

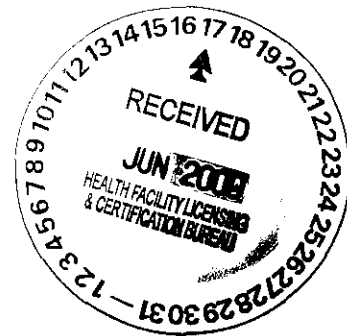
Division of Health Improvement

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 2126	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/30/2009
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NAME OF PROVIDER OR SUPPLIER A NEW DAY ASSISTED LIVING	STREET ADDRESS, CITY, STATE, ZIP CODE 11212 MIRAVISTA PLACE SE ALBUQUERQUE, NM 87123
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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
A 01	<p>OPENING REMARKS</p> <p>No deficiencies were cited with respect to the complaint investigation portion of this survey completed on 4/30/08, for New Mexico Regulations Governing Adult Residential Care Facilities 7 NMAC 8.2.</p> <p>Complaint #NM00027050 was UNSUBSTANTIATED.</p> <p>The citations found in this report are the product of the annual inspection survey process.</p>	A 01		
A17	<p>7 NMAC 8.2.17 Personnel</p> <p>7.8.2.17 PERSONNEL: The adult residential care facility must have and implement written personnel policies. The personnel policies must address the following:</p> <p>A. Qualifications for all professional and non-professional disciplines.</p> <p>B. Staff conduct which must foster resident safety and well-being and must not be detrimental to resident care.</p> <p>C. Staff training, appropriate to staff responsibilities, including, at a minimum, an orientation and an on-going, but at least annual, program which includes: Fire Safety, First Aid, Safe Food Handling practices, Confidentiality of Records and Resident information, Infection Control, Resident Rights, Reporting Requirements for Abuse, Neglect, and Exploitation, Transportation Safety for Assisting residents and operating vehicles to transport residents and Providing Quality Resident Care based on current resident needs.</p> <p>D. Employee personnel records, including</p>	A17		

ES Scanned 06-18-09



Division of Health Improvement LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE <i>Atencio Vazquez</i>	TITLE OWNER	(X6) DATE 6-15-09
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A17	Continued From page 1 an application for employment, TB tests and certificates, training records, and personnel actions. [4-7-97; 7.8.2.17 NMAC - Rn & A, 7 NMAC 8.2.17, 8-31-00] This REQUIREMENT is not met as evidenced by: Refer to 7.8.2.17 - Medication Assistance Training Based on record review and interview, the facility failed to have state approved staff training for 1 of sampled staff (Employee #1). The findings are: A. On 4/30/09 at 10:00 AM, record review revealed no documentation of state approved medication assistance training. There was however, evidence that Employee #1 had had some medication assistance training under the supervision of the Administrator. B. On 4/30/09 at 10:00 AM during an interview with the Owner, he acknowledged that he trained Employee #1 after attending the state approved training himself. He stated that he would send the employee to the training and correct the problem.	A17		
A66	7 NMAC 8.2.66 Related Regulations & Codes 7.8.2.66 RELATED REGULATIONS AND CODES: Adult residential care facilities subject to these regulations are also subject to other regulations, codes and standards as the same may, from time to time, be amended as follows:	A66		

DONE ON 5-21-109



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A66	<p>Continued From page 2</p> <p>A. Health Facility Licensure Fees and Procedures, New Mexico Department of Health 7 NMAC 1.7 (10-31-96).</p> <p>B. Health Facility Sanctions and Civil Monetary Penalties, New Mexico Department of Health, 7 NMAC 1.8 (10-31-96).</p> <p>C. Adjudicatory Hearings, New Mexico Department of Health, 7 NMAC 1.2 (2-1-96). [9-24-76, 7-11-86, 1-11-90, 4-7-97; 7.8.2.66 NMAC - Rn, 7 NMAC 8.2.66, 8-31-00]</p> <p>This REQUIREMENT is not met as evidenced by: Refer to NMAC 7.1.9.8 - Caregivers Criminal History Screening Requirements (Effective January 1, 2006) - All applicants to whom an offer of employment is made must consent to a nationwide and statewide screening.</p> <p>Based on record review and interview, the facility failed to have documentation that direct care staff had been cleared through the New Mexico Caregivers' Criminal History Screening Program (CCHSP) for 1 employee file Employee #1. The findings are:</p> <p>A. On 4/30/09 at 10:00 AM during review of employee records, it was noted that one (1) direct care staff did not have on file a CCHS screening on file subsequent to hire within the required timeframes or documentation of a full or partial Caregivers Criminal History Screening (CCHSP) clearance addressed to the facility conducted subsequent to hire within the required timeframes.</p> <p>B. On 4/30/09 at 10:00 AM during an interview with the Owner, he acknowledged the matter and stated that he would submit the fingerprints for clearance.</p>	A66	<p>EMPLOYEE'S FINGERPRINT TAKEN & WAITING FOR RESULTS. SUPERVISION IS GIVEN UNTIL RESULTS ARRIVE.</p> <p>WAITING FOR RESULTS</p>	

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A66	<p>Continued From page 3</p> <p>Refer to NMAC 7.1.12.8(a) Employee Abuse Registry (Effective January 1, 2006) - Care Provider requirement to inquire of registry prior to offer of employment to applicants.</p> <p>Based on record review and interview, the facility failed to maintain documentation that the Employee Abuse Registry (EAR) database was checked prior to offer of employment for 1 direct care staff (Staff #1). The findings are:</p> <p>A. On 4/30/09/09 at 10:00 AM during review of the employee files it was noted the following was missing: Staff #1 did not have written documentation in the files of search on the EAR database using the individual's identifying information PRIOR to offer of employment</p> <p>B. On 4/30/09/09 at 10:00 AM during interview with the Owner, he stated that he would get a password to this system and screen all employees through it to correct the problem.</p> <p>Refer to NMAC 7.1.13.10(C)(1)(a-f) Incident Reporting, Intake, Processing and Training Requirements (Effective date February 28, 2006) - Incident Management System Training Curriculum Requirements on incident policies and procedures, timely reporting, unexpected deaths and other reportable incidents.</p>	A66	<p>Will check EAR for future employment considerations</p>	

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A66	<p>Continued From page 4</p> <p>Based on record review and interview, the facility failed to ensure training on the 2009 Incident Management System for 100% staff with the required curriculum which was conducted by an attendee of the 2009 Statewide Incident Management Training (Employee #1, Employee #2, Employee #3).</p> <p>The findings are:</p> <p>A. On 4/30/09 at 10:00 AM during review of the employee files it was noted that the required curriculum or training documentation for 2009 Incident Management and reporting requirements for NMAC 7.1.13 was not among administrative paperwork.</p> <p>B. On 4/30/09 at 10:00 AM during an interview with the Owner, he stated that he had not attended the 2009 Statewide Training on Incident Management but that he is scheduled to attend the June 2009 training and ensure that all employees are subsequently trained with 2010 information.</p>	A66	<p>OWNER, TENO VAZQUEZ SCHEDULE TO ATTEND AT SANTA FE LOCATION ON JUNE 29TH, 2009</p>	6-29-09