

Wisconsin Department of Health Services

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 0017492	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 01/31/2024
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NAME OF PROVIDER OR SUPPLIER TSWV CHAO VANG CENTER LLC	STREET ADDRESS, CITY, STATE, ZIP CODE 11010 W HAMPTON AVE MILWAUKEE, WI 53225
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E 000	<p>INITIAL COMMENTS</p> <p>An unannounced recertification survey was conducted on 01/31/2024 at TSWV Chao Vang Center, ADCC (Adult Day Care Center) in Milwaukee, WI. TSWV Chao Vang Center-ADCC was found to be out of compliance with the WI Administrative Code DHS (Department of Health Services) 105.14 for Adult Day Care Centers.</p> <p>Citations were issued</p> <p>Census on the day of survey was 13.</p>	E 000		
E 174	<p>105.14(4)(d)1-4. CONTINUING EDUCATION</p> <p>The program director and every caregiver shall receive at least 10 hours per calendar year of continuing education beginning with the first full calendar year of employment. Continuing education shall be relevant to the job responsibilities and shall include, at a minimum, all of the following: 1. Standard precautions. 2. Participant rights. 3. Prevention and reporting of abuse, neglect and misappropriation. 4. Emergency and evacuation procedures.</p> <p>This Rule is not met as evidenced by: Based on record review and interview the facility failed to provide the required 10 hours of continuing education for staff beginning with the first full calendar year of employment for 3 (Staff A, Staff B and Staff C) of 5 personnel files reviewed.</p> <p>Findings Include:</p> <p>Review of facility document titled, "Policy and Procedures Manual [facility name]," dated</p>	E 174		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

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E 174	<p>Continued From page 1</p> <p>January 3, 2022 revealed, "Continuing education: After the first year of employment, all employees responsible for assisting and caring for participants, including the Administrator and Associate Director, must receive 10 hours of person-centered planning strategies education annually thereafter (sic)....Continuing education shall be relevant to the job responsibilities and shall include at a minimum of: 1. Standard precautions. 2. Participant Rights. 3. Preventing and reporting of abuse, neglect, and misappropriation. 4. Emergency and evacuation procedures. 5. Culture and Ethnic differences. 6. Confidentiality, privacy, capabilities, preferences, interests, needs, and other relevant topics."</p> <p>Review of Staff A, Staff B and Staff C's personnel files revealed no evidence of 2023 annual education was documented or completed.</p> <p>In an interview with Staff A on 01/31/2024 at 2:00 PM when asked if facility staff had received the required annual education in 2023, Staff A stated, "No, no one completed 10 hours of education last year."</p>	E 174		
E 175	<p>105.14(4)(e)1-2. DOCUMENTATION OF EMPLOYEE TRAINING</p> <p>1. The ADCC shall maintain documentation of orientation and all the applicable training under sub. (4), pars. (a), (b) and (d) of this section. Documentation shall include the name of the employee, the name of the instructor, the dates of training, a description of the course content, and the length of the training. 2. Orientation, training, and hours of continuing education shall be documented in the employee's file.</p>	E 175		

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E 175	<p>Continued From page 2</p> <p>This Rule is not met as evidenced by: Based on record review and interview the facility failed to maintain documentation of orientation for 1 (Cook E) of 5 personnel files reviewed.</p> <p>Findings:</p> <p>Review of facility document, "Policy and Procedures Manual [facility name]," dated, January 3, 2022 revealed, "Documentation: The written record of the training to each staff....shall include the employee's name, the instructor's name, training dates, a description of the course content, and the length of the activity. Training records shall be kept in the employee's file."</p> <p>Review of Cook E's personnel file revealed, Cook E started employment on 10/30/2023. There was no documentation of orientation for Cook E present.</p> <p>On 1/31/2024 at 2:00 PM in an interview with Staff A, when asked if Cook E completed their orientation, Staff A stated, "Yes, but I don't have documentation of the orientation."</p> <p>On 1/31/2024 at 2:40 PM in an interview with Cook E through translation by Staff B, when Cook E was asked- if they received orientation, Cook E stated, "I was trained by [Staff A] when to wear hair nets, wash hands, recording/taking freezer and refrigerator temperatures and recording them, and checking the temperature of the food."</p>	E 175		
E 231	105.14(7)(f)6.a-c. FOOD SAFETY: STORE, PREPARE, SERVE TEMPS	E 231		

