

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: IL6010094	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 01/07/2021
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NAME OF PROVIDER OR SUPPLIER WINNING WHEELS	STREET ADDRESS, CITY, STATE, ZIP CODE 701 EAST 3RD STREET PROPHETSTOWN, IL 61277
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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
S 000	Initial Comments Facility reported investigation (FRI 12-18-2020-IL129900)	S 000		
S9999	Final Observations Statement of Licensure Violations: 300.610a) 300.1210b) 300.3240a) 300.610a) The facility shall have written policies and procedures governing all services provided by the facility. The written policies and procedures shall be formulated by a Resident Care Policy Committee consisting of at least the administrator, the advisory physician or the medical advisory committee, and representatives of nursing and other services in the facility. The policies shall comply with the Act and this Part. The written policies shall be followed in operating the facility and shall be reviewed at least annually by this committee, documented by written, signed and dated minutes of the meeting. 300.1210b) The facility shall provide the necessary care and services to attain or maintain the highest practicable physical, mental, and psychological well-being of the resident, in accordance with each resident's comprehensive resident care plan. Adequate and properly supervised nursing care and personal care shall be provided to each resident to meet the total nursing and personal care needs of the resident. 300.3240a)	S9999	Attachment A Statement of Licensure Violations	

Illinois Department of Public Health
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

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S9999	<p>Continued From page 1</p> <p>An owner, licensee, administrator, employee or agent of a facility shall not abuse or neglect a resident. (Section 2-107 of the Act)</p> <p>These regulations were not met as evidenced by:</p> <p>Based on interview and record review the facility failed to ensure a resident was free from sexual abuse by V4. These failures resulted in R1 being sexually abused. This applies to one of three residents (R1) reviewed for abuse in the sample of three.</p> <p>The findings include:</p> <p>R1's face sheet shows diagnoses including quadriplegia, epilepsy, osteomyelitis, bipolar, depression, anxiety, and fracture of the fifth cervical vertebra. R1's facility assessment dated 10/21/20 shows moderate cognitive impairment and with no hallucinations, no delusions, and no disorganized thinking. The facility assessment shows R1 requires extensive staff assistance with bed mobility, dressing, eating, and personal hygiene. The assessment shows R1 requires total staff assistance with transfers, dressing, toilet use, and bathing.</p> <p>On 1/5/21 at 1:15 PM, R1 was seated in a high back wheelchair. R1 was alert, talkative, and coherent. R1 stated he started "dating" one of the aides (V4) about one month ago. R1 said she would bring in food and energy drinks to him on the nights she was working. R1 said they spent a lot of time together on the night shift talking and kissing. R1 stated V4 tried to put her mouth onto his penis one time. R1 said V4 would let him lick</p>	S9999		

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**701 EAST 3RD STREET
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S9999	<p>Continued From page 2</p> <p>her breasts with his tongue. R1 said it happened "a few times" and always on the night shift. R1 said he did not tell anyone about the relationship in the beginning, but other people were noticing she was hanging out in his room a lot during her night shift. R1 said he did eventually tell another CNA about the sexual encounters with V4. R1 said he told V3 (male CNA) that V4 had allowed him to put his mouth on V4's breasts. R1 said he also eventually told V1 (Administrator) and V2 (Assistant Administrator) about the sexual encounters. R1 said he did deny it the first time V1 asked about the situation. R1 said he decided to admit the two of them were "in a sexual relationship because (V1) is a nice guy and I decided to tell the truth." R1 also stated he has been texting V4 for the past month, via his voice recognition program on his personal cell phone. R1 said V4 also has been responding and communicating back with him through his cell phone.</p> <p>On 1/6/21 at 9:00 AM, V3 (male CNA) stated he was working on 12/18/20 and in R1's room around 2:15 PM changing the bed linens. V3 said R1 asked him if he had heard any rumors about himself and V4. V3 said R1 stated, "You know the rumors are true, right? (V4) let me suck on her (breasts). You heard me. She let me suck on them. But that's just between me and you, ok?" V3 said he asked R1 for clarification and again R1 repeated the same thing. V3 said he has cared for R1 many times and they have a good connection. V3 said he had no doubt R1 was being truthful. V3 said R1 is very alert, oriented, and completely knows what is happening around him. V3 said he left the room and immediately reported the information to V1.</p> <p>On 1/5/21 at 10:15 AM, V1 (Administrator) stated</p>	S9999		

