: (a) Suffers from dementia to an extent that the resident may be a danger to himself or herself or others if the resident is not placed in a secure unit or a facility that assigns not less than one staff member for every six residents, any residential facility for groups in which the resident is placed must meet the requirements prescribed by the Board pursuant to subsection 2 of NRS 449.0302 for the licensing and operation of residential facilities for groups which provide care to persons with Alzheimer's disease or other severe dementia. (b) Does not suffer from dementia as described in paragraph (a), the resident may be placed in any residential facility for groups. 3. As used in this section, "provider of health care" has the meaning ascribed to it in NRS 629.031. (Added to NRS by 2019, 2594)</p> <p>Inspector Comments: Based on interview and clinical record review, the Administrator failed to ensure standard placement determination were completed by a provider upon admission and annually for 2 of 9 residents (Resident #1 and #8). Findings include: Resident #1 Resident #1 was admitted to the facility on 08/26/23, with diagnoses including congestive heart failure, chronic kidney disease stage four,</p>			

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	and atrial fibrillation. Resident #1's clinical record documented a Physician Placement Determination had been completed on 10/23/23. On 01/02/24 at 10:30 AM, the Wellness Director confirmed a Physician Placement Determination had not been completed upon admission for Resident #1. Resident #8 Resident #8 was admitted to the facility on 02/28/23, with diagnosis of dementia. Resident #8's clinical record documented a Physician Placement Determination had been completed on 10/20/23. On 01/02/24 at 10:30 AM, the Wellness Director confirmed a Physician Placement Determination had not been completed upon admission for Resident #1. Severity 2 Scope 1			
1830 SS= F	Infection Control Required Training	1830		10/17/2023