

Division of Health Improvement

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROV DER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>5563</b>	(X2) MULT PLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>09/11/2019</b>
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NAME OF PROVIDER OR SUPPLIER  <b>SUNSET VISTA</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>3650 NORTH FOWLER AVE</b> <b>SILVER CITY, NM 88061</b>
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A 000	<p>Initial Comments</p> <p>The following deficiencies were cited during a Full-Onsite/Complaint survey completed on 09/11/19 for the state requirements of 7 NMAC 8.2, Regulations for Assisted Living Facilities.</p> <p>Complaint Intake NM00037488 was unsubstantiated with no deficiencies cited.</p>	A 000		
A 017	<p>7 NMAC 8.2.17 Staff Training</p> <p>STAFF TRAINING:</p> <p>A. Training and orientation for each new employee and volunteer that provides direct care shall include a minimum of sixteen (16) hours of supervised training prior to providing unsupervised care for residents.</p> <p>B. Documentation of orientation and subsequent trainings shall be kept in the personnel file at the facility.</p> <p>C. Training shall be provided at orientation and at least twelve (12) hours annually, the orientation, training and proof of competency shall include:</p> <ol style="list-style-type: none"> <li>(1) fire safety and evacuation training;</li> <li>(2) first aid;</li> <li>(3) safe food handling practices (for persons involved in food preparation), to include:               <ol style="list-style-type: none"> <li>(a) instructions in proper storage;</li> <li>(b) preparation and serving of food;</li> <li>(c) safety in food handling;</li> <li>(d) appropriate personal hygiene; and</li> <li>(e) infectious and communicable disease control;</li> </ol> </li> <li>(4) confidentiality of records and resident information;</li> <li>(5) infection control;</li> <li>(6) resident rights;</li> <li>(7) reporting requirements for abuse, neglect or exploitation in accordance with 7.1.13 NMAC;</li> <li>(8) smoking policy for staff, residents and visitors;</li> <li>(9) methods to provide quality resident care;</li> </ol>	A 017		

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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_ (X6) DATE \_\_\_\_\_

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A 017	<p>Continued From page 1</p> <p>(10) emergency procedures; (11) medication assistance, including the certificate of training for staff that assist with medication delivery; and (12) the proper way to implement a resident ISP for staff that assist with ISPs. D. If a facility provides transportation to residents, employees of the facility who drive vehicles and transport residents shall have training in transportation safety for the elderly and disabled, including safe vehicle operation. [7.8.2.17 NMAC - Rp, 7.8.2.17 NMAC, 01/15/2010]</p> <p>This REQUIREMENT is not met as evidenced by: Refer to 7.8.2.17 C (4) (7) (12)</p> <p>Based on record review and interview the facility failed to ensure that the Direct Care Staff (DCS) received all required annual trainings on the following topics:</p> <ol style="list-style-type: none"> <li>1. Confidentiality of records and resident information.</li> <li>2. Reporting requirements for abuse, neglect or exploitation in accordance with 7.1.13 NMAC.</li> <li>3. The proper way to implement a resident ISP (Individual Service Plan) for staff that assist with ISPs.</li> </ol> <p>This deficient practice has the potential for all 23 (R #s 1-23) residents listed on the census provided by the administrator 08/27/19, to be at risk of harm or injury if staff have not received all required annual trainings.</p> <p>The findings are:</p> <p>A. Record review of DCS #1's staff file (hire date</p>	A 017		

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A 017	<p>Continued From page 2</p> <p>09/08/02) revealed no documentation of having received annual training in:</p> <ol style="list-style-type: none"> <li>1. Confidentiality of records and resident information.</li> <li>2. Reporting requirements for abuse, neglect or exploitation in accordance with 7.1.13 NMAC.</li> <li>3. The proper way to implement a resident ISP for staff that assist with ISPs.</li> </ol> <p>B. Record review of DCS #2's staff file (hire date 06/01/17) revealed no documentation of having received annual training in:</p> <ol style="list-style-type: none"> <li>1. Confidentiality of records and resident information.</li> <li>2. Reporting requirements for abuse, neglect or exploitation in accordance with 7.1.13 NMAC.</li> <li>3. The proper way to implement a resident ISP for staff that assist with ISPs.</li> </ol> <p>C. Record review of DCS #3's staff file (hire date 10/09/15) revealed no documentation of having received annual training in:</p> <ol style="list-style-type: none"> <li>1. Confidentiality of records and resident information.</li> <li>2. Reporting requirements for abuse, neglect or exploitation in accordance with 7.1.13 NMAC.</li> <li>3. The proper way to implement a resident ISP for staff that assist with ISPs.</li> </ol> <p>D. On 09/10/19 at 3:50 pm, during an interview, the Administrator confirmed that the annual training did not include these topics.</p>	A 017		
A 032	<p>7 NMAC 8.2.32 Reporting of Incidents</p> <p>REPORTING OF INCIDENTS:</p> <p>A. The facility shall insure that all suspected cases or known incidents of resident abuse, neglect or exploitation are reported in accordance</p>	A 032		