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S9999	<p>Continued From page 3</p> <p>he was notified on 12/18/20 by V3 that R1 had said he was in a relationship with V4. V1 said he immediately interviewed R1. R1 confirmed he was in a relationship with V4 and that they were in love. R1 said V4 pleases him with her hand while putting a condom-type catheter on him. R1 said V4 lets him put his mouth on her breasts. R1 said he also has been having repeated text conversations with V4 when she is off work, via his cell phone. V1 said they asked R1 for permission to view the text history on his cell phone and there were hundreds of text messages back and forth between R1 and V4. V1 said the messages discussed their love between the two of them and food V4 was bringing into the facility for R1. V1 said a full investigation into the allegation was done and V4 was terminated on 12/22/20 after violating facility policy.</p> <p>On 1/5/21 at 10:45 AM, V2 (Assistant Administrator) stated she interviewed R1 on 12/18/20 after V3 reported the sexual incidents. V2 said R1 did initially deny any intimate involvement with V4, but after repeated questioning, he did admit to a sexual relationship. V2 said R1 stated he and V4 had been texting back and forth when she was not working. R1 said V4 would bring food and drinks into him on the nights she was working. R1 said V4 wanted to bring him to Kentucky and she was in love with him. R1 said V4 would give him oral sex and let him put his mouth on her breasts. V2 said she reviewed the text messages with V1. V2 said there was nothing sexual on the text messages but the communication between the two "was definitely inappropriate". V2 said R1 has a spinal cord injury but is alert and oriented. V2 said R1 is able to send out text messages and make calls on his cell phone through a voice command system on his personal phone.</p>	S9999		

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Continued From page 4

S9999

On 1/5/21 at 1:45 PM, V4 (CNA) stated she was terminated from the facility on 12/22/20. V4 said it had something to do with an allegation of sexual harassment by (R1). V4 said she did care for R1 a lot and requested to work on his hallway. V4 said she routinely worked the night shift and cared for R1 every time she worked. V4 said she began "dating" R1 the day after she was fired from the facility. V4 said the administrator asked her about personal texts between herself and while being a care giver for R1. V4 said she believes someone hacked into her phone and sent weird sexual texts to R1. V4 said she did talk with R1 over the phone but it was only in regards to vocational rehabilitation questions he had. V4 denied any sexual relationship between herself and R1 but also stated R1 was "100% alert and oriented when I was caring for him". V4 denied bringing any food or drink into the facility for R1. V4 denied any romantic interest in R1. (Text messages show exact opposite.)

R1 and V4's text messaging start dated 11/19/20 and end dated 12/17/20 were reviewed by the surveyor and showed repeated statements by V4 including: "I love you ... I can't wait for you to see me ... Sounds kinky ... I miss you babe... Go to sleep, before you know it I'll be there to take care of you ... I have 3 NOS (energy drinks) for you ... I've got the (candy) for you ... I'm home and missing you already ... I am wearing nothing by the way ... Are you getting excited or what ... Will you still love me after 3 days of me being gone?.. On my way to KY ...Call me if you want ... I don't want to just be friends ... I hope no one can see these texts ... Laying in bed thinking of you ... Love you (R1's name) ... Are you IN LOVE with me yet?..."

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S9999	<p>Continued From page 5</p> <p>The facility's Abuse Program policy revision dated 4/2018 states under PURPOSE section: "To ensure on-going safety of resident." The policy defines sexual abuse as: "includes but not limited to sexual harassment, sexual coercion, or sexual assault."</p> <p>The facility's Staff Socialization with Residents policy revision dated 3/2017 states under the procedure section: "1. Socializing while off -duty with residents or their family/guardian while the resident is actively participating in the facility's programs is prohibited. This socialization crosses the professional boundaries between caregiver and resident. Socialization would include ...g. Contact with resident ...by telephone, texting, meetings, in writing or through the internet."</p> <p>The staff member involved in the incident was terminated on 12/22/2020 and has not been allowed in the building since. Winning Wheels will immediately ensure all residents are protected from any type of abuse which will include, but not limited to, staff education on recognizing and preventing abuse from happening and education on appropriate staff and resident interaction/socialization. This education began immediately on 12/21/20, will continue during new hire orientation, and will be provided to all staff quarterly for one year. Winning Wheels is committed to reviewing every resident to ensure no additional abuse has occurred. Social services has initiated reviewing and educating every resident on signs of abuse and socialization policies on 01/07/21. The education for both staff and residents will be completed by 01/12/21. Temporary Licensed Administrator will perform weekly audits on 3 interviewable residents x8 weeks to ensure that said residents 'feel safe' and that no additional abuse has occurred.</p>	S9999		

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S9999	Continued From page 6 Resident audits will be reported to QAPI each month. B	S9999		