

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 5873	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 12/21/2007
NAME OF PROVIDER OR SUPPLIER ARISTOCRAT OF ALAMOGORDO II (THE)		STREET ADDRESS, CITY, STATE, ZIP CODE 252 ROBERT BRADLEY DRIVE ALAMOGORDO, NM 88310		
(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	OPENING REMARKS Surveyor: 22739 A complaint survey was conducted 12/21/07 and the facility was found not to be in compliance with 7.8.2 NMAC. Deficiencies are cited.	A 01		
A34	7 NMAC 8.2.34 RESIDENT RIGHTS 7.8.2.34 RESIDENT RIGHTS: All licensed facilities shall be aware of, protect, and enhance the rights of all residents. A. Prior to admission to a facility, a resident and/or legal representative shall be given a written description of the legal rights of the residents translated into another language, if necessary, to meet the residents understanding. B. If the resident is incapable of understanding his/her legal rights, and if he/she has no legal representative, then the licensee shall also give a written copy of the resident's legal rights to one of the following persons, in this order of priority: (1) the resident's spouse; (2) any of the resident's adult children; (3) either of the resident's parents; (4) any relative the resident has lived with for six or more months before admission; (5) a person who has been caring for, or paying benefits on behalf of the resident; (6) a placing agency; or (7) any other person, e.g., Ombudsman. C. These resident rights and the telephone number for the Ombudsman Program shall be posted in a conspicuous place in the facility: D. The facility, to protect resident rights must: (1) Treat all residents with courtesy, respect, dignity and compassion. (2) To the extent that resident required services fall within the scope of the facilities	A34		

Division of Health Improvement

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

Jesmin Gonzales EXEC DIR. 1-9-08
TITLE (X6) DATE

STATE FORM

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If continuation sheet 1 of 14

ORIGINAL

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A34	Continued From page 1 program, avoid discrimination in admission or services because of a resident's age, race, religion, physical or mental disability, or nationality. (3) Furnish residents written information about all services provided by the facility and their costs, and advance written notice of any changes. (4) Assure that residents have a safe and sanitary living environment. (5) Provide humane care. (6) Assure the resident's rights to privacy in medical care, including privacy during medical examinations, consultations and treatment; and protect the confidentiality of the resident medical records. (7) Protect and assure the resident's 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. (8) Assure the resident's right to communicate privately and freely with any person, including private telephone conversations and private correspondence; and assure the resident's right's to receive visits from family, friends, lawyers, ombudsmen and community organizations. (9) Prohibit the use of any and all physical and chemical restraints. (10) Assure the residents are free from physical and emotional abuse and neglect. (11) Assure that all residents are free from financial abuse and exploitation by facility staff and/or management. (12) Consistent with the resident's health, abilities and security, assure the right of the resident to freely participate in religious, social, community and other activities; and freely associate with persons in and out of the facility.	A34		

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A34	Continued From page 2 (13) Permit the residents to leave the facility freely and return without unreasonable restriction. (14) Prevent unjustified room transfers or discharge from this facility. (15) Use care and management practices that foster social interaction and avoid practices that unnecessarily result in social isolation. (16) Provide services consistent with informed consent. (17) Assure that all residents may voice grievances to the facility staff, public officials, the ombudsmen or any other person, without fear of reprisal or retaliation. (18) Promptly address and resolve resident complaints. (19) Foster resident participation and understanding in the development, review and modification of the resident's plan for care and treatment. (20) Respect a resident's choice of doctor, pharmacist and other health care provider. (21) Respect a resident's medical treatment decisions and advance directives, such as living wills and durable powers of attorney for health care. (22) Respect a resident's right to keep and use personal possessions without loss or damage. (23) Allow each resident to manage and control the resident's personal finances to the extent that the resident is able, and provide to every resident a written record of all financial arrangements and transactions involving that resident's funds. (24) Allow residents to freely organize and participate in a resident association that may recommend changes in the facility's policies,	A34		