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A 032	Continued From page 3  with 7.1.13 NMAC. (1) The facility shall also report any incident or unusual occurrence which has or could threaten the health, safety, or welfare of the residents and staff to the licensing authority complaint hotline within twenty-four (24) hours or by the next business day, if it is a weekend or a holiday. (2) The facility shall not delay a report to the complaint hotline while an internal investigation is conducted. B. The facility is responsible for conducting and documenting the investigation of all incidents within five (5) business days and shall submit a copy of the investigation report to the licensing authority. A copy of the report and the documentation, including the date and time that it was submitted to the licensing authority, shall be maintained on file at the facility. The investigation shall include the following: (1) a narrative description of the incident; (2) the result of the facility's investigation shall be recorded on the state approved incident report form for the current year, pursuant to 7.1.13 NMAC; and (3) plans for further actions in response to the incident. [7.8.2.32 NMAC - Rp, 7.8.2.32 NMAC, 01/15/2010]  This REQUIREMENT is not met as evidenced by: Refer to 7.8.2.32 A (1)  7.1.13.8 INCIDENT MANAGEMENT SYSTEM REPORTING REQUIREMENTS FOR LICENSED HEALTH CARE FACILITIES: A. Duty to report: (1) All licensed health care facilities shall	A 032		



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A 032	<p>Continued From page 5</p> <p>[REDACTED]</p> <p>B. Record Review of the Licensing Authority's records of incident reports and complaints revealed none of this unusual occurrence of abuse was reported to the bureau.</p> <p>C. On 09/11/19 at 2:00 pm, during an interview, the Administrator confirmed the incident was not reported to the Licensing Authority, but instead reported to Adult Protective Services (APS).</p>	A 032		
A 033	<p>7 NMAC 8.2.33 Resident Rights</p> <p>RESIDENT RIGHTS: All licensed facilities shall understand, protect and respect the rights of all residents.</p> <p>A. Prior to admission to a facility, a resident and legal representative shall be given a written description of the legal rights of the resident, translated into another language, if necessary, to meet the resident ' s understanding.</p> <p>B. If the resident has no legal representative and is incapable of understanding his or her legal rights, a written copy of the resident's legal rights shall be provided to the most significant responsible party in the following order: (1) the resident's spouse;</p>	A 033		

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A 033	<p>Continued From page 6</p> <p>(2) significant other;</p> <p>(3) any of the resident's adult children;</p> <p>(4) the resident's parents;</p> <p>(5) any relative the resident has lived with for six or more months before admission;</p> <p>(6) a person who has been caring for, or paying benefits on behalf of the resident;</p> <p>(7) a placing agency;</p> <p>(8) resident advocate; or</p> <p>(9) the ombudsman.</p> <p>C. The resident rights shall be posted in a conspicuous public place in the facility and shall include the telephone numbers for the incident management hotline and for the state ombudsman program.</p> <p>D. To protect resident rights, the facility shall:</p> <p>(1) treat all residents with courtesy, respect, dignity and compassion;</p> <p>(2) not discriminate in admission or services based on gender, sexual orientation, resident's age, race, religion, physical or mental disability, or nationality;</p> <p>(3) provide residents written information about all services provided by the facility and their costs and give advance written notice of any changes;</p> <p>(4) provide residents with a safe and sanitary living environment;</p> <p>(5) provide humane care for all residents;</p> <p>(6) provide the right to privacy, including privacy during medical examinations, consultations and treatment;</p> <p>(7) protect the confidentiality of the resident's medical record;</p> <p>(8) protect the right to personal privacy, including privacy in personal hygiene; privacy during visits with a spouse, family member or other visitor; and privacy in the resident's own room;</p> <p>(9) protect the right to communicate privately and freely with any person, including private</p>	A 033		

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A 033	<p>Continued From page 7</p> <p>telephone conversations and private correspondence; and the right to receive visits from family, friends, lawyers, ombudsmen and community organizations;</p> <p>(10) prohibit the use of any and all physical and chemical restraints;</p> <p>(11) ensure that residents:</p> <p>(a) are free from physical and emotional abuse neglect and misappropriation/or exploitation;</p> <p>(b) are free from financial abuse and misappropriation by facility staff or management;</p> <p>(c) are free to participate in religious, social, community and other activities and freely associate with persons in and out of the facility;</p> <p>(d) are free to leave the facility and return without unreasonable restriction;</p> <p>(e) are given a fifteen (15) calendar day, written notice before room transfers or discharge from the facility unless there is immediate danger to self or others in the facility;</p> <p>(f) have an environment that fosters social interaction and avoids social isolation;</p> <p>(g) or their surrogate decision makers, are informed of and consent to the services provided by the facility;</p> <p>(h) have the right to voice grievances to the facility staff, public officials, the ombudsmen, any state agency, or any other person, without fear of reprisal or retaliation;</p> <p>(i) have the right to have their complaints addressed within fourteen (14) calendar days or sooner;</p> <p>(j) have the right to participate in the development of their care plan/ISP;</p> <p>(k) have the right to choose a doctor, pharmacist and other health care provider(s);</p> <p>(l) have the right to participate in medical treatment decisions and formulate advance directives such as living wills and powers of</p>	A 033		

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A 033	<p>Continued From page 8</p> <p>attorney; (m) have the right to keep and use personal possessions without loss or damage; (n) have the right to manage and control their personal finances; (o) have the right to freely organize and participate in a resident association that may recommend changes in the facility's policies, services and management; (p) shall not be required to work for the facility; and (q) are protected from unjustified room transfers or discharge.</p> <p>E. The resident's rights shall not be restricted unless this restriction is for the health and safety of the resident, agreed to by the resident or the resident ' s surrogate decision maker and outlined in the resident ' s individual service plan. [7.8.2.33 NMAC - Rp, 7.8.2.34 NMAC, 01/15/2010]</p> <p>This REQUIREMENT is not met as evidenced by: Surveyor: Massey, Ricky L. Refer to 7.8.2.33 D (4) (10)</p> <p>Based on observation and interview the facility failed to provide residents with a safe and sanitary living environment by: rewrite for restraints only.</p> <ol style="list-style-type: none"> <li>1. Staff leaving access to harmful chemicals in an unlocked cabinet accessible to residents. This should be written under laundry</li> <li>2. Not prohibiting the use of any and all physical restraints.</li> </ol> <p>This deficient practice has the potential for all 23 (R #1-23) residents listed on the census provided</p>	A 033		

