**F 000** INITIAL COMMENTS

Complaint investigation #29387, #29388, #30113, and #30675 were completed on November 4 - 7, 2013. No deficiencies were cited related to complaint investigation #29387 and #30113. Deficiencies were cited related to complaint investigation #29388 and #30675, under 42 CFR Part 483, Requirements for Long Term Care Facilities.

**F 242**

483.15(e) SELF-DETERMINATION - RIGHT TO MAKE CHOICES

The resident has the right to choose activities, schedules, and health care consistent with his or her interests, assessments, and plans of care; interact with members of the community both inside and outside the facility, and make choices about aspects of his or her life in the facility that are significant to the resident.

This REQUIREMENT is not met as evidenced by:

Based on medical record review, review of a facility investigation, and interview, the facility failed to allow the choice of having no male caregivers providing personal care for one resident (#7) of twelve residents reviewed.

The findings included:

- Resident #7 was admitted to the facility on October 28, 2010, with diagnoses including Guillain-Barre Syndrome and Anxiety.
- Medical record review of a quarterly Minimum Data Set (MDS) dated February 8, 2012, revealed the resident was severely impaired for daily

**F 242** Actions taken for the Patient(s) affected by the Event. Patient #7's Care Plan was reviewed and confirmed to have "prefers female caregivers for personal care."

C.N.A. assignment sheets and the C.N.A. Schedule were reviewed and confirmed that no male caregivers were or are currently assigned to the patient.

How we identified other patients having the potential to be affected by the same practice and what corrective action was taken. 100% of Care Plans were reviewed by the DON, ADON and MDs Coordinator to determine which patients had requested "Prefer Female caregivers" and assured that Care Plans, Assignment Sheets and Schedules abide by preference. 100% of interviewable patients were interviewed by center Department Managers regarding patient preferences (i.e. caregivers, shower times, bed times, etc...) and care plans were updated to reflect preferences by the MDS Coordinator.

**LABORATORY DIRECTORS OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE**

**TITLE**

12/09/13
**F 242** Continued From page 1 decision making, required extensive assistance for all Activities of Daily Living (ADL's) and was incontinent of bowels.

Medical record review of the care plan dated February 2012 revealed the resident preferred female caregivers for personal care.

Review of a facility investigation dated February 13, 2013, revealed a male Certified Nurse Aide (CNA) had showered the resident and the resident had alleged the male CNA inserted his finger into the resident’s rectum.

Review of a facility investigation and the Administrator's statement (no date) of the alleged incident on February 13, 2013, revealed "...approximately six months prior, the patient's son had requested no male CNAs (provide personal care). The center complied until a recent return from the hospital..."

Interview with the resident's daughter on November 5, 2013, at 2:33 p.m., by telephone revealed the son and resident had requested no male caregivers provide personal care prior to the incident and the resident "never wanted males to see...naked."

Interview with the Director of Nursing on November 5, 2013, at 4:15 p.m., in the conference room revealed the resident was a "no male caregiver" and after a hospitalization the "no male caregiver" was not continued. Continued interview confirmed the facility had failed to allow the resident a choice of having no male caregivers providing personal care.

C/O #29387