STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
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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 Annual Licensure and Certification Survey	S 000		
S9999	Final Observations Statement of Licensure Violations: (1 of 2) 300.1210b) 300.1210d)3) Section 300.1210 General Requirements for Nursing and Personal Care 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. d) Pursuant to subsection (a), general nursing care shall include, at a minimum, the following and shall be practiced on a 24-hour, seven-day-a-week basis: 3) Objective observations of changes in a resident's condition, including mental and emotional changes, as a means for analyzing and determining care required and the need for further medical evaluation and treatment shall be made by nursing staff and recorded in the resident's medical record. These regulations were not met as evidenced by: Based on interviews and record review, the	S9999		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
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S9999	Continued From page 1	S9999		

facility failed to ensure care and services were provided in accordance with professional standards of practice for a resident who was experiencing a change in condition for 1 (R61) of 4 (R61, R67, R79, R149) of residents reviewed for services provided to meet professional standards in the sample of 58. This failure resulted in R61's unnecessarily prolonged physical distress and anxiety lasting until the resident made arrangements to be taken to the hospital, where she was diagnosed with pneumonia and influenza A

Findings include:

1. R61 is a 60-year-old female with medical diagnoses listed in part, but not limited to chronic obstructive pulmonary disease (COPD); acute respiratory failure with hypoxia; asthma; influenza due to identified novel influenza A virus with other respiratory manifestations; narcolepsy; morbid obesity; and adjustment disorder with anxiety.

On 01/29/2025 at 11:30 AM, R61 said that on 01/12/2025, sometime during the night, she began feeling bad, physically. R61 said she felt very drowsy and was coughing a lot of phlegm, making it hard for her to breath. R61 said she, then, decided she needed to go to the emergency room of the local hospital; so, she asked the nurse on duty to call 911 on her behalf. R61 said she did not remember the name of the nurse she spoke to, but the nurse told her she was not going to call 911 for her because there was nothing wrong with her, and she could get treated at the facility. R61 also said that the following morning, she did not feel any better; so, she asked the same nurse to call 911, and, again, she told her, "No." R61 added that the nurse told her she had no coughing medicine prescribed, so,

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

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BRIA OF ELMWOOD PARK	7733 WEST GRAND AVENUE ELMWOOD PARK, IL 60707

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S9999	Continued From page 2	S9999		

she would have to wait until the doctor ordered it for her. R61 said she, then, fell asleep, and when she woke up, she let V24 (Family Member) know that she wanted to go to the hospital because she felt bad; so, she, eventually, called 911, herself, on 01/13/2025 and was taken to the local hospital. Lastly, R61 said V24 called the facility, and spoke with V2 (Director of Nursing), adding that V24 told her V2 didn't know what to say, and that V2 told V24 V2 would speak to the nurses at the facility but the nurses did what they wanted to do.

On 01/29/2025 at 1:01 PM, V2 said R61 was complaining of knee pain on 01/13/2025 and requested to go out. V2 said R61 was given pain medication. V2 said that R61 called 911 all the time, and that the facility was warned R61, and the facility would be cited and fined for line abuse in the future. V2 said that when R61 called 911 on 01/13/2025, there was no reason for her to be sent out. V2 said she did not know how long R61 stayed at the hospital but that she tested positive for the flu while there. V2 said there were no new medications prescribed for R61 while at the hospital. V2 said she was unaware of any other medical concerns for R61, other than having the flu. Lastly, V2 said the facility staff did not share with her any concerns R61 had on 01/13/2025 about her health.

On 01/29/2025 at 3:18 PM, V2 said R61 called 911 because she preferred having therapy at the hospital.

Per a progress note found in R61's electronic health record and dated 01/13/2025 at 7:37 PM, by V19 (LPN), R61 complained of body pain; V19 gave R61 Acetaminophen 650 mg at 6:30 PM; at approximately 6:40 PM, staff notified V19 that

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BRIA OF ELMWOOD PARK	7733 WEST GRAND AVENUE ELMWOOD PARK, IL 60707

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S9999	Continued From page 3	S9999		

R61 was in her bedroom on the phone with 911; the fire department arrived at 6:50 PM; proper paperwork was given to the team lead; R61 was alert times four; R61 was being transferred to the local hospital via a stretcher; and V19 informed the nurse supervisor on duty.