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A 033	Continued From page 9  by the Administrator on 08/27/19, to be at risk of harm, injury, or death, if: 1. A resident were to ingest or get the chemicals on their skin. 2. Resident injures themselves from being physically restrained.  The findings are:  A. On 09/10/19 at 10:15 am, during tour of the facility, a cabinet containing laundry detergent and Lysol was observed to be unlocked, unattended by staff, and accessible to residents.  B. On 09/10/19 at 10:15 am, during an interview, the Administrator confirmed the cabinet containing laundry detergent and Lysol was unlocked, unattended by staff, and accessible to residents.  C. On 09/10/19 at 3:36 pm, during observation and tour of the facility, R #s 1 and 6 were observed to be in wheelchairs with gait belts around their chests and the belts were observed to be fastened in back of the wheelchairs where the residents could not access/release the belts.  D. On 09/10/19 at 3:36 pm, during an interview, the Administrator confirmed R #s 1 and 6 were being restrained by gait belts.	A 033		
A 035	7 NMAC 8.2.35 Medication  MEDICATIONS: Administration of medications or staff assistance with self-administration of medications shall be in accordance with state and federal laws. No medications, including over-the-counter medications, PRN (when	A 035		

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A 035	<p>Continued From page 10</p> <p>needed) medications, or treatment shall be started, changed or discontinued by the facility without an order from the physician, physician assistant or nurse practitioner and with entry into the resident's record.</p> <p>A. State board of nursing licensed or certified health care professionals are responsible for the administration of medications. Administration may only be performed by these individuals.</p> <p>B. Facility staff may assist a resident with the self-administration of medications if written consent by the resident is given to the administrator of the facility or the administrator ' s designee. If the resident is incapable of giving consent, the surrogate decision maker named in accordance with New Mexico law may give written consent for assistance with self-administration of medications. All staff that assist with self-administration of medications shall have successfully completed a state approved assistance with self-administration of medication training program or be licensed or certified by the state board of nursing.</p> <p>C. PRN (pro re nada) medication.</p> <p>(1) Physician or physician extender ' s orders for PRN medications shall clearly indicate the circumstances in which they are to be used, the number of doses that may be given in a 24-hour period and indicate under what circumstances the primary care practitioner (PCP) is to be notified.</p> <p>(2) The utilization of PRN medications shall be reviewed routinely. Frequent or escalating use of PRN medications shall be reported to the PCP.</p> <p>D. Only a licensed nurse (RN or LPN) shall administer any medications or conduct any invasive procedures provided by the following routes: intravenous (IV), subcutaneous (SQ), intramuscular (IM), vaginal or rectal. Only a licensed nurse shall administer non-premixed</p>	A 035		

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A 035	<p>Continued From page 11</p> <p>nebulizer treatments.</p> <p>E. The facility shall have medication reference material that contains information relating to drug interactions and side effects on the premises. Staff that assist in the self-administration of medications shall know interactions or possible side effects that might occur.</p> <p>F. Medications prescribed for one resident shall not be used for another resident.</p> <p>G. Medication assistance record (MAR). For residents who are not independent and require assistance with self administration, the facility shall have a MAR that documents the details of the residents' medication, including PRN and over-the-counter medication that is assisted with self-administration by qualified staff or administered to the resident by licensed or certified staff. The information in the MAR shall include:</p> <ol style="list-style-type: none"> <li>(1) the resident's name;</li> <li>(2) any known allergies to medication that the resident has;</li> <li>(3) the name of the resident's PCP or the prescriber of the medication;</li> <li>(4) the diagnosis or reason for the medication;</li> <li>(5) the name of the medication, including the drug product brand name and the generic name;</li> <li>(6) notation if the medication is a schedule II-IV drug;</li> <li>(7) the dosage of the medication;</li> <li>(8) the strength of the medication;</li> <li>(9) the frequency or how often the medication is to be taken or given;</li> <li>(10) the route of delivery for the medication (mouth, eye, ear, other);</li> <li>(11) the method of delivery for the medication (pills, drops, IM injection, other);</li> <li>(12) the date that the medication was started or discontinued;</li> </ol>	A 035		

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A 035	<p>Continued From page 12</p> <p>(13) any change in the medication order;  (14) pre-medication information (i.e., pulse, respiration, blood pressure, blood sugar) as required by the medication order;  (15) the date and time that the medication is self-administered, administered with assistance or is administered;  (16) the initials and signature of the person assisting with or administering the medication;  (17) the desired results obtained from or problems encountered with the medication (pain relieved, allergic reaction, etc.);  (18) any refused dose of medication;  (19) any missed dose of medication; and  (20) any medication error.</p> <p>H. No medication shall be stopped or started without specific orders from the primary care physician.</p> <p>I. If a resident refuses to take a prescribed medication, it shall be documented and the facility shall report it to the prescriber.</p> <p>J. A suspected adverse reaction to a medication shall be documented on the MAR and reported immediately to the PCP and the resident's surrogate decision maker. If applicable, emergency medical treatment shall be arranged. Documentation of the event shall be kept in the resident's record.</p> <p>K. Prescription medication, other than blister packs and unit dose containers, shall be kept in the original container with a pharmacy label that includes the following:  (1) the resident's name;  (2) the name of the medication;  (3) the date that the prescription was issued;  (4) the prescribed dosage and the instructions for administration of the medication; and  (5) the name and title of the prescriber.</p> <p>L. Any medication that is removed from the</p>	A 035		