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A34	<p>Continued From page 3</p> <p>services and management.</p> <p>(25) Require no resident to work for the facility.</p> <p>(26) Consult with the incapacitated resident regarding his/her care, regardless of the involvement of a guardian or surrogate decision maker.</p> <p>(27) Assure the involvement in, and consent of, an incapacitated resident's guardian or surrogate decision maker in the resident's care.</p> <p>E. The resident's rights shall not be restricted unless the resident agrees to such a restriction, and unless this restriction is described in detail in his/her individual service plan. [9-24-76, 7-11-86, 1-11-90, 4-7-97; 7.8.2.34 NMAC - Rn, 7 NMAC 8.2.34, 8-31-00] This REQUIREMENT is not met as evidenced by: Surveyor: 22739 NMAC 7.8.2.34</p> <p>RESIDENT RIGHTS: All licensed facilities shall be aware of, protect and enhance the rights of all residents.</p> <p>D. The facility, to protect resident rights must:</p> <p>(4) Assure that residents have a safe and sanitary living environment.</p> <p>This requirement is NOT MET as evidenced by:</p> <p>A. The facility failed to monitor for and maintain a sanitary environment in resident rooms free of feces for three of five sampled residents (R1, 2 and 3) and for one common bathroom area in the Alzheimer's Unit. The finding are:</p> <p>B. On 12/21/07 at 10:00 AM, upon entering the Alzheimer's Unit, this investigator smelled a</p>	A34		

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A34	Continued From page 4 strong odor of urine and feces. C. Between 10:30 AM and 11:00 AM, this investigator conducted a room-to-room inspection of the facility. The following was found: 1. Resident 1's room had a strong smell of feces. Upon entering the private bathroom, feces was found to be smeared across the floor and across the lid of the toilet. 2. Resident 2's room had a strong smell of feces. Upon entering the private bathroom, feces was found inside the toilet and was more than halfway full of feces. While attempting to flush the toilet, it was discovered the toilet did not flush. The room also had an overwhelming smell of urine coming from the mattress and the mattress was found to be stained yellow throughout. Between the bed and nightstand were dark stains that smelled and appeared to be feces in the carpet. 3. Resident 3's room had a strong smell of feces. Upon entering the private bathroom, feces was found inside the toilet around the inside edges. 4. In the common bathroom/shower-room located on the North-West side of the building, there was a strong smell of feces. Upon entering the bathroom, feces was found smeared on the toilet. D. On 12/21/07 at 11:00 AM, the Administrator was notified of the issues regarding feces and of several rooms that were very dirty. She wrote the room numbers provided and list of issues. When asked where the housekeeper was for that building, she stated she did not have one. She reported she only had one for the other building and that the Caregivers had to provide care and housekeeping services. She stated she was working on hiring a housekeeper for the unit.	A34		

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A34	Continued From page 5 When told of one of the resident's rooms with feces, she stated that the resident often smeared her feces around her room. E. On 12/21/07 at 2:15 PM, the Administrator was asked to accompany this Investigator back to the Alzheimer's Unit to re-inspect the rooms. She repeatedly stated she had told the staff working in that unit about "some" of the issues. She then stated she did not think any of the feces would be cleaned up. When asked why, she stated she had only told the staff about "some" of the issues and had been "very busy" since we spoke at 11:00 AM. We began walking through residents' rooms and discovered that none of the feces had been cleaned and was still present. F. On 12/21/07 at 2:25 PM, Caregiver/MedTech 1 was found sitting at a desk in the unit and interviewed. She was asked if she was responsible for housekeeping. She stated she and the other employees scheduled were. When asked why there had been no housekeeping performed that day, she replied, "There are other things I need to get done." When it was reported to her about the feces in the bathrooms, she stated, "I didn't know about that." When asked if she could not smell the feces, she replied, "I don't smell." G. Upon leaving the unit, the Administrator reported there was no excuse for the feces not having been cleaned yet.	A34	A-34 Will hire a full time housekeeper/laundry person to ensure building is kept clean, and is in sanitary condition	2-10-08
A38	7 NMAC 8.2.38 FOOD MANAGEMENT 7.8.2.38 FOOD MANAGEMENT: Each facility must store, prepare, distribute and serve food under sanitary conditions and in accordance with the New Mexico Environment Department Food	A38		

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A38	Continued From page 6 Service and Processor Regulations, if applicable. A. Each facility shall ensure a minimum of a three (3) day supply of perishable and a five (5) day supply of non-perishable or canned food is provided for the residents. B. All milk, to include dry milk products, shall be Grade A pasteurized. C. Potentially hazardous food such as meat, milk, and custard shall be kept at 45 degrees F or below or at 140 degrees F or above. D. Each refrigerator and freezer shall be provided with an indicating thermometer accurate to plus or minus 3 degrees F, located in the warmest section of the refrigeration facility and must be of such type and so situated that the thermometer can be easily read. Thermostats shall not be relied upon to maintain temperatures at correct levels in the absence of thermometers. The temperature of the refrigerator shall be 35 degrees F- 45 degrees F. Freezer temperatures shall be maintained at 0 degrees F or below. E. Refrigerators, freezers, kitchen area and food preparation areas shall be kept clean and sanitary at all times. Food stored in refrigerators/freezers shall be covered, dated, and labeled. Unused leftover food shall be discarded after three days. F. Medication, biological, poisons, detergents, and cleaning supplies shall not be kept in the same storage areas used for storage of foods. Medications may be stored in the refrigerator with food, if they are labeled and locked in a container marked specifically for medication. G. Dishes, utensils, and preparation equipment shall be properly washed and stored to maintain sanitary conditions. H. All garbage and rubbish shall be stored in containers which are waterproof, easily cleaned and have tight fitting lids. Food waste containers	A38		