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E 231	<p>Continued From page 3</p> <p>Whether food is prepared at the ADCC or off-site, the ADCC shall store, prepare, distribute, and serve food in accordance with professional standards for food service safety. The ADCC shall do all of the following: a. Refrigerate and store all foods requiring refrigeration at or below 41 degrees Fahrenheit. Food items not in their original containers shall be covered, labeled and dated. b. Maintain freezing units at 0 degrees Fahrenheit or below. Frozen foods shall be packaged, labeled, and dated. c. Hold hot foods at 135 degrees Fahrenheit or above and cold foods at 41 degrees Fahrenheit or below until served.</p> <p>This Rule is not met as evidenced by: Based on observation and interview the facility failed to prepare and serve food according to professional standards for food service safety and failed to follow their policy for hand washing when handling food being served to participants in 2 of 2 observations of kitchen staff preparing and serving food.</p> <p>Findings Include:</p> <p>Review of the Food & Drug Administration (FDA) document, "Food Code" last updated January 18, 2023 revealed, "Chapter 2: Management and Personnel, 2-402- Hair Restraints....Food employees shall wear hair restraints such as hats, hair coverings or nets.....that are designed and worn to effectively keep their hair from</p>	E 231		

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E 231	<p>Continued From page 4</p> <p>contacting exposed foods....Chapter 2: 301.14 When to wash: Food employees shall clean their hands and exposed portions of their arms...immediately before engaging in food preparation including working with exposed food, clean equipment and utensils....F) during food preparation, as often as necessary to remove soil and contamination and to prevent cross contamination when changing tasks...H) before donning gloves to initiate a task that involves working with food and...after engaging in other activities that contaminate the hands."</p> <p>Review of facility policy titled, "Policy and Procedures Manual, [facility name]," effective date, January 3, 2022 revealed, "Food Storage....the center shall...distribute and serve food under sanitary conditions for the prevention of foodborne illnesses...Sanitation and Safety...Kitchen: Staff who prepare and serve meals....shall wash their hands before and after each food handling."</p> <p>On 1/31/2024 at 10:00 AM during a tour and observation of the kitchen, observed Cook E cutting up food for lunch. Cook E had long hair and was not wearing any type of hair restraint.</p> <p>On 1/31/2024 at 10:00 AM with Staff A, A stated, "We have hair nets and gloves for staff to wear when prepping and preparing food."</p> <p>On 1/31/2024 at 12:00 PM during a tour and observation of lunch being served to participants, observed Activity Staff B and Staff E dishing up food for participants, Staff B was not wearing a hair restraint.</p> <p>On 1/31/2024 at 12:05 PM observed Staff B cut up food for a participant, pick up the food with</p>	E 231		

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E 231	<p>Continued From page 5</p> <p>their gloved hand and place it on a plate. Staff B then brought the plate to the tray and dished up rice and soup using the serving utensils, gave it to the participant. Staff B then dished up and served food to other participants, without changing gloves or washing their hands. Staff E touched the same serving utensils as Staff B and Staff E served food to other participants.</p> <p>On 1/31/2024 at 12:15 PM with Staff A, when asked why Staff B didn't wash their hands or change gloves after touch the food being served, Staff A stated, "They should always wear gloves and be washing their hands."</p>	E 231		
E 244	<p>105.14(8)(b)3. WATER SUPPLY: TEMPERATURES</p> <p>The ADCC shall set the temperature of all water heaters connected to sinks, showers and tubs used by residents at a temperature of at least 140 degrees Fahrenheit. The temperature of hot water at plumbing fixtures used by residents may not exceed the range of 110 to 115 degrees Fahrenheit.</p> <p>This Rule is not met as evidenced by: Based on observation and interview the facility failed to set the temperature of 1 of 1 water heaters observed that was connected to the sinks at a temperature of at least 140 degrees Fahrenheit and failed to maintain the temperatures of the water at the plumbing fixtures used by participants in the range of 110-115 degrees Fahrenheit in 7 of 7 sinks observed.</p> <p>Findings Include:</p> <p>On 01/31/2024 at 10:00 AM during a tour and</p>	E 244		

