

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: IL6000939	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED C 09/03/2023
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NAME OF PROVIDER OR SUPPLIER FLANAGAN REHABILITATION & HCC	STREET ADDRESS, CITY, STATE, ZIP CODE 201 EAST FALCON HIGHWAY FLANAGAN, IL 61740
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S 000	Initial Comments Complaint # 2367086/IL163639	S 000		
S9999	Final Observations Statement of Licensure Violations: 300.610a) 300.1210b 300.3240a) Section 300.610 Resident Care Policies a) 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. Section 300.1210 General Requirements for Nursing and Personal Care	S9999		
	b) 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.		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>Section 300.3240 Abuse and Neglect</p> <p>a) 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 Requirements are not meet as evidenced by:</p> <p>Based on observation, interview and record review, the facility failed to protect the residents right to be free from mental and verbal abuse by a staff member for one of five residents (R10) reviewed for abuse in the sample list of 11. This failure resulted in psychosocial harm for R10 as evidenced by R10 being tearful and shaking while talking about the abuse three days later and R10 being fearful of retaliation from the staff member for reporting the abuse.</p> <p>Findings Include:</p> <p>The facility's Abuse Prevention Program dated 11/28/16 documents this facility affirms the right of our residents to be free from abuse, neglect, misappropriation of resident property, and exploitation as defined below. This facility is committed to protecting our residents from abuse by anyone including; but not limited to, facility staff, other residents, consultants, volunteers, and staff from other agencies providing services to the individual, family members or legal guardians, friends, or any other individuals. Abuse is defined as the willful injection of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain or mental anguish. Abuse also includes the deprivation by an individual, including a caretaker, of goods or services that are necessary to attain or maintain</p>	S9999		

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physical, mental, and psychosocial well-being. Instances of abuse of all residents, irrespective of any mental or physical condition, cause physical harm, pain or mental anguish. It includes verbal abuse, sexual abuse, physical abuse, and mental abuse including abuse facilitated or enabled through the use of technology. Willful, as used in this definition of abuse, means the individual must have acted deliberately, not that the individual must have intended to inflict injury or harm. Verbal Abuse is the use of oral, written, or gestured language that willfully includes disparaging and derogatory terms to residents or families, or within their hearing distance regardless of their age, ability to comprehend, or disability. Mental Abuse includes, but is not limited to, abuse that is facilitated or caused by nursing home staff taking or using photographs or recordings in any manner that would demean or humiliate a resident(s), harassment, humiliation and threats of punishment or deprivation.

On 9/3/23 at 6:17 am, V17 CNA stated on 8/31/23 at around 5:15 am, V17 was in the room next to R10's room and providing cares when V17 heard V19 knocking loud and obnoxiously on R10's door. V17 stated it was loud and obnoxious to V17 because R10 has asked staff not to knock on R10's door because it scares R10 when R10 is sleeping. V17 explained after knocking, V19 could be heard asking if R10 needed changed and R10 said yes, "I'm wet in the back." V17 stated V17 was not in the room but V17 assumes V19 then pulled the covers back because V19 said, "you're not wet, you don't need changed," and R10 continued to say, "I'm wet in the back, and do need changed." V17 stated it was at that time, V19 said "I (V19) don't need you (R10) to tell me (V19) how to do my job, you (R10) don't need changed." V17 explained V17 then heard

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S9999	<p>Continued From page 3</p> <p>V19 tell R10 to roll, then R10 said "why would you (V19) put a wet brief in my (R10's) face" and V19 replied "because you (R10) didn't need changed and I (V19) don't need you to tell me how to do my job." V17 stated R10 could be heard telling V19 that R10 was tired of V19's attitude and being disrespectful and stated, "just leave me alone." V17 then stated V19 could be heard saying "I'm (expletive) done with you" and left the room. V17 stated V17 finished up with the resident V17 was working with and then went to check on R10. V17 explained R10 was "visibly upset and crying." The brief was under (R10) but not secured, so I (V17) finished changing (R10) and reported the situation to V18 Agency LPN (Licensed Practical Nurse) on duty, who reported it to V1 AIT (Administrator in Training). V19 was sent home and hasn't been back.</p> <p>R10's ongoing Abuse Investigation dated 8/31/23 documents an initial report of "staff/resident alleged verbal altercation. All parties notified." This investigation contained the following witness statements:</p> <p>V2 BOM (Business Office Manager) documents - V2 doesn't usually work with V19 other than doing rounds with V19 at 6:00 am. V2 documents V19 is "short sometimes" but V2 doesn't feel like V2 has ever seen V19 be rude or say anything that was abusive to a resident.</p> <p>R11 documents - R11 has wet R11's self in the past waiting on V19 to answer R11's call light and when V19 did answer the light, V19 stated "can't you go to the bathroom?" and then when R11 said no, V19 acted like V19 was mad but did help R11 get cleaned up.</p> <p>R10 documents - on previous rounds, V19 was</p>	S9999		
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S9999	<p>Continued From page 4</p> <p>banging on the door and R10 has asked V19 so many times not to do that and to be respectful of my roommate. On last rounds, R10 thought R10 was a little bit wet and told V19. V19 started yelling that R10 wasn't wet. R10 told V19 R10 feels like R10's wet and asked to "just change me please." V19 then yelled at R10 not to talk to V19 like that. R10 documents that R10 was not being rude but felt like R10 was wet and R10 wanted changed. R10 documents V19 is very disrespectful. V19 took R10's brief off and started shaking it at R10 saying, "see it was dry." R10 documents, "it's already embarrassing enough without that." R10 documents R10 was laying on R10's side and asked V19 to please stop yelling at R10 and that's when V19 just stomped off, leaving R10 lying naked. R10 documents R10 tried to put the brief on R10's self but then V17 came in and got R10 taken care of. R10 documents when V19 left, V19 said "I'm (expletive) done with this."</p> <p>V19 CNA documents - while doing rounds, R10 said R10 needed changed. After turning on the overhead light, V19 told R10 that R10 wasn't wet. R10 started screaming at V19. V19 put the brief under R10 and walked out of R10's room and yelled, "I'm (expletive) done."</p>	S9999		
	<p>V18 Agency LPN documents - R10 was upset and crying saying that V19 had yelled at R10 and V18 immediately called V1.</p> <p>R10's MDS (Minimum Data Set) dated 6/4/23 documents R10 is alert and oriented.</p> <p>On 9/3/23 at 9:09 am, V1 AIT stated V1 is still in the process of investigating the allegation but figured it would be considered abuse.</p>			

