

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. Emily Megas-Russell, Administrator
Meadowview Recovery Residence
330 Linden Street
Brattleboro, VT 05301

Provider #: 0594

Dear Ms. Megas-Russell:

Enclosed is a copy of your acceptable plans of correction for the self-reported incident investigation and a complaint investigation conducted on **April 15, 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



MAY - 8 2013

PRINTED: 04/24/2013
FORM APPROVED

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 0594	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 04/15/2013
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NAME OF PROVIDER OR SUPPLIER MEADOWVIEW RECOVERY RESIDENCE	STREET ADDRESS, CITY, STATE, ZIP CODE 330 LINDEN STREET BRATTLEBORO, VT 05301
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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 self reported incident investigation and a complaint investigation were conducted by the Division of Licensing and Protection on 04/15/2013. The following finding was identified:	R100	Please see attached: 1. Plan of Correction Response 2. Abuse Reporting and Internal Investigation Protocol 3. Staff Receipt 4. Resident Receipt <i>R0206 P.O.C. accepted as attached 5/17/13 G.Coleman RN/PMC</i>	
R206 SS=D	V. RESIDENT CARE AND HOME SERVICES 5.18 Reporting of Abuse, Neglect or Exploitation 5.18.a The licensee and staff shall report any case of suspected abuse, neglect or exploitation to the Adult Protective Services (APS) as required by 33 V.S.A. §6903. APS may be contacted by calling toll-free 1-800-564-1612. Reports must be made to APS within 48 hours of learning of the suspected, reported or alleged incident. This REQUIREMENT is not met as evidenced by: Based on record review, staff interview and personnel record reviews, the residential care home failed to report an alleged incident of abuse of 1 of 6 residents in the sample to Adult Protective Services (APS) as required by 33 V.S.A. §6903. Reports must be made to APS within 48 hours of learning of the suspected, reported or alleged incident . (Resident #1) Per review of the medical record for Resident #1 and review of the facility internal investigation of the alleged incident that occurred on 10/18/2012, the facility did not notify the Division of Licensing and Protection/Adult Protective Services within 48 hours of learning of the episode between a staff member and Resident #1. S/he was admitted to	R206		

Division of Licensing and Protection

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

Program Director TITLE

5/6/13 (X6) DATE

STATE FORM 6899 ONR711 If continuation sheet 1 of 2

Division of Licensing and Protection

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R206	Continued From page 1 the residential care home on 08/02/2012 with schizoaffective disorder, bipolar disease and post traumatic stress disorder. The complaint alleges that Resident #1 was pushed by a staff member on 10/18/2012. There is no documentation of any injuries to this resident. Assessments and care planning are individualized for Resident #1. Per review of personnel records for the staff member involved, indicate a conflict with implementing the care plan as directed. The report of the alleged abuse was made to DLP/APS on 10/25/2012, 1 week after it had occurred. This is confirmed during interview with the Residential Care Manager on 04/15/2013 at 2:05 PM.	R206			

Meadowview Recovery Residence
Division of Licensing and Protection Plan of Correction
May 6th, 2013

1. R206 V. RESIDENT CARE AND HOME SERVICES

5.18 Reporting of Abuse, Neglect or Exploitation

Requirement: The licensee and staff shall report any case of suspected abuse, neglect, or exploitation to the Adult Protective Services (APS) as required by 33 V.S.A. §6903. APS may be contacted calling toll-free 1-800-564-1612. Reports must be made to APS within 48 hours of learning of the suspected, reported or alleged incident.

