

Division of Licensing and Protection  
103 South Main Street, Ladd Hall  
Waterbury, VT 05671-2306  
<http://www.dail.vermont.gov>  
Voice/TTY (802) 241-2345  
To Report Adult Abuse: (800) 564-1612  
Fax (802) 241-2358

September 21, 2011

Ms. Lauri Brown, Administrator  
Shelburne Bay Senior Living Community  
185 Pine Haven Shore Road  
Shelburne, VT 05482

Dear Ms. Brown:

Enclosed is a copy of your acceptable plans of correction for the survey conducted on **August 17, 2011**. 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:jl



09/07/11

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  0589	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED  C 08/17/2011
NAME OF PROVIDER OR SUPPLIER  SHELburne BAY SENIOR LIVING COMMUNIT		STREET ADDRESS, CITY, STATE, ZIP CODE 185 PINE HAVEN SHORE ROAD SHELburne, VT 05482		
(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
R100	Initial Comments:  An unannounced, onsite complaint survey was conducted by the Division of Licensing and Protection on 08/17/2011 and as a result, one regulatory violation was identified.	R100		
R165 SS=E	V. RESIDENT CARE AND HOME SERVICES  5.10 Medication Management  5.10.d If a resident requires medication administration, unlicensed staff may administer medications under the following conditions:  (3) The registered nurse must accept responsibility for the proper administration of medications, and is responsible for: i. Teaching designated staff proper techniques for medication administration and providing appropriate information about the resident's condition, relevant medications, and potential side effects; ii. Establishing a process for routine communication with designated staff about the resident's condition and the effect of medications, as well as changes in medications; iii. Assessing the resident's condition and the need for any changes in medications; and Monitoring and evaluating the designated staff performance in carrying out the nurse's instructions. This REQUIREMENT is not met as evidenced by: Based on interview, medical record review and personnel record review, the RN (Registered Nurse) failed to provide proper medication delegation to unlicensed staff that meets the requirements of this regulation. Findings include:	R165	See attached Plan of Correction.	

Division of Licensing and Protection

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

STATE FORM

*Rose Cleveland*  
TITLE

ROSE CLEVELAND RN  
SENIOR DIRECTOR of Health Services

(X6) DATE

8/31/11

If continuation sheet 1 of 2

6899

C3E911

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  0589	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED  C 08/17/2011
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R165	<p>Continued From page 1</p> <p>Per staff interview on 8/17/11, the RN failed to ensure the proper process of delegation to unlicensed personnel. In an interview at 3:00 PM on 08/17/2011, a staff Med Tech stated that her training process included classroom training by the RN, taking and passing a written test, observing a Med Tech administering medications for several days, reading the MAR (Medication Administration Record) to the Med Tech as she poured medications, pouring and administering medications with the Med Tech observing for several days, and then administering medications with RN observation and check off. In a telephone conference call with the delegating RN and the Assistant Director of Healthcare Services, the RN confirmed that the process described by the Med Tech is the current process and that the Med Tech in training pours and administers medications while being observed by the Med Tech and before the RN observes and checks her skills.</p> <p>Following delegation guidelines, a Registered Nurse is responsible for assuring that staff is competent to administer medications prior to them performing the task. In the above sequence the Med Tech in training is observed by a trained unlicensed Med Tech pouring and administering medications for several days before an observation by the RN occurs.</p>	R165			

## **Plan of Correction for Shelburne Bay Senior Living**

**Complaint Survey Completed August 17th 2011**

### **R165 V. Resident Care Home and support Services**

5.10.d. If a resident requires medication administration, unlicensed staff may administer medication under the following conditions:

(3.) The registered nurse must accept responsibility for the proper administration of the medications and is responsible for :

- i. Teaching designated staff proper techniques for medication administration and providing appropriate information about the resident's condition, relevant medications, and potential side effects;
- ii. establishing a process for routine communication with designated staff about the resident's condition and the effects of the medication, as well as changes in medications;
- iii. Assessing the resident's condition and the need for any changes in medications; and monitoring and evaluating the designated staff performance in carrying out the nurse's instructions.

#### **This requirement was not met as evidenced by:**

Based on Staff interview, medical record review and personnel record review, the RN (Registered Nurse) failed to provide proper medication delegation to unlicensed staff that meets the requirement of this regulation. Findings included:

1.) The RN failed to ensure the proper delegation to unlicensed personnel. . .

Following delegation guidelines, a Registered Nurse is responsible for assuring that staff is competent to administer medications prior to them performing the task.

#### **1.) Action to correct deficiency:**

Effective immediately, the RN will complete a class with each unlicensed personnel being considered as a med tech. Following the class a test will be administered and if selected personnel pass test with no more than 4 incorrect responses, a training with medication being poured and administered will be completed with the RN. Once this training is completed, the Med Tech will demonstrate skill, via direct observation to the RN. If during this first observation with the RN, med tech makes more than three errors, the med tech will be asked to continue to train in the pouring and administration under the direct supervision of the RN, until such time an RN observation is passed.

If the Med Tech is successful in this observation, they will continue to train with a designated Med Tech but will not be permitted to administer medication independent of this preceptor until such time three additional successful observations are completed by Nursing staff. Two of the final Observations may be

delegated by the RN to the LPN, the third and final observation must be completed by the delegating RN. There will be a total of four observations for all med techs by Nursing staff.

This new process was reviewed in nurse staff meeting at Shelburne Bay on August 23rd.

**2.) Measures put in place or systems changes to be sure deficient practice does not recur;**

Shelburne Bay's policy as it relates to regulation RCH 5.10.d, has been revised to now include language which directs the RN to provide this initial training and observation with all Med Tech trainees, along with what is considered an acceptable number of errors in this first observation. Additionally, added to the policy is direction for the three additional observations, two of which may be delegated to LPN staff with a final observation to be completed by the RN.

The following statement has been added to the Medication Mgmt- Delegation Training policy:

The med tech competencies will be met via training, testing, and observations.

RN will complete a classroom training program with selected personnel. Once a test on this material is successfully completed (No more than 4 incorrect responses), the nurse will work directly with the Med Tech trainee, in observation, to oversee and direct a medication pour and administration. The Med Tech trainee must be able to demonstrate competency during this observation (as demonstrated by no more than three errors) prior to beginning training with Med Tech preceptor.

The Med Tech Trainee must then complete three additional successful observations by nursing staff. Two of these observation may be delegated by the RN to the LPN. The final observation must always be completed by the RN. Prior to the completed observation the med tech trainee is considered a "trainee" and as such is only permitted to pour and administer medications with the med tech preceptor present.

**How the corrective action will be monitored so deficient practice does not recur.**

The Senior Director of Health Services (SDHS) will conduct regular audits to assure this process remains intact. SDHS will review Vermont Board of Nursing Delegation with all Nurses during nurses meeting in the first two week of September.

R1105 P.O.C. Accepted 9/19/11 m.Higgins RN/AMoturn