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A 035	<p>Continued From page 13</p> <p>pharmacy container or blister pack shall be given immediately and documented by the staff that assisted with the medication delivery.</p> <p>M. The facility shall report all medication errors to the physician, documentation of medication errors and the prescriber's response shall be kept in the resident's record.</p> <p>N. The facility shall develop and follow a written policy for unused, outdated, or recalled medications kept in the facility in accordance with 16.19.11.10 NMAC (AS AMENDED). [7.8.2.35 NMAC - Rp, 7.8.2.35 NMAC, 01/15/2010]</p> <p>This REQUIREMENT is not met as evidenced by: Surveyor: Massey, Ricky L. 7.8.2.35 G. (3) (4) (5) (12) (17) H.</p> <p>This is a repeat deficiency from survey dated 08/09/15.</p> <p>Based on record review and interview, the facility failed to ensure that the Medication Administration Record (MAR) included the following required information:</p> <ol style="list-style-type: none"> <li>1. Name of the Resident's Primary Care Physician (PCP) or the prescriber of the medications.</li> <li>2. Diagnosis or reason for the medication.</li> <li>3. Both the brand and generic name of the medication.</li> <li>4. The date the medication was started.</li> <li>5. Medications, including over-the-counter medications were not started/given without a physician's order.</li> </ol>	A 035		

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A 035	<p>Continued From page 14</p> <p>This deficient practice has the potential for all 23 (R #s 1-23) residents identified on the census provided by the Administrator on 08/27/19, to be at risk of harm, illness, or death if the MAR does not include all required information and the DCS assisting residents with the self-administration of their medications do not know the:</p> <ol style="list-style-type: none"> <li>1. Name of the Resident's Primary Care Physician (PCP)/prescriber of the medication to contact in case of an emergency, report medication errors, or if there are questions, ect, about the medication.</li> <li>2. Diagnosis or reason for the medication.</li> <li>3. What the medication is, if both brand/generic names are not on the MAR.</li> <li>4. Date the medication was started is not on the MAR.</li> <li>5. Physician orders for the medications, including over-the-counter medications are started/given without a physician's order.</li> </ol> <p>The findings are:</p> <p>A. Record review of R #1's [REDACTED] /19 thru [REDACTED] /19 MAR, revealed it did not include both the brand/generic names for the following medications:</p> <p>[REDACTED]</p> <p>B. Record review of R #2's [REDACTED] /19 thru [REDACTED] /19 MAR and PCP orders, revealed it did not include the following information:</p> <p>[REDACTED]</p>	A 035		

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A 035	<p>Continued From page 15</p> <p>[REDACTED]</p> <p>C. Review of R #3's [REDACTED]/19 thru [REDACTED]/19 MAR and PCP orders, revealed it did not include the following information:</p> <p>[REDACTED]</p>	A 035		

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A 035	<p>Continued From page 16</p> <p>[REDACTED]</p> <p>D. On 09/10/19 at 12:58 pm, during an interview, the Manager confirmed the missing information on the MARs for R #s 1-3 and missing PCP orders for R #s 2 and 3.</p>	A 035		
A 036	<p>7 NMAC 8.2.36 Nutrition</p> <p>NUTRITION: The facility shall provide planned and nutritionally balanced meals from the basic food groups in accordance with the "recommended daily dietary allowance" of the American dietetic association, the food and nutrition board of the national research council, or the national academy of sciences. Meals shall meet the nutritional needs of the residents in accordance with the "2005 USDA dietary guidelines for Americans." Vending machines shall not be considered a source of snacks.</p>	A 036		

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A 036	<p>Continued From page 17</p> <p>A. Dietary services policies and procedures. The facility will develop and implement written policies and procedures that are maintained on the premises and that govern the following requirements.</p> <p>(1) Meal service. The facility shall:</p> <p>(a) serve at least three (3) meals or their equivalent each day at regular times with no more than sixteen (16) hours between the evening meal and morning meal with snacks freely available;</p> <p>(b) provide snacks of nourishing quality and post on the daily menu;</p> <p>(c) develop menus enjoyed by the residents and served at normal intervals appropriate to the residents ' preferences;</p> <p>(d) post the weekly menu, including snacks where residents and families are able to view it; posted menus shall be followed and any substitution shall be of equivalent nutritional value and recorded on the posted menu; identical menus shall not be used within a one (1) week cycle;</p> <p>(e) have special menus or meal items following guidelines from the resident ' s physician for residents who have medically prescribed special diets;</p> <p>(f) serve all residents in a dining room except for residents with a temporary illness, or with documented specific personal preference to have meals in their room;</p> <p>(g) allow sufficient time for meals to enable residents to eat at a leisurely pace and to socialize; and</p> <p>(h) contact the resident ' s PCP within forty-eight (48) hours if a resident consistently refuses to eat.</p> <p>(2) Staff in-service training. The facility shall provide an in-service training program for staff</p>	A 036		