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A38	<p>Continued From page 7</p> <p>shall be kept in good repair, and shall be kept covered except during use. [7-1-64, 9-15-70, 5-26-72, 9-24-76, 7-11-86, 4-7-97; 7.8.2.38 NMAC - Rn, 7 NMAC 8.2.38, 8-31-00]</p> <p>This REQUIREMENT is not met as evidenced by: Surveyor: 22739 NMAC 7.8.2.38</p> <p>FOOD MANAGEMENT: Each facility must store, prepare, distribute and serve food under sanitary conditions and in accordance with the New Mexico Environment Department Food Service and Processor Regulations, if applicable.</p> <p>E. Refrigerators, freezers, kitchen area and food preparation areas shall be kept clean and sanitary at all times. Food stored in the refrigerators/freezers shall be covered, dated, and labeled. Unused leftover food shall be discarded after three days.</p> <p>This requirement is not NOT MET as evidenced by:</p> <p>A. Based on observation and interview, the facility failed to maintain proper storage for food in two refrigerators located in the Alzheimer's Unit. The findings are:</p> <p>C. Between 10:30 AM and 11:00 AM, this investigator conducted a room-to-room inspection of the facility which included the kitchen area and two refrigerators. The following was found:</p> <ol style="list-style-type: none"> 1. Lemon-Merangue pie opened, uncovered and undated. 2. Pudding-like substance in metal bowl with wafers opened, uncovered and undated. 	A38		

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A38	Continued From page 8 3. Pie with red filling opened, uncovered and undated. 4. Large amount of yellow, hard substance in pitcher opened, uncovered and undated. 5. Cheese wedge unsealed and undated. 6. Other unidentifiable food items opened, unsealed and undated. D. On 12/21/07 at 11:00 AM, the Administrator was notified of the issues regarding improper food storage. She wrote the concern down. She reported that she was very upset to hear about the improper food storage because she stated she repeatedly tells and reminds the staff to store food properly. E. On 12/21/07 at 2:15 PM, the Administrator was asked to accompany this Investigator back to the Alzheimer's Unit to re-inspect the kitchen. She repeatedly stated she had told the staff working in that unit about "some" of the issues. She then stated she did not know if any of the items were cleaned up or taken care of. When asked why, she stated she had only told the staff about "some" of the issues and had been "very busy" since we spoke at 11:00 AM. We opened both refrigerators and discovered numerous items that were opened, unsealed and undated. F. On 12/21/07 at 2:25 PM, Caregiver/MedTech 1 was found sitting at a desk in the unit and interviewed. She stated she was responsible for the kitchen reporting, "The kitchen is my fault." When asked specifically about the numerous pies, she reported they were opened yesterday and when asked why they were not properly stored, she reported, "It was very hectic." G. Upon leaving the unit, the Administrator reported she was going to write up the Caregivers	A38	A38 All food will be covered & dated. All staff will be educated on proper procedures for storing food. inservice will be conducted, and refrigerator will be inspected daily.	2-10-08

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A38	Continued From page 9 for failing to follow policy regarding food storage and repeated that she was upset because she had reminded everyone regarding proper food storage many times.	A38		
A39	7 NMAC 8.2.39 HOUSEKEEPING/LAUNDRY SERVICES 7.8.2.39 HOUSEKEEPING/LAUNDRY SERVICES: The adult residential care facility shall maintain the interior and exterior of the facility in a safe, clean, orderly, and attractive manner. The facility must be free from offensive odors, safety hazards, insects and rodents, and accumulations of dirt, rubbish, dust. A. Bathrooms and all common living areas must be cleaned as often as necessary to maintain a clean and sanitary environment. B. Combustibles such as cleaning rags and compounds shall be stored in closed metal containers in approved areas providing adequate ventilation. Combustibles shall be stored away from the food preparation area and away from resident rooms. C. Poisonous or flammable substances must not be stored in residential areas, food preparation areas, or food storage areas. D. The adult residential care facility shall make available laundry services to the residents either on the premises or by use of a commercial laundry or linen service. Personnel must handle, store, process, and transport linens so as to prevent the spread of infection. (1) All linens shall be changed as needed and at least weekly. (2) The mattress pad, blankets, and bedspread shall be laundered as needed and at least once a month. (3) Bath linens consisting of face towel, bath towel and wash cloth shall be changed as	A39		

