

Division of Licensing and Protection  
103 South Main Street, Ladd Hall  
Waterbury, VT 05671-2306  
<http://www.dail.vermont.gov>  
Voice/TTY (802) 871-3317  
To Report Adult Abuse: (800) 564-1612  
Fax (802) 871-3318

May 28, 2013

Ms. Marie Fortier, Administrator  
Fortier's Community Care Home  
127 Bailey Street  
Barre, VT 05641

Provider #: 0381

Dear Ms. Fortier:

Enclosed is a copy of your acceptable plans of correction for the complaint investigation conducted on **April 17, 2013**. Please post this document in a prominent place in your facility.

We may follow up to verify that substantial compliance has been achieved and maintained. If we find that your facility has failed to achieve or maintain substantial compliance, remedies may be imposed.

Sincerely,



Pamela M. Cota, RN  
Licensing Chief

PC:ne

Enclosure



Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  0381	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING: _____	Licensing and Protection (X3) DATE SURVEY COMPLETED  C 04/17/2013
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NAME OF PROVIDER OR SUPPLIER  FORTIER'S COMMUNITY CARE HOME	STREET ADDRESS, CITY, STATE, ZIP CODE 127 BAILEY STREET BARRE, VT 05641
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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
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R100	Initial Comments:  An unannounced, on-site complaint investigation was conducted by the Division of Licensing and Protection on 04/17/2013. The following regulatory deficiency was identified.	R100		
R114 SS=D	V. RESIDENT CARE AND HOME SERVICES  5.3 Discharge and Transfer Requirements  5.3.a Involuntary Discharge or Transfer of Residents  (2) In the case of an involuntary discharge or transfer, the manager shall:  i. Notify the resident and if known, a family member and/or legal representative of the resident, of the discharge or transfer and the specific reasons for the move in writing and in a language and manner the resident understands at least 72 hours before a transfer within the home and thirty (30) days before discharge from the home. If the resident does not have a family member or legal representative and requests assistance, the notice shall be sent to the Long Term Care Ombudsman, Vermont Protection and Advocacy or Vermont Senior Citizens Law Project.  ii. Use the form prescribed by the licensing agency for giving written notice of discharge or transfer and include a statement in large print that the resident has the right to appeal the home's decision to transfer or discharge with the appropriate information regarding how to do so.  iii. Include a statement in the written notice that the resident may remain in the room or home	R114	<i>In response to the alleged deficiency (R114) our resident is unable to understand any situations independently and has been awarded to the State of Vermont. As we are not ambulance chasers to notify the resident, I sent her court appointed guardian the notice. The resident was expected to return but as days at the hospital followed her medical condition deteriorated.</i>  <i>My State of VT, DLP, approval admissions form states we will hold a Medicaid bed for 5 days at which time it is subject to re-ent.</i>  <i>ACTON</i> <i>I have revised my notice of discharge or transfer form</i>	

Division of Licensing and Protection  
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

*Mari Fortier*

TITLE  
*owner*

(X6) DATE  
*5-9-13*

Division of Licensing and Protection

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NAME OF PROVIDER OR SUPPLIER  FORTIER'S COMMUNITY CARE HOME		STREET ADDRESS, CITY, STATE, ZIP CODE 127 BAILEY STREET BARRE, VT 05641	
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R114	<p>Continued From page 1 during the appeal.</p> <p>iv. Place a copy of the notice in the resident's clinical record.</p> <p>This REQUIREMENT is not met as evidenced by: Based on record review and staff interviews, the residential care home failed to notify 1 resident of 2 sampled residents (Resident #1) of the discharge or transfer and the specific reasons for the move in writing and in a language and manner the resident understands at least thirty (30) days before discharge from the home.</p> <p>The home failed to use the form prescribed by the licensing agency for giving written notice of discharge or transfer to Resident #1 that includes a statement in large print that the resident has the right to appeal the home's decision to transfer or discharge, with the appropriate information regarding how to do so. The notice failed to include language that the resident has the right to remain in their room during the appeal process, and failed to place a copy of this notice in the resident's medical record.</p> <p>Per review of the medical record for Resident # 1 on 04/17/2013 at 12:20 PM, there is no evidence to support that the residential care home notified the resident of the discharge from the home after a hospitalization. There is a copy in the record that a notice was sent to the legal guardian of Resident #1 that the resident would not be able to return to the home after being transferred to the hospital. A copy of this notice was not sent to the resident.</p> <p>Per interview with the owner on the afternoon of</p>	R114	<p>as of March 20, 2013. I gave a copy to the surveyor on April 17, 2013 to comply.</p> <p>A copy of the notice was in the residents clinical record</p> <p><u>SYSTEMIC CHANGES</u></p> <p>The new discharge or transfer form will be filled out and attached to my ambulance paperwork and sent with the resident to the hospital, so the resident will be notified upon leaving this facility.</p> <p><u>monitored</u></p> <p>Form is attached to all residents, present and future upon admission.</p> <p>Date <span style="float: right;">3-20-2013</span> <span style="float: right;">mf</span></p>

R114 P.O.C. accepted 5/17/13  
GREGORIAN/MIC

Division of Licensing and Protection

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R114	Continued From page 2  04/17/2013, s/he indicated that the needs of the resident exceeded what the home was able to provide and the discharge notice was sent to the legal guardian and confirmed that a copy was not given to the resident. During this interview, the owners reported that they had visited Resident # 1 at the hospital and that his/her status had declined since admission. S/he was discharged from the hospital to a skilled nursing facility for rehab and eventually transferred to a long term care unit.	R114			