- a. *Action to correct deficiency:* All Meadowview Recovery Residence staff will be required to re-review the APS Mandated Reporting literature and document that they understand their role as Mandated Reporters and that they understand the mandate that reports must be made to APS within 48 hours of learning of the suspected, reported or alleged incident. This will be completed by May 10th, 2013. A comprehensive Abuse Reporting and Internal Investigation Protocol has been developed and documented and added to the policy manual as well as the New Hire Orientation Packet that all staff must review and sign that they understand. All staff will receive a copy of this protocol and will sign a document that they have read, reviewed, and understand their responsibilities within it by May 10th, 2013. A copy of this protocol will also be given to all residents upon admission to the program and the residents will sign that they have received it. All current residents at Meadowview Recovery Residence will receive a copy of this protocol and will sign a document that they received it by May 10th, 2013. The *Abuse Reporting and Internal Investigation Protocol* is included with this plan of correction for review by DAIL.
- b. *Measures/systemic changes to ensure deficiency does not recur:* All Meadowview Recovery Residence (MRR) staff members are trained on APS Reporting and their role as Mandated Reporters annually. All MRR staff members receive a copy of the literature "Raising Awareness: A Guide to Recognizing and Reporting Abuse, Neglect, and Exploitation of Vulnerable Adults" from APS upon hire and sign that they understand their role as a Mandated Reporter. MRR will review this literature, the role of Mandated Reporting, and the regulations regarding making a report within 48 hours regardless of the outcome of any internal investigation quarterly in all-staff meetings. All staff members have a supervisor available and are encouraged to ask individual questions about this role. All staff will receive a copy of the Abuse Reporting and Internal Investigation Protocol and will sign a document that they have read and understand it.
- c. *Plan to monitor correction actions:* MRR will review the role of Mandated Reporter and the process and protocol for making an APS report quarterly in all-staff meetings and will document this attendance. Supervisors will continue to dialogue openly with staff members about their experiences providing care at MRR and their expectation that all staff members engage in open and honest communication with shift leaders and supervisors about their observations and reports received. All residents will continue to be supported in understanding their rights to be free from abuse, exploitation, and neglect.



Meadowview Recovery Residence Abuse Reporting and Internal Investigation Protocol

Meadowview Recovery Residence takes our role as mandated reporters very seriously. All Meadowview staff are aware of their role as mandated reporters. Upon hire, all staff are required to read "Raising Awareness: A Guide to Recognizing and Reporting Abuse, Neglect and Exploitation of Vulnerable Adults" from Adult Protective Services and sign off that they understand their responsibilities as a Mandated Reporter. Our Incident/Variance Reports serve as the central reporting process for all allegations of abuse, neglect and/or exploitation by other residents, our staff and outside providers or personal contacts.

Meadowview Recovery Residence has posted in a conspicuous place "Resident Rights". Section 12 of these rights states, "Residents shall be free from mental, verbal or physical abuse, neglect, and exploitation. Residents shall also be free from restraints and seclusion." These rights are reviewed with residents upon admission to Meadowview Recovery Residence. These rights are also part of a New Hire Orientation packet that all staff read and sign off on at time of hire.

Meadowview Recovery Residence is committed to providing a high quality, safe and secure residential environment. Criminal background checks including, but not limited to: Vermont Agency of Human Services, Adult Protective Services and Child Abuse Registry Unit, Office of the Inspector General Fraud Unit, Vermont Criminal Information Center report, National Sex Offender Registry and designated state Registry of Motor Vehicles are conducted on all candidates under serious consideration for employment prior to an offer of employment. Employees must report any criminal arrests, charges or convictions within twenty-four (24) hours to their supervisor who is required to report it with twenty-four (24) hours to the Program Director. Annually, Meadowview Recovery Residence conducts Vermont Agency of Human Services Adult Protective Services and Child Abuse Registry inquiries and Vermont Criminal Information Center reports on all employees.

Mandated Reporter:

For Meadowview Recovery Residence, all staff are mandated reporters. The staff are required to report any suspected, reported to or confirmed abuse/neglect/exploitation of our residents. All reports are to be documented in writing and reported immediately to the shift leader. It is

the staff member making the report's responsibility to work with the shift leader's responsibility to make the report, within the shift, to the Administrator On Call who will notify the Program Director and determine together how to move forward. All staff know that mandated reporting does not mean that the staff person reporting the abuse must witness the abuse.

Definitions (from Raising Awareness):

Abuse:

- Any treatment of one of our residents which places his or her life, health or welfare in jeopardy or which is likely to result in impairment of health;
- Any conduct committed with intent or reckless disregard that such conduct is likely to cause unnecessary pain, harm or suffering;
- Unnecessary or unlawful confinement or restraint of a resident;
- Intentionally subjecting a resident to behavior which should reasonably be expected to result in intimidation, fear, humiliation, degradation, agitation, disorientation or other forms of serious emotional distress;
- Any sexual activity with a resident by a staff person of Meadowview Recovery Residence or outside providers;
- Administration or threatened administration of a drug, substance or preparation to a resident for a purpose other than legitimate and lawful therapeutic treatment.