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A 036	Continued From page 18  that are involved in food preparation at orientation and at least annually and that includes: (a) instruction in proper food storage; (b) preparation and serving food; (c) safety in food handling; (d) appropriate personal hygiene; and (e) infectious and communicable disease control. B. Dietary records. The facility shall maintain the following documentation onsite: (1) a systematic record of all menus and revisions, including snacks, for a minimum of thirty (30) calendar days; (2) a systematic record of therapeutic diets as prescribed by a PCP; (3) a copy of the most recent licensing inspection and for facilities with 10 or more residents, a copy of the New Mexico environment department inspection with notations made by the facility of action taken to comply with recommendations or citations; and (4) a daily log of the recorded temperatures for all facility refrigerators, freezers and steam tables maintained and available for inspection for thirty (30) calendar days. C. Clean and sanitary conditions. All practices shall be in accordance with the standards of the state environment department, pursuant to 7.6.2 NMAC. (1) Kitchen sanitation. (a) Equipment and work areas shall be clean and in good repair. Surfaces with which food or beverages come into contact shall be of smooth, impervious material free of open seams, not readily corrodible and easily accessible for cleaning. (b) Utensils shall be stored in a clean, dry place protected from contamination. (c) The walls, ceiling and floors of all rooms that food or drink is stored, prepared or served shall	A 036		

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A 036	Continued From page 19  be kept clean and in good repair. (2) Washing and sanitizing kitchenware. (a) All reusable tableware and kitchenware shall be cleaned in accordance with procedures that include separate steps for prewashing, washing, rinsing and sanitizing. (b) Proper dishwashing procedures and techniques shall be utilized and understood by the dishwashing staff. (c) Periodic monitoring of the operation of the detergent dispenser, washing, rinsing and sanitizing temperatures shall be performed and documented. (d) When a dishwashing machine is utilized, the cleanliness of the machine, its jets and its thermostatic controls shall be monitored and documented by the facility. A monthly log of the recorded temperature of the dishwasher shall be maintained in the facility and available for inspection. (3) Sinks for hand washing shall include hot and cold running water, hand-washing soap and disposable towels. (4) All garbage and kitchen refuse that is not disposed of through a garbage disposal unit shall be kept in watertight containers with close-fitting covers and disposed of daily in a safe and sanitary manner. (5) Cooks and food handlers shall wear clean outer garments and hair nets or caps and shall keep their hands clean at all times when engaged in handling food, drink, utensils or equipment in accordance with the local health authority. Disposable gloves shall be used in accordance with the local health authority. D. Food management. The facility shall store, prepare, distribute and serve food under sanitary conditions and in accordance with the regulations governing food establishments of local health	A 036		

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A 036	Continued From page 20  authority having jurisdiction, 7.6.2 NMAC. (1) The facility shall ensure that a minimum of a three (3) calendar day supply of perishables and a five (5) calendar day supply of non-perishables or canned foods is available for the residents. (2) The facility refrigerator and freezer shall have an accurate thermometer which reads within or not more than plus or minus three (3) degrees fahrenheit of the required temperature, located in the warmest section of the refrigerator and freezer and shall be accessible and easily read. (a) The temperature of the refrigerator shall be thirty-five (35) - forty-one (41) degrees fahrenheit. (b) Freezer temperatures shall be maintained at zero (0) degrees fahrenheit or below. (3) Refrigerators and freezers shall be kept clean and sanitary at all times. Food stored in refrigerators and freezers shall be covered, dated and labeled. Unused leftover food shall be discarded after three (3) calendar days. (4) Steam tables, hot food tables, slow cookers, crock pots and other hot food holding devices shall not be used in heating or reheating food. Hot food temperatures shall be checked periodically to insure that a minimum of one hundred forty (140) degrees fahrenheit is maintained. (5) Medication, biological specimens, poisons, detergents and cleaning supplies shall not be kept in the same storage areas used for storage of foods. Medications shall not be stored in the refrigerator with food; an alternate refrigerator for medication shall be used pursuant to Subsection B of 7.6.2.8 NMAC. (6) Canned or preserved foods shall be procured from sources that process the food under regulated quality and sanitation controls. This does not preclude the use of local fresh produce. The facility shall not use home-canned foods.	A 036		

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A 036	<p>Continued From page 21</p> <p>(7) Dry or staple food items shall be stored at least six (6) inches off the floor in a ventilated room that is not subject to sewage, waste water back-flow or contamination by condensation, leakage, rodents or vermin.</p> <p>(8) The facility shall ensure the following:</p> <p>(a) all perishable food is refrigerated and the temperature is maintained no higher than forty-one (41) degrees fahrenheit;</p> <p>(b) the temperature for all hot foods is maintained at one hundred forty (140) degrees fahrenheit; and</p> <p>(c) all displayed or transported food is protected from environmental contamination and maintained at proper temperatures in clean containers, cabinets or serving carts.</p> <p>E. Milk.</p> <p>(1) Raw milk shall not be used.</p> <p>(2) Condensed, evaporated, or dried milk products that are nationally recognized may be employed as "additives" in cooked food preparation but shall not be substituted or served to residents in place of milk.</p> <p>F. Collateral requirements. Compliance with this rule does not relieve a facility from the responsibility of meeting more stringent municipal regulations, ordinances or other requirements of state or federal laws governing food service establishments. Local health authority having jurisdiction means municipal, county, state or federal agency(s) that have laws and regulations governing food establishments, liquid waste disposal, treatment facilities and private wells. [7.8.2.36 NMAC - Rp, 7.8.2.37 NMAC, 01/15/2010]</p> <p>This REQUIREMENT is not met as evidenced by:</p>	A 036		