Per progress note found in R61's electronic health record and dated 01/14/2025 at 7:16 AM, by V25 (LPN), V25 noted to have spoken with a staff member at the local hospital where R61 was taken to the hospital, and was told R61 had been admitted with pneumonia due to infectious organisms and had tested positive for the flu.

Per a progress note found in R61's electronic health record and dated 01/15/2025 at 10:36 PM, R61 arrived back to the facility in stable condition via a private ambulance and was placed on isolation precautions for influenza.

Per R61's electronic health record, no documentation of a head-to-toe physical assessment performed on R61, either on 01/12/2025 or 01/13/2025 was found. Also, no documentation of R61 complaining of knee pain on 01/13/2025, as stated by V2, was found. The only documentation found of an R61 complaint was the progress note by V19 on 01/13/2025 that stated R61 "complained of body pain."

Per R61's hospital discharge documents dated 01/15/2025, two new medications were prescribed for R61 at the hospital; the antibiotic Cefuroxime 500 mg tablet, one tablet by mouth two times daily for five days; and Oseltamivir 75 mg capsule, one capsule by mouth every twelve hours for four days. Per R61's January 2025 medication administration record, Cefuroxime 500 mg was given to R61 twice per day from

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

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S9999	Continued From page 4 01/16/2025 to 01/20/2025 and Oseltamivir 75 mg was given to R61 twice per day from 01/16/2025 to 01/19/2025. The facility "Registered Nurse/Licensed Practical Nurse" job description reads in part, "Essential Duties: Recognize significant changes in the condition of residents and take necessary action." (A) Statement of Licensure Violations: (2 of 2) 300.1210b) 300.1210d)3) 300.1630a) Section 300.1210 General Requirements for Nursing and Personal Care 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. d) Pursuant to subsection (a), general nursing care shall include, at a minimum, the following and shall be practiced on a 24-hour, seven-day-a-week basis: 3) Objective observations of changes in a resident's condition, including mental and emotional changes, as a means for analyzing and determining care required and the need for further medical evaluation and treatment shall be made by nursing staff and recorded in the	S9999		

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	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BRIA OF ELMWOOD PARK	7733 WEST GRAND AVENUE ELMWOOD PARK, IL 60707

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S9999	Continued From page 5	S9999		

resident's medical record.

Section 300.1630 Administration of Medication

a) All medications shall be administered only by personnel who are licensed to administer medications, in accordance with their respective licensing requirements. Licensed practical nurses shall have successfully completed a course in pharmacology or have at least one year's full-time supervised experience in administering medications in a health care setting if their duties include administering medications to residents.

These regulations were not met as evidenced by:

Based on observations, interviews, and record review, the facility failed to provide a credentialed certified respiratory staff, as required by state law, to perform respiratory assessment, treatment, and monitoring for residents requiring respiratory care for 3 of 19 (R67, R79, R149) residents reviewed for respiratory care in the sample of 58.

Findings include:

R67 is a 50 year old female admitted to the facility on 8/12/2021 with diagnosis including but not limited to Chronic Respiratory Failure, Nontraumatic Intracranial Hemorrhage, Dysphasia following Nontraumatic Intracerebral Hemorrhage, Neurocognitive Disorder with Lewy Body; Encounter for Attention to Tracheostomy, and Quadriplegia.

R67's physician order dated 10/06/2024 reads in part, "Tracheostomy tube Portex 6."