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S9999	<p>Continued From page 5</p> <p>On 9/3/23 at 9:30 am, R10 was lying in bed with oxygen on. R10 stated V19 is "loud, obnoxious, disrespectful and just plain rude." R10 explained, every time you attempt to talk to V19, V19 says, "don't talk to me like that." R10 stated, R10 is not rude to V19 but that R10 had stopped talking to V19 when V19 provided cares because V19 thinks R10 is rude but will then say, "what, you aren't going to talk to me, stop being rude." "It's like you can't win with (V19)." R10 stated last week V19 "left me (R10) lying here in bed, naked. How humiliating is that. I (R10) don't care how mad you are, you just don't do that." R10 explained there are men that walk around out in the hallway that could see R10 lying in bed naked and uncovered. R10 stated V19 "walked out of here throwing a temper tantrum and left the door wide open." R10 again exclaimed, "that's just rude, you don't treat people like that." R10 explained at 5:00 am last week, V19 had "banged on the door like the Gestapo while (R10) was sleeping and it scared (R10) to death." R10 stated, R10 wakes up easily and has asked V19 not to knock like that but R10 swears V19 does it louder and longer every time, "just to watch (R10) jump." R10 stated after that, V19 asked R10 if R10 needed changed and R10 told V19 yes, that R10 was wet in the back. V19 checked R10 and began yelling at R10 saying that R10 was not wet and did not need changed. R10 stated, R10 explained to V19 that R10 felt like R10 was wet and asked V19 to "just please change me (R10) and (V19) continued to yell and scream that I (R10) didn't need changed." R10 began to cry when telling the story. R10 stated V19 then pulled the brief from under of R10 and was waving it around saying "see, I (V19) told you that you weren't wet." R10 explained R10 "took it until I (R10) just couldn't take it anymore and asked several times for (V19) to please stop yelling at</p>	S9999		

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S9999	<p>Continued From page 6</p> <p>(R10), that I (R10) didn't have to put up with this but (V19) continued." R10 stated V19 finally stormed out, leaving R10 naked, the door open and yelled something like "I'm (expletive) done with you." R10 stated this isn't the first time V19 has treated R10 like this but that R10 has never reported it before stating R10 just tried to be nice to V19 but R10 couldn't take it anymore. R10 again started crying, more forcefully this time and stated, V1 told R10 that R10 didn't have to worry about V19 right now until this situation was all figured out but R10 is "scared and can only imagine how mad (V19) will be and what (V19) will do when (V19) finds out I (R10) told on (V19)." R10, who was still crying at this point started shaking R10's hands back and forth and said, "I (R10) don't want to talk about it anymore, it's too upsetting."</p> <p>On 9/3/23 at 11:00 am, V19 confirmed V19 is suspended pending an abuse allegation against V19 in regards to the situation on 8/31/23 with R10. V19 explained the allegation and confessed to saying "I'm (expletive) done," while walking out of R10's room, leaving the resident naked, uncovered and with the door open. V19 stated V19 said that because V19 was irritated. V19 stated V19 might have also raised V19's voice and yelled at R10 "I'm a loud person in general. (R10) is always telling me to be quiet because (R10) thinks (V19) is talking too loud." V19 also confirmed that R10 has told V19 in the past not to knock on R10's door because R10 feels V19 knocks too loud and it scares R10 and makes R10 jump, but V19 "always knocks on the doors because I (V19) don't want to get into trouble for not knocking."</p> <p>On 9/3/23 at 11:45 am, V1 stated V1 feels like staff should still knock but could knock lighter and</p>	S9999		

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S9999	Continued From page 7 call out the resident name, if a resident has asked for staff not to knock, that is there right. (B)	S9999		