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A 036	<p>Continued From page 22</p> <p>Refer to 7.8.2.36 C (4)</p> <p>Based on observation and interview the facility failed to have close-fitting lids on 2 refuse containers in the kitchen. This deficient practice has the potential for all 23 (R #1-23) residents on the census provided by the Administrator on 08/27/19 to be at risk of contracting foodborne illness.</p> <p>The findings are:</p> <p>A. On 09/10/19 at 3:40 pm, during tour of the facility, two refuse containers in the kitchen were observed to not have close-fitting covers.</p> <p>B. On 09/10/19 at 3:40 pm, during an interview, the Administrator confirmed the two refuse containers in the kitchen did not have close fitting covers.</p>	A 036		
A 037	<p>7 NMAC 8.2.37 Laundry Services</p> <p>LAUNDRY SERVICES:</p> <p>A. General requirements. The facility shall provide laundry services for the residents, either on the premises or through a commercial laundry and linen service.</p> <p>(1) On-site laundry facilities shall be located in areas separate from the resident units and shall be provided with necessary washing and drying equipment.</p> <p>(2) Soiled laundry shall be kept separate from clean laundry, unless the laundry facility is provided for resident use only.</p> <p>(3) Staff shall handle, store, process and transport linens with care to prevent the spread of infectious and communicable disease.</p> <p>(4) Soiled laundry shall not be stored in the</p>	A 037		

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A 037	Continued From page 23  kitchen or dining areas. The building design and layout shall ensure the separation of laundry room from kitchen and dining areas. An exterior route to the laundry room is not an acceptable alternative, unless it is completely enclosed. (5) In new construction or newly licensed facilities with more than fifteen (15) residents, washers shall be in separate rooms from dryers. The rooms with washers shall have negative air pressure from the other facility rooms. (6) All linens shall be changed as needed and at least weekly or when a new resident is to occupy the bed. (7) The mattress pad, blankets and bedspread shall be laundered as needed and at least once per month or when a new resident is to occupy the bed. (8) Bath linens consisting of hand towel, bath towel and washcloth shall be changed as needed and at least weekly. (9) There shall be a clean, dry, well ventilated storage area provided for clean linen. (10) Facility laundry supplies and cleaning supplies shall not be kept in the same storage areas used for the storage of foods and clean storage and shall be kept in a secured room or cabinet.  B. Residents may do their own laundry, if it is their preference and they are capable of doing so, or if it is part of their skill-building for independent living and is documented as part of their ISP. [7.8.2.37 NMAC - Rp, 7.8.2.39 NMAC, 01/15/2010]  This REQUIREMENT is not met as evidenced by: Refer to 7.8.2.37 A (10)  Based on observation and interview the facility	A 037		

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A 037	Continued From page 24  failed to ensure that laundry/cleaning supplies were kept in a secured room or closet. This deficient practice has the potential for all 23 (R #1-23) residents listed on the census provided by the Administrator on 08/27/19, to be at risk of harm, injury, or death, if a resident were to ingest or get the chemicals on their skin.  The findings are:  A. On 09/10/19 at 10:15 am, during tour of the facility, a cabinet containing laundry detergent and disinfectant cleaner were observed to be in an unlocked room, unattended by staff, and accessible to residents.  B. On 09/10/19 at 10:15 am, during an interview, the Administrator confirmed the cabinet containing laundry detergent and disinfectant cleaner was unlocked, unattended by staff, and accessible to residents.	A 037		
A 043	7 NMAC 8.2.43 Hazardous Areas  HAZARDOUS AREAS: Hazardous areas include: Fuel fired equipment rooms (not a typical residential kitchen), bulk laundries or laundry rooms with more than one hundred (100) sq. ft., storage rooms more than fifty (50) sq. ft. but less than one hundred (100) sq. ft. not storing combustibles, storage rooms with more than one hundred (100) sq. ft. storing combustibles, chemical storage rooms with more than fifty (50) sq. ft., garages and maintenance shops/rooms. A. Hazardous areas on the same floor as, and in or abutting, a primary means of escape or a sleeping room shall be protected by either: (1) an enclosure of at least one hour fire rating with self-closing or automatic closing on smoke	A 043		

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NAME OF PROVIDER OR SUPPLIER  <b>SUNSET VISTA</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>3650 NORTH FOWLER AVE</b> <b>SILVER CITY, NM 88061</b>
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A 043	<p>Continued From page 25</p> <p>detection fire doors having a three-quarter (3/4) hour rating; or</p> <p>(2) an automatic fire protection (sprinkler) and separation of hazardous area with self-closing doors or doors with automatic-closing on smoke detection; or</p> <p>(3) other hazardous areas shall be enclosed with walls with at least a twenty (20) minute fire rating and doors equivalent to one and three-quarter (1 3/4) inch solid bonded wood core, operated by self-closures or automatic closing on smoke detection.</p> <p>B. Boiler, furnace or fuel fired water heater rooms. For facilities with four (4) or more residents: all boiler, furnace or fuel fired water heater rooms shall be protected from other parts of the building by construction having a fire resistance rating of not less than one (1) hour. Doors to these rooms shall be one and three-quarter (1-3/4) inch solid core. [7.8.2.43 NMAC - Rp, 7.8.2.44 NMAC, 01/15/2010]</p> <p>This REQUIREMENT is not met as evidenced by: This is a repeat deficiency from survey dated 08/09/15.</p> <p>Refer to 7.8.2.43 A. (1) (2)</p> <p>Based on observation and interview the facility failed to maintain a fire rated door's self-closing device to a hazardous area laundry room that is more than 100 square feet. This deficient practice has the potential for all 23 (R #s 1-23) residents listed on the census provided by the Administrator on 08/27/19, staff, and visitors to be at risk of harm, injury, or death, if a fire were to occur in the laundry room and the fire barrier door</p>	A 043		