R67's physician order dated 12/04/2024 reads in

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S9999	Continued From page 6 part, "Oxygen: TP/TC 40% FiO2." R79 is a 58 year old female admitted to the facility on 10/01/2024 with diagnosis including but not limited to Chronic Respiratory Failure with Hypoxia, Dysphasia following Cerebral Infarction, Tracheostomy Status, Dementia, Encephalopathy, Generalized Anxiety Disorder, and Anoxic Brain Damage. R79's physician order dated 12/13/2024 reads in part, "TRACH: Other: Flex cuffless, SIZE: 6." R79's physician order dated 12/13/2024 reads in part, "Oxygen: Trach collar 40%." R149 is a 56 year old male admitted to the facility on 12/10/2024 with diagnosis including but not limited to Respiratory Failure, Chronic Obstructive Respiratory Disease, Heart Failure, Epilepsy, Tracheostomy Status, and Anemia. R149's physician order dated 01/24/2025 reads in part, "Trach: Shiley, Size: 6 FLEX." R149's physician order dated 01/24/2025 reads in part, VENTILATOR SETTINGS: Mode: A/C, Rate: 14 Tidal Volume: 450, PEEP: 5, FIO2: 40, Continuous? Yes." On 01/27/25 at 11:43 AM V4 (Respiratory Therapy Director) said, "It's me and another staff, she's a student, working today (on the respiratory unit). There are 20 residents, 19 have been assessed as needing respiratory therapist attention. V5 (Respiratory Technician/Student) is not a student, but she is not certified yet. Some of our tasks, respiratory therapist, include suctioning, tracheostomy care, ventilator checks, assessments, responding to respiratory	S9999		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
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S9999	Continued From page 7	S9999		

emergencies, and transporting tracheostomy dependent residents to the dialysis."

On 01/27/25 at 12:07 PM Surveyor observed V5 (Respiratory Technician/Student) independently providing tracheostomy care to R149. V5 (Respiratory Technician/Student) said upon interview, "I have 10 residents assigned to me today, in rooms 310-322. As a respiratory technician, I do assessments, tracheostomy care, I check vital signs, and I also give medications."

On 01/27/25 at 01:37 PM Surveyor observed V5 (Respiratory Technician/Student) gathering tracheostomy care supplies and independently going into R79's room. Shortly after, upon leaving R79's room, V5 said, "I just finish R79's tracheostomy care and will be giving medications, breathing treatment, to R67 next."

On 01/27/25 at 01:40 PM V5 (Respiratory Technician/Student) said in the follow up interview, "I've been working in the facility since January of 2022. At first, I was shadowing respiratory therapists to get my clinical experience; however, I have been working independently since January of 2023. I've always been a full-time employee. My assignment changes, essentially, I provide care to all residents on the respiratory unit. When I was initially hired (January of 2022), I wasn't told that I have to finish respiratory program within any time period. The facility administration recently started to push me to finish the program. I am supposed to graduate in June of 2025, and then I can register for the Certified Respiratory Therapist (CRT) test that will allow me to obtain my license." Upon observation, V5's employee badge does not designate V5 as a student.

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	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
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S9999	Continued From page 8 On 01/27/25 at 01:45 PM Surveyor observed V5 (Respiratory Technician/Student) independently administer medications consisted of breathing treatment to R67. R67's physician order dated 12/04/2024 reads in part, "IPRATR/ALBUT 0.5MG-3MG/3ML NEB 3 ml via trach every 8 hours related to CHRONIC RESPIRATORY FAILURE, UNSPECIFIED WHETHER WITH HYPOXIA OR HYPERCAPNIA." On 01/27/25 at 02:09 PM V4 (Respiratory Therapy Director) said in the follow up interview, "The condition given to V5 (Respiratory Technician/Student) was 6 to 12 months to obtain the credentials to get respiratory certification, but it is not documented. The requirement to work in the facility as a respiratory therapist, is to have an active license. V5 hasn't obtained her license yet. I think she finished the respiratory program in December of 2024 but won't graduate until May of 2025, so there is no documentation to confirm that. There are no limitations as to what tasks V5 can perform as a respiratory staff at this point, V5 can do everything that's listed under respiratory therapist job description, such as assessments, tracheostomy care, and medication administration. V5 works independently and does not require supervision while completing her tasks. " On 01/28/2025 10:52 AM V6 (Human Resources Director) said, "I facilitate process of new hire orientation, employee relations, and corrective actions in the facility. I also run background checks and check licenses (upon hire only) to make sure to make sure new hired staff gave active licenses but don't check after the initial check. I was not here when V5 (Respiratory	S9999		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
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S9999	Continued From page 9	S9999		

Technician/Student) was hired (January of 2022). V5 does not have respiratory therapy license. I've been made aware when I started in October of 2024 of it by V4 (Respiratory Therapy Director). When V4 brought it to my attention, I didn't do anything. Knowing now, that V5 doesn't have a license, I'll have to go through regulations and make sure she's not practicing respiratory therapist duties if she's not a respiratory therapist."