Neglect: Purposeful or reckless failure or omission by a staff person to:

- Provide care or arrange for goods or services necessary to maintain the health or safety of a resident, including, but not limited to, food, clothing, medicine, shelter, supervision and medical services unless the staff is acting pursuant to the wishes of the resident or his/her guardian;
- Protect a resident from abuse, neglect or exploitation;
- Carry out a plan of care for a resident when such failure results in or could reasonably be expected to result in physical or psychological harm or a substantial risk of death to a resident; unless the staff is acting pursuant to the wishes of the resident or his/her guardian;
- Report significant changes in health status of a resident to a nurse or immediate supervisor; and
- Neglect may be repeated conduct or a single incident which has resulted in or could be expected to result in physical or psychological harm.

Exploitation:

- Willfully using, withholding, transferring or disposing of funds or property of a resident without or in excess of legal authority for the wrongful profit or advantage of another;

- Acquiring possession or control of or an interest in funds or property of a resident through the use of undue influence, harassment, duress, or fraud;
- The act of forcing or compelling a resident against his/her will to perform services for the profit or advantage of another; and
- Any sexual activity with a resident when the resident does not consent or when an individual knows or should know that the resident is incapable of resisting or declining consent to the sexual activity due to age or disability or due to fear of retribution or hardship.

Training

If a resident fully or partially discloses that he/she has been the victim of abuse, neglect or exploitation our staff have received training to respond to the disclosure. The training consists of, but is not limited to:

- To remain calm and to listen attentively;
- Be reassuring and treat the disclosure seriously;
- Allow the resident to talk with privacy;
- To only ask open ended question and not conduct an investigation;
- Notify the resident that the staff person will notify their immediate supervisor and the Shift Leader whose responsibility it is to immediately notify the Administrator On Call;
- Document as much detail as possible and to save any evidence;
- Will not make promises the staff cannot keep;
- Will not make assumptions or be judgmental;
- Will not stop the resident from talking; and
- Will not contact the alleged perpetrator.

APS Reporting

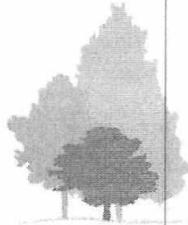
Upon receipt of a report of abuse/neglect/exploitation, the Program Director or designee of Meadowview Recovery Residence will notify the Director of Residential Services at Health Care and Rehabilitation Services (1-802-282-8549), Adult Protective Services (1-802-241-3918 or online at <http://www.dail.state.vt.us/lp/aps.htm>) and the Department of Mental Health if a significant event (1-802-241-2601 Monday through Friday 7:45 AM – 4:30 PM or outside of these hours via fax to 1-802-241-4025) within forty-eight (48) hours of receiving the report in collaboration with staff member who observed or received the direct report..

Internal Investigation

In conjunction with filing the required reports, the Program Director or other objective investigator will immediately begin a written internal investigation speaking with the resident, any witnesses who have relevant information to the accusation and the alleged perpetrator if it is a staff

person. The investigation will clearly document and explain the allegations which triggered the Internal Investigation; the process for conducting the investigation and the handling of the investigation results. The Internal Investigations must be conducted in a timely manner to enhance the perception of fairness, and in routine investigations be completed within seven (7) days. New Perspectives for Care, Inc. is aware that our internal investigations have to be thorough and fair. Hearsay has no role in internal investigations. Allegations must be documented and resolved based on reliable evidence. Every step of the investigation is documented by written record.

04292013



New Perspectives
for Care

Meadowview Recovery Residence

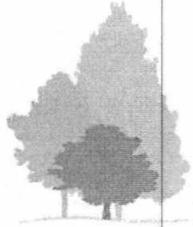
I have read *Raising Awareness: A Guide to Recognizing and Reporting Abuse, Neglect and Exploitation of Vulnerable Adults* and I understand my responsibilities as a Mandated Reporter in my position at Meadowview Recovery Residence.

I have read Meadowview Recovery Residence's "Abuse Reporting and Internal Investigation Protocol" and I understand my responsibilities as a staff person at Meadowview Recovery Residence.

Signature of Employee

Print Name

Date



New Perspectives
for Care

Meadowview Recovery Residence

I have received a copy of *Raising Awareness: A Guide to Recognizing and Reporting Abuse, Neglect and Exploitation of Vulnerable Adults*. If I have any questions, I understand that I can ask the Residential Coordinator or the Social Worker of Meadowview Recovery Residence.

Signature of Resident

Print Name

Date