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A 043	Continued From page 26  stays open.  The findings are:  A. On 09/10/19 at 10:15 am, during tour of the facility, the laundry room door had a self-closing device that would not close the door when opened all the way and the door was standing open.  B. On 09/10/19 at 10:15 am, during an interview, the Administrator confirmed the laundry room door had a self-closing device that would not close the door when opened all the way and the door was standing open.	A 043		
A 062	7 NMAC 8.2.62 Automatic Fire Protection (Sprinkler) System  AUTOMATIC FIRE PROTECTION (SPRINKLER) SYSTEM: Facilities with nine (9) or more residents shall have an automatic fire protection (sprinkler) system. The system shall be in accordance with NFPA 13 or NFPA 13D or its subsequent replacement as applicable. [7.8.2.62 NMAC - Rp, 7.8.2.61 NMAC, 01/15/2010]  This REQUIREMENT is not met as evidenced by: 7.8.2.62 This is a repeat deficiency from survey dated 08/09/15.  NFPA 13.6.2.7.1 Plates, escutcheons, or other devices used to cover annular space around a sprinkler shall be metallic or shall be listed for use	A 062		

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A 062	<p>Continued From page 27</p> <p>around a sprinkler.</p> <p>Based on observation, record review and interview the facility failed to ensure the automatic fire sprinkler system had the sprinkler heads maintained throughout the facility. This deficient practice has the potential for all 23 (R #s 1-23) residents listed on the census provided by the Administrator on 08/27/19, staff, and visitors to be at risk of harm, injury, or death, if a fire were to occur and the sprinkler heads did not work properly.</p> <p>The findings are:</p> <p>A. On 09/10/19 at 10:10 am, during observation and tour of the facility, the escutcheons around the Fire Sprinkler heads were were observed to be missing or had slid down where the spray pattern would be impaired in resident rooms # 4-6 and 7.</p> <p>B. On 09/10/19 at 10:10 am, during an interview, the Administrator confirmed the escutcheons around the Fire Sprinklers were missing or had slid down around the sprinkler in resident rooms #s 4-6, and 7.</p>	A 062		
A 068	<p>7 NMAC 8.2.68 Hospice</p> <p>HOSPICE: An assisted living facility that provides or coordinates hospice care and services shall meet the requirements in this section, in addition to the rules applicable to all assisted living facilities, 7.8.2 NMAC.</p> <p>A. Definitions: in addition to the requirements for all assisted living facilities pursuant to " DEFINITIONS, " 7.8.2.7 NMAC, the following definitions shall also apply.</p>	A 068		

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A 068	<p>Continued From page 28</p> <p>(1) " Hospice agency " means an organization, company, for-profit or non-profit corporation or any other entity which provides a coordinated program of palliative and supportive services for physical, psychological, social and the option of spiritual care of terminally ill people and their families. The services are provided by a medically directed interdisciplinary team in the person's home and the agency is required to be licensed pursuant to 7.12 NMAC.</p> <p>(2) " Hospice care " means a focus on palliative, rather than curative care. The goal of the plan of care is to help the patient live as comfortably as possible, with emphasis on eliminating or decreasing pain and other uncomfortable symptoms.</p> <p>(3) " Licensed assisted living provider " means a facility that provides twenty-four (24) hour assisted living and is licensed by the department of health.</p> <p>(4) " Hospice services " means a program of palliative and supportive services which provides physical, psychological, social and spiritual care for terminally ill patients and their family members.</p> <p>(5) " Care coordination requirements " means a written document that outlines the care and services to be provided by the hospice agency for assisted living residents that require hospice services.</p> <p>(6) " Palliative care " means a form of medical care or treatment that is intended to reduce the severity of disease symptoms, rather than to reverse progression of the disease itself or provide a cure.</p> <p>(7) " Terminally ill " means a diagnosis by a physician for a patient with a prognosis of six (6) months or less to live.</p> <p>(8) " Visit notes " means the documentation of</p>	A 068		

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A 068	<p>Continued From page 29</p> <p>the services provided for hospice residents and includes ongoing care coordination.</p> <p>B. Employee training and support. A facility that provides hospice services shall provide the following education and training for employees who assist with providing these services:</p> <p>(1) provide a minimum of six (6) hours per year of palliative/hospice care training, which includes one (1) hour specific to the hospice resident ' s ISP, in addition to the basic staff education requirements pursuant to 7.8.2.17 NMAC; and</p> <p>(2) offer an ongoing employee psychological support program for end of life care issues.</p> <p>C. Individual service plan (ISP) requirements.</p> <p>(1) Each resident who receives hospice services shall be provided the necessary palliative care to meet the individual resident ' s needs as outlined in the ISP and shall include one (1) hour of training specific to the resident for all direct care staff.</p> <p>(2) The assisted living facility, in coordination with the hospice provider, shall create an ISP that identifies how the resident's needs are met and includes the following:</p> <p>(a) the requirements set forth in the " Individual Service Plan, " 7.8.2.26 NMAC, and " Exceptions to admission, readmission and retention, " Subsection C of 7.8.2.20 NMAC;</p> <p>(b) what services are to be provided;</p> <p>(c) who will provide the services;</p> <p>(d) how the services will be provided;</p> <p>(e) a delineation of the role(s) of the hospice provider and the assisted living facility in the ISP process;</p> <p>(f) documentation (visit notes) of the care and services that are provided with the signature of the person who provided the care and services; and</p> <p>(g) a list of the current medications or biologicals</p>	A 068		