On 01/28/2025 at 11:05 AM V7 (Regional Respiratory Program Director) said, "V5 (Respiratory Technician/Student) does not have respiratory therapy license. V5 was originally hired as a student. V5 was allowed to work as she's completing her study. V5 is assigned with a licensed respiratory therapist while she's on the duty, she has not been working independently. There is never a time when she's worked solely. A licensed respiratory therapist should be available to V5 for any reference. The supervising staff should be on the same unit but does not have to have direct eyesight on the individual. V5 only does routine respiratory care. We gave V5 time to obtain her license until June of 2025. V5 has been a student since January of 2022. V5 has been passing medication, completing assessments and monitor respiratory therapy dependent residents under licensed respiratory therapist supervision since then (01/2022). We've been monitoring and supervising V5 for approximately two years now. V5's job responsibility is respiratory therapist job, but she's not allowed to do ventilator set up, testing, and changes to ventilator setting. The respiratory therapist job description doesn't differentiate specific job duties limited to respiratory technician."

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BRIA OF ELMWOOD PARK	7733 WEST GRAND AVENUE ELMWOOD PARK, IL 60707

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S9999	Continued From page 10	S9999		

On 01/28/2025 at 11:24 AM V1 (Administrator) said, "Respiratory department is new to me. When I started (October 2024), I was made aware we have a student working and that she should be supervised by a licensed respiratory staff. Licensed respiratory staff has to work with her on the same unit. I don't know the acceptable time frame for unlicensed personnel to complete the school and obtain their license."

On 01/28/2025 at 1:27 PM In the follow up interview V1 (Administration) said, "I was told that we need two respiratory therapists for each 12 hour shift. V5 is counted as one of the two respiratory therapists needed on the shift."

On 01/28/2025 at 1:55 PM V7 (Regional Respiratory Program Director) said in the follow up interview, "There is no particular calculation to come up with respiratory therapist to resident ratio, but we keep it under 1:14, so 1 respiratory therapist to 14 residents. The ratio was created by the company, but there is no federal or state standard for that. It seems reasonable."

On 01/28/2025 at 01:56 PM V9 (Medical Director) said, "All direct patient care staff have to be licensed in order to provide patient care. Unless they are students. If direct patient care staff consist of students, they should be directly supervised, in the supervisor's presence, when performing their tasks. Students cannot provide direct care by themselves. Students should identify themselves as a student. The resident safety is the number one concerns if care by unlicensed staff. Even licensed staff makes mistake, nonetheless, unlicensed."

On 01/28/2025 at 2:00 PM surveyor asked V6 (Human Resources Director) to present active

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BRIA OF ELMWOOD PARK	7733 WEST GRAND AVENUE ELMWOOD PARK, IL 60707

(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
S9999	Continued From page 11	S9999		

respiratory therapy licenses for all active respiratory therapist working in the facility. Shortly after, V6 (HR Director) brought everyone's but V10 (Respiratory Technician/Student) and said, "V10 was hired under the same conditions as V5 and does not have a respiratory therapy license."

On 01/29/2025 at 11:42 AM V7 (Regional Respiratory Director), "V6 (Human Resource Director) and V4 (Respiratory Therapy Director) should be checking credentials every 2 years when licenses are due to be renewed, and active licenses should be in an employee file. The agreement was to have V5 and V10 obtain their credentials upon graduation, Dec 2024 for V10 and June 2025 for V5. Their respiratory program is three years I think, normally, the respiratory program is two years. They go to the same school." Surveyor clarified, how are V5 and V10 competent to complete assigned tasks and make acute care decisions in the respiratory setting, V7 (Regional Respiratory Director) said, "V5 and V10 had 1 on 1 orientation upon hire, they have competence checks and in-services provided in the facility, and direct observation by V4 (Respiratory Therapy Director)." Surveyor asked to define student appropriate respiratory tasks, V7 (Regional Respiratory Director) said, "V5 and V10 are both students, are their responsibilities are done under supervision and consist of: oral and tracheal suctioning, general resident assessment that includes vital signs, oxygen levels, responding to alarms, responding emergencies, providing care to tracheal stoma, which consist of cleaning stoma site, and changing the dressing; and reporting any changes to the therapist and/or the nurse who works with them. V5 and V10 cannot do ventilator set up, testing and changes to ventilator setting." When asked why it is inappropriate for V5 and