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E 244	<p>Continued From page 6</p> <p>observation of the facility observed the hot water heater had no thermometer to control the water temperature. This was confirmed by Staff A on 01/31/2024 at 10:00 AM, Staff A stated, "No there isn't a thermometer, we had this water heater replaced a few months ago."</p> <p>On 01/31/2024 at 10:00 AM during a tour and observation of the facility with Staff A observed the following: Craft Room Sink temperature of 68.2 degrees Fahrenheit, after the water ran for over 5 minutes Kitchen Sink temperature of 139.6 degrees Fahrenheit Women's Bathroom Sink A temperature of 135.3 degrees Fahrenheit Women's Bathroom Sink B temperature of 135.4 degrees Fahrenheit Women's Bathroom Sink C temperature of 137.3 degrees Fahrenheit Men's Bathroom Sink temperature of 134.4 degrees Fahrenheit Family Bathroom Sink temperature of 93.9 degrees Fahrenheit</p> <p>On 01/31/2024 at 3:30 PM upon exit was unable to confirm if the hot water heater was set at a temperature of 140 degrees Fahrenheit, or if the hot water heater had a mixing valve to keep the water temperature of the sinks between 110-115 degrees Fahrenheit.</p>	E 244		
Z 001	<p>Initial Comments</p> <p>An unannounced onsite recertification survey was completed on 01/31/2024 at TSMV Chao Vang Center-Adult Day Care Center in Milwaukee, WI. TSMV Chao Vang Center-Adult Day Care Center was found to be in compliance with the Wisconsin</p>	Z 001		

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Z 001	Continued From page 7 Administrative Code: DHS 12 and 13 Caregiver Regulations. A total of 5 personnel files were reviewed.	Z 001		
L 000	Initial Comments An unannounced on site recertification survey was conducted on 01/31/2024 at TSMV Chao Vang Center- Adult Day Care Center in Milwaukee, WI. TSMV Chao Vang Center -Adult Day Care Center was found to be out of compliance with the Home and Community Based Services benchmarks/requirements.	L 000		
L 103	441.301(c)(4)(iii) Ensures Right to Privacy, Respect, Freedom Ensures an individual ' s rights of privacy, dignity and respect, and freedom from coercion and restraint. All staff (paid and unpaid) need initial and annual training on resident rights. This Rule is not met as evidenced by: Based on observation, record review and interview the facility failed to provide annual training on resident rights for all staff employed at the facility. Findings Include: Review of facility document titled, "Policy and Procedures Manual [facility name]," dated	L 103		

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L 103	<p>Continued From page 8</p> <p>January 3, 2022 revealed, "Continuing education: After the first year of employment, all employees responsible for assisting and caring for participants, including the Administrator and Associate Director, must receive 10 hours of person-centered planning strategies education annually thereafter (sic)....Continuing education shall be relevant to the job responsibilities and shall include at a minimum of: 2. Participant Rights."</p> <p>Review of Staff A, Staff B and Staff C's personnel files revealed no 2023 annual education was documented or completed.</p> <p>During a tour and observation of the facility on 01/31/2024 at 10:00 AM observed the Participant Rights document posted revealed the right to be free from seclusion was not listed on the document. This was confirmed by Staff A during an interview on 01/31/2024 at 2:00 PM.</p> <p>During a tour and observation of the facility on 01/31/2024 at 10:00 AM observed the Participants Rights document posted revealed the right to be free from chemical restraints was not listed on the document. This was confirmed by Staff A during an interview on 01/31/2024 at 2:00 PM.</p> <p>In an interview with Staff A on 1/31/2024 at 2:00 PM when asked if Staff received the required annual education in 2023, Staff A stated, "No, no one completed 10 hours of education last year."</p>	L 103		