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A 068	Continued From page 30  that the resident receives and who is authorized to administer them. (3) Medications shall be self-administered, self-administered with assistance by an individual that has completed a state approved program in medication assistance or administered by the following individuals: (a) a physician; (b) a physician extender (PA or NP); (c) a licensed nurse (RN or LPN); (d) the resident if their PCP has approved it; (e) family or family designee; and (f) any other individual in accordance with applicable state and local laws. D. Care coordination. (1) The assisted living facility shall be knowledgeable with regard to the hospice requirements pursuant to 7.12 NMAC and ensure that the hospice agency is well informed with regard to the assisted living provisions pursuant to Subsection C of 7.8.2.20 NMAC. (2) The assisted living facility shall hold a team meeting prior to accepting or retaining a hospice resident in accordance with " Exceptions to admission, readmission and retention, " Subsection C of 7.8.2.20 NMAC. (3) Upon admission of a resident into hospice care, the assisted living facility shall designate a section of the resident ' s record for hospice documentation. (a) The facility shall provide individual records for each resident. (b) The hospice agency shall leave documentation at the facility in the designated section of the resident ' s record. (4) The assisted living facility shall provide the resident and family or surrogate decision maker with information on palliative care and shall support the resident ' s freedom of choice with	A 068		

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A 068	<p>Continued From page 31</p> <p>regard to decisions.</p> <p>(5) Hospice services shall be available twenty-four (24) hours a day, seven (7) days a week for hospice residents, families and facility staff and may include continuous nursing care for hospice residents as needed. These services shall be delivered in accordance with the resident's individual service plan (ISP) and pursuant to 7.8.26 NMAC.</p> <p>(6) The assisted living facility shall ensure the coordination of services with the hospice agency.</p> <p>(a) The resident's individual service plan (ISP) shall be updated with significant changes in the resident's condition and care needs.</p> <p>(b) The assisted living facility shall receive information and communication from the hospice staff at each visit.</p> <p>(i) The information shall include the resident status and any changes in the ISP (i.e., medication changes, etc.).</p> <p>(ii) The information shall be in the form of a verbal report to the assisted living facility staff and also in the form of written documentation.</p> <p>(c) The assisted living facility or the family/resident shall reserve the right to schedule care conferences as the needs of the resident and family dictate. The care conferences shall include all care team members.</p> <p>(d) Concerns that arise with regard to the delivery of services from either the assisted living facility or the hospice agency shall first be addressed with the facility administrator and the hospice agency administrator.</p> <p>(i) The process may be informal or formal depending on the nature of the issue.</p> <p>(ii) If an issue can not be resolved or if there is an immediate danger to the resident the appropriate authority shall be notified.</p> <p>E. Additional provisions. An assisted living facility</p>	A 068		

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A 068	<p>Continued From page 32</p> <p>that provides or coordinates hospice care and services shall make additional provisions for the following requirements:</p> <p>(1) individual services and care: each resident receiving hospice services shall be provided the necessary palliative procedures to meet individual needs as defined in the ISP;</p> <p>(2) private visiting space:</p> <p>(a) physical space for private family visits;</p> <p>(b) accommodations for family members to remain with the patient throughout the night; and</p> <p>(c) accommodations for family privacy after a resident ' s death.</p> <p>F. Medicare and medicaid restrictions. Assisted living facilities shall not accept a resident considered " hospice general inpatient " which would be billable to medicare or medicaid because the facility will not qualify for payment by medicare or medicaid.</p> <p>[7.8.2.68 NMAC - N, 01/15/2010]</p> <p>This REQUIREMENT is not met as evidenced by: Surveyor: Massey, Ricky L. This is a repeat deficiency from survey dated 08/09/15.</p> <p>Refer to 7.8.2.68 B (1)</p> <p>Based on record review and interview, the facility failed to ensure that Direct Care Staff (DCS) had the required six (6) hours of Palliative/hospice training including one hour specific to resident's Individual Service Plan (ISP) annually when the facility is providing care and services for hospice residents. This deficient practice has the potential for all 4 (R #s 1-4) residents identified on the census provided by the Administrator on 07/23/19 as receiving hospice services to be at risk of</p>	A 068		

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A 068	Continued From page 33  harm or injury if DCS do not know the proper methods of providing care and services. The findings are:  A. Record review of DCS #1's employee file (date of hire 09/09/02) revealed that only 1 hour and 10 minutes of the 6 hours of Palliative/Hospice care training was received in the past year.  B. Record review of DCS #2's employee file (date of hire 06/01/17) revealed that only 1 hour and 10 minutes of the 6 hours of Palliative/Hospice care training was received in the past year.  C. Record review of DCS #3's employee file (date of hire 10/09/15) revealed that only 1 hour and 10 minutes of the 6 hours of Palliative/Hospice care training was received in the past year.  D. On 08/29/19 at 3:50 pm, during an interview with the Administrator, he confirmed that DCS #s 1, 2, and 3 only received 1 hour and 10 minutes of Palliative/Hospice care training in the past year.	A 068		