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BRIA OF ELMWOOD PARK	7733 WEST GRAND AVENUE ELMWOOD PARK, IL 60707

(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
S9999	Continued From page 12	S9999		

V10 do ventilator set up, testing, and changes to ventilator setting, V7 (Regional Respiratory Director) said, "I know the answer to your question"; however, refused to answer the question.
V5's (Respiratory Technician/Student) most recent competency check done 09/23/2022 and most recent in-service done 03/16/2024. Neither training differentiates V5 as a student.

V10's (Respiratory Technician/Student) most recent competency check done 01/25/2024 and most recent in-service done 03/08/2024. Neither training differentiates V10 as a student.

R67's ventilator administration record dated 01/01/2025 to 01/27/2025 shows V5 (Respiratory Technician/Student) and V10 (Respiratory Technician/Student) completing respiratory assessment, treatment, and monitoring multiple times within the above time interval.

R79's ventilator administration record dated 01/01/2025 to 01/30/2025 shows V5 (Respiratory Technician/Student) and V10 (Respiratory Technician/Student) completing respiratory assessment, treatment, and monitoring multiple times within the above time interval.

R149's ventilator administration record dated 01/01/2025 to 01/30/2025 does not show observed tracheostomy care performed on 01/27/25 at 12:07 PM by V5 (Respiratory Technician/Student).

Per electronic medical record legend, V5's initials are "vc99", V10's initials are "it13".

R67's ventilator/aerosol flowsheets dated 01/01/2025, 01/07/2025, 01/10/2025, 01/13/2025,

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	IL6008270	A. BUILDING: _____ B. WING _____	02/03/2025

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BRIA OF ELMWOOD PARK	7733 WEST GRAND AVENUE ELMWOOD PARK, IL 60707

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S9999	Continued From page 13 01/16/2025, 01/19/2025, 01/21/2025, 01/24/2025, and 01/27/2025 show V5 (Respiratory Technician/Student) performing ventilator setting checks, providing tracheostomy care, completing respiratory assessment, and suctioning. R67's ventilator/aerosol flowsheets dated 01/10/2025, 01/11/2025, 01/18/2025, and 01/24/2025 show V10 (Respiratory Technician/Student) performing ventilator setting checks, providing tracheostomy care, completing respiratory assessment, and suctioning. R79's ventilator/aerosol flowsheets dated 01/01/2025, 01/05/2025, 01/13/2025, 01/16/2025, 01/18/2025, 01/19/2025, 01/21/2025, 01/24/2025, 01/26/2025, and 01/27/2025 show V5 (Respiratory Technician/Student) performing ventilator setting checks, providing tracheostomy care, completing respiratory assessment, and suctioning. R79's ventilator/aerosol flowsheets dated 01/10/2025, 01/11/2025, 01/18/2025, and 01/24/2025 show V10 (Respiratory Technician/Student) performing ventilator setting checks, providing tracheostomy care, completing respiratory assessment, and suctioning. R149's ventilator/aerosol flowsheets dated 01/01/2025, 01/04/2025, 01/05/2025, 01/07/2025, 01/10/2025, 01/13/2025, 01/16/2025, 01/25/2025, 01/26/2025, and 01/27/2025 show V5 (Respiratory Technician/Student) performing ventilator setting checks, providing tracheostomy care, completing respiratory assessment, and suctioning. R79's ventilator/aerosol flowsheets dated 01/11/2025, 01/18/2025, and 01/24/2025 show	S9999		

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S9999	Continued From page 14	S9999		

V10 (Respiratory Technician/Student) performing ventilator setting checks, providing tracheostomy care, completing respiratory assessment, and suctioning.