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A39	Continued From page 10 needed and at least three (3) times per week. (4) Residents shall have clean clothing as needed to maintain dignity and be free of odors. E. Laundry services provided on the premises shall have a designated laundry area equipped with a washer and dryer. F. Under no circumstances shall collection, sorting, storage or washing of soiled clothing or linen be done in a food preparation, food storage, or food service area. G. Residents may do their own laundry if they are capable and WISH to do so, or if it is part of a training or rehabilitation program specifically documented in the resident's individual service plan. H. A separate, dry, well ventilated storage area for clean linen shall be provided. [7-1-64, 9-15-70, 5-26-72, 7-19-74, 9-24-76, 7-11-86, 4-7-97; 7.8.2.39 NMAC - Rn, 7 NMAC 8.2.39, 8-31-00] This REQUIREMENT is not met as evidenced by: Surveyor: 22739 NMAC 7.8.2.39 HOUSEKEEPING/LAUNDRY SERVICES: The adult residential care facility shall maintain the interior and exterior of the facility in a safe, clean, orderly and attractive manner. The facility must be free from offensive odors, safety hazards, insects and rodents, and accumulations of dirt, rubbish, dust. A. Bathrooms and all common living areas must be cleaned as often as necessary to maintain a clean and sanitary environment. This requirement is NOT MET as evidenced by:	A39		

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A39	Continued From page 11 A. The facility failed to monitor for and maintain a sanitary environment in resident rooms free of feces for three of five sampled residents (R1, 2 and 3) and for one common bathroom area in the Alzheimer's Unit. The finding are: B. On 12/21/07 at 10:00 AM, upon entering the Alzheimer's Unit, this investigator smelled a strong odor of urine and feces. C. Between 10:30 AM and 11:00 AM, this investigator conducted a room-to-room inspection of the facility. The following was found: 1. Resident 1's room had a strong smell of feces. Upon entering the private bathroom, feces was found to be smeared across the floor and across the lid of the toilet. 2. Resident 2's room had a strong smell of feces. Upon entering the private bathroom, feces was found inside the toilet and was more than halfway full of feces. While attempting to flush the toilet, it was discovered the toilet did not flush. The room also had an overwhelming smell of urine coming from the mattress and the mattress was found to be stained yellow throughout. Between the bed and nightstand were dark stains that smelled and appeared to be feces in the carpet. 3. Resident 3's room had a strong smell of feces. Upon entering the private bathroom, feces was found inside the toilet around the inside edges. 4. In the common bathroom/shower-room located on the North-West side of the building, there was a strong smell of feces. Upon entering the bathroom, feces was found smeared on the toilet. D. On 12/21/07 at 11:00 AM, the Administrator was notified of the issues regarding feces and of	A39		

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A39	Continued From page 12 several rooms that were very dirty. She wrote the room numbers provided and list of issues. When asked where the housekeeper was for that building, she stated she did not have one. She reported she only had one for the other building and that the Caregivers had to provide care and housekeeping services. She stated she was working on hiring a housekeeper for the unit. When told of one of the resident's rooms with feces, she stated that the resident often smeared her feces around her room. E. On 12/21/07 at 2:15 PM, the Administrator was asked to accompany this Investigator back to the Alzheimer's Unit to re-inspect the rooms. She repeatedly stated she had told the staff working in that unit about "some" of the issues. She then stated she did not think any of the feces would be cleaned up. When asked why, she stated she had only told the staff about "some" of the issues and had been "very busy" since we spoke at 11:00 AM. We began walking through residents' rooms and discovered that none of the feces had been cleaned and was still present. F. On 12/21/07 at 2:25 PM, Caregiver/MedTech 1 was found sitting at a desk in the unit and interviewed. She was asked if she was responsible for housekeeping. She stated she and the other employees scheduled were. When asked why there had been no housekeeping performed that day, she replied, "There are other things I need to get done." When it was reported to her about the feces in the bathrooms, she stated, "I didn't know about that." When asked if she could not smell the feces, she replied, "I don't smell." G. Upon leaving the unit, the Administrator reported there was no excuse for the feces not	A39	A39 will hire a full time housekeeper/laundry person to ensure the building is kept clean, and is in sanitary condition.	

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 5873	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 12/21/2007
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A39	Continued From page 13 having been cleaned yet.	A39		