

Division of Health Improvement

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION <i>1st Original</i>		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 2075	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 09/03/2008
NAME OF PROVIDER OR SUPPLIER COTTONBLOOM ASSISTED LIVING COMMUNI		STREET ADDRESS, CITY, STATE, ZIP CODE 5525 COTTONBLOOM COURT LAS CRUCES, NM 88005		
(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
{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: A. Health Facility Licensure Fees and Procedures, New Mexico Department of Health 7 NMAC 1.7 (10-31-96). B. Health Facility Sanctions and Civil Monetary Penalties, New Mexico Department of Health, 7 NMAC 1.8 (10-31-96). 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] This REQUIREMENT is not met as evidenced by: TITLE 7 HEALTH CHAPTER 1 HEALTH GENERAL PROVISIONS PART 9 CAREGIVERS CRIMINAL HISTORY SCREENING REQUIREMENTS. 7.1.9.8 D. (1-3) D. Application: In order for a nationwide criminal history record to be obtained and processed, the following shall be submitted to the department on forms provided by the department. (1) A form containing personal identification which has a photograph of the person and which meets the requirements for employment eligibility in accordance with the immigration and nationality act as amended. A reasonable xerographic copy of a drivers license photograph will suffice under Subsection D of 7.1.9.8 NMAC. (2) A signed authorization for release of information form. (3) Three (3) complete sets of readable	{A66}		

*Scanned
9-18-08
JL*

Division of Health Improvement

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

STATE FORM

TITLE *Edgar Ontz* administrator (X6) DATE 9-9-08



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{A66}	Continued From page 1 fingerprint cards or other department approved media acceptable to the department of public safety and the federal bureau of investigation submitted using black ink. 7.1.9.8 F. Timely Submission: Care providers shall submit all fees and pertinent application information for all individuals who meet the definition of an applicant, caregiver or hospital caregiver as described in Subsections B, D and K of 7.1.9.7 NMAC, no later than twenty (20) calendar days from the first day of employment or effective date of a contractual relationship with the care provider. This is a repeat deficiency from survey dated 6/4/08. Refers to 7.1.9.8 D. (1 - 3) Also refers to 7.1.9 F. Based on record review and interview the facility failed to have documentation that the Caregiver Criminal History Screening (CCHS) Requirements for employees had been met for 7 of 7 employees (S47, S48, S49, S50, S51, S52 and S53). A) Record review on 9/3/08 of employee files revealed no documentation that an application, personal identification, release of information, fingerprint cards, or fees were submitted to CCHS for staff S47, S48, S49, S50, S51, S52 and S53 with the following hire dates: 1) staff S47 with a hire date of 8/13/08, 2) staff S48 with a hire date of 7/30/08, 3) staff S49 with a hire date of 7/23/08, 4) staff S50 with a hire date of 7/10/08, 5) staff S51 with a hire date of 7/8/08, 6) staff S52 with a hire date of 6/30/08, and	{A66}	A 66—RELATED REGULATIONS AND CODES: 7.1.9.8 D. (1-3) Also refers to 7.1.9 F. to supply pertinent information in order for a nationwide criminal history record to be obtained and processed, in a timely manner. The facility will have documentation that the Caregiver Criminal History Screening requirements are met for current employees. The facility will monitor this process for future employees.	10-3-08

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{A66}	Continued From page 2 7) staff S30 with a hire date of 6/26/08. B) In an interview with staff S54 on 9/3/08 at 2:15 pm, staff S54 acknowledged the hire dates listed above as accurate for the staff listed above. C) In an interview with the administrator on 9/3/08 at 2:30 pm, the administrator acknowledged the application, personal identification, release of information, fingerprint cards, or fees had not been submitted to CCHS for staff S47, S48, S49, S50, S51, S52 and S53. TITLE 7 HEALTH CHAPTER 1 HEALTH GENERAL PROVISIONS PART 12 EMPLOYEE ABUSE REGISTRY 7.1.12.8 REGISTRY ESTABLISHED; PROVIDER INQUIRY REQUIRED: Upon the effective date of this rule, the department has established and maintains an accurate and complete electronic registry that contains the name, date of birth, address, social security number, and other appropriate identifying information of all persons who, while employed by a provider, have been determined by the department, as a result of an investigation of a complaint, to have engaged in a substantiated registry-referred incident of abuse, neglect or exploitation of a person receiving care or services from a provider. Additions and updates to the registry shall be posted no later than two (2) business days following receipt. Only department staff designated by the custodian may access, maintain and update the data in the registry. A. Provider requirement to inquire of registry. A provider, prior to employing or contracting with an employee, shall inquire of the registry whether the	{A66}	A 66— REGISTRY ESTABLISHED; PROVIDER INQUIRY REQUIRED: 7.1.12.8 A provider, prior to employing or contracting with an employee, shall inquire of the registry whether the individual under consideration for employment or contracting is listed on the registry. The facility will make inquiry to the employee abuse registry for all current employees. The facility will monitor this process for future employees.	10-3-08

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{A66}	<p>Continued From page 3</p> <p>individual under consideration for employment or contracting is listed on the registry.</p> <p>This is a repeat deficiency from survey dated 6/4/08. Refer to 7.1.12.8 A.</p> <p>Based on record review and interview the facility failed to make inquiry to the Employee Abuse Registry prior to employing 6 of 6 staff (S47, S48, S49, S51, S52 and S53).</p> <p>A) Record review on 9/3/08 of employee files revealed inquiry to the Employee Abuse Registry was not done for the following staff until 9/3/08, well after the hire dates.</p> <ol style="list-style-type: none"> 1) staff S47 with a hire date of 8/13/08, 2) staff S48 with a hire date of 7/30/08, 3) staff S49 with a hire date of 7/23/08, 4) staff S51 with a hire date of 7/8/08, 5) staff S52 with a hire date of 6/30/08, and 6) staff S30 with a hire date of 6/26/08. <p>B) In an interview with the administrator on 9/3/08 at 2:50 pm, the administrator acknowledged inquiries to the Employee Abuse Registry were not done prior to hiring 6 of 6 of the employees hired in the last three months.</p>	{A66}		