August 2024 - January 2025 respiratory therapy schedule lists V5 (Respiratory Technician/Student) and V10 (Respiratory Technician/Student) as respiratory therapists with no assigned preceptor and no indication of student designation.

The facility assessment "Overall Staffing Needs" shows, "Respiratory Therapist Director 7a-7p - 1, Respiratory Therapist 7a-7p - 1, and Respiratory Therapist 7p-7a - 2."

Staff list provided by the facility misrepresents, both V5 (Respiratory Technician/Student) and V10 (Respiratory Technician/Student) as Respiratory Therapists.

Per record review, facility does not ensure accurate credentialed certified respiratory therapist to patient ratio by including students in the respiratory therapy schedule.

V5's (Respiratory Technician/Student) healthcare worker registry lists V5 as "Technical, Unlicensed Health Care" personnel.

V10's (Respiratory Technician/Student) healthcare worker registry lists V10 as "Technical, Unlicensed Health Care" personnel.

The facility "Respiratory Therapist" job description signed by V5 (Respiratory Technician) on 01/17/2022 reads in part, "Qualification: 1. Graduate of an accredited Respiratory Therapy program; 2. Respiratory Therapist certification is

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S9999	Continued From page 15 listed as Respiratory Care Practitioner in the State of Illinois; 3. Current License in good standing." The facility "Respiratory Therapist" job description signed by V10 (Respiratory Technician) on 04/27/2022 reads in part, "Qualification: 1. Graduate of an accredited Respiratory Therapy program; 2. Respiratory Therapist certification is listed as Respiratory Care Practitioner in the State of Illinois; 3. Current License in good standing." "Respiratory Care Practice Act" reads in part, " The purpose of the Act is to protect and benefit the public by setting standards of qualifications, education, training, and experience for those who seek to obtain a license and hold the title of respiratory care practitioner, to promote high standards of professional performance for those licensed to practice respiratory care in the State of Illinois, and to protect the public from unprofessional conduct by persons licensed to practice respiratory care. "Licensed" means that which is required to hold oneself out as a respiratory care practitioner as defined in this Act. "Proximate supervision" means a situation in which an individual is responsible for directing the actions of another individual in the facility and is physically close enough to be readily available, if needed, by the supervised individual. "Respiratory care education program" means a course of academic study leading to eligibility for registry or certification in respiratory care. The training is to be approved by an accrediting agency recognized by the Board and shall include an evaluation of competence through a standardized testing mechanism that is determined by the Board to be both valid and reliable. Sec. 20. Restrictions and limitations. (a)	S9999		

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S9999	Continued From page 16	S9999		

No person shall, without a valid license as a respiratory care practitioner (i) hold himself or herself out to the public as a respiratory care practitioner; (ii) use the title "respiratory care practitioner"; or (iii) perform or offer to perform the duties of a respiratory care practitioner. Sec. 50. Qualifications for a license. (a) A person is qualified to be licensed as a licensed respiratory care practitioner, and the Department may issue a license authorizing the practice of respiratory care to an applicant who: (1) has applied in writing on the prescribed form and has paid the required fee; (2) has successfully completed a respiratory care training program approved by the Department; (3) has successfully passed an examination for the practice of respiratory care authorized by the Department, within 5 years of making application; and (4) has paid the fees required by this Act. A person may practice as a respiratory care practitioner if he or she has applied in writing to the Department in form and substance satisfactory to the Department for a license as a licensed respiratory care practitioner and has complied with all the provisions under this Section except for the passing of an examination to be eligible to receive such license, until the Department has made the decision that the applicant has failed to pass the next available examination authorized by the Department or has failed, without an approved excuse, to take the next available examination authorized by the Department or until the withdrawal of the application, but not to exceed 6months. An applicant practicing professional registered respiratory care under this subsection (c) who passes the examination, however, may continue to practice under this subsection (c) until such time as he or she receives his or her license to practice or until the Department notifies him or her that the license has been denied. No

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S9999	Continued From page 17 applicant for licensure practicing under the provisions of this subsection (c) shall practice professional respiratory care except under the direct supervision of a licensed health care professional or authorized licensed personnel. In no instance shall any such applicant practice or be employed in any supervisory capacity." (B)	S9999		