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	IL6014666	A. BUILDING: _____ B. WING _____	C 03/30/2021

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S 000	Initial Comments Complaint investigation # 2171872/IL00131944.	S 000		
S9999	Final Observations Statement of Licensure Violations: 300.610a) 300.1210b) 300.1210d)2)6) 300.1220b)2) 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 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	S9999	Attachment A Statement of Licensure Violations	

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S9999	Continued From page 1 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: 2)All treatments and procedures shall be administered as ordered by the physician. 6)All necessary precautions shall be taken to assure that the residents' environment remains as free of accident hazards as possible. All nursing personnel shall evaluate residents to see that each resident receives adequate supervision and assistance to prevent accidents. Section 300.1220 Supervision of Nursing Services b)The DON shall supervise and oversee the nursing services of the facility, including: 2) Overseeing the comprehensive assessment of the residents' needs, which include medically defined conditions and medical functional status, sensory and physical impairments, nutritional status and requirements, psychosocial status, discharge potential, dental condition, activities potential, rehabilitation potential, cognitive status, and drug therapy. These Requirements were not met evidencded by: Based on interview, and record review, the facility failed to supervise a resident (R1), who had a medical condition of dysphagia (difficulty	S9999		

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S9999	Continued From page 2	S9999		

swallowing foods or liquids). As a result of this failure, R1 had choked while eating a roast beef sandwich and ultimately expired due to food aspiration on 1/31/2021. Also, facility failed to follow physician order regarding a prescribed modified diet to a resident (R1) who had a medical condition of dysphagia (difficulty swallowing foods or liquids).

This applies to 1 of 4 residents (R1) reviewed for safety related to aspiration risk.

The findings include:

R1, a 78 - year old long term resident with diagnoses of anemia, acute kidney injury, hemiplegia, hemiparesis, following CVA (Cerebral Vascular Accident), vascular dementia, anxiety disorder, hypertension, muscle wasting, and atrophy of multiple sites, dysphagia with oropharyngeal phase and was positive for COVID-19. R1 was originally admitted to the facility on 2/24/2016. The progress notes dated 1/23/2021 showed that R1 was sent to the hospital because R1 started to decline, was weak, had difficulty swallowing and was positive for COVID -19 infection. R1 was admitted to the hospital with diagnoses of dehydration, anemia, hypokalemia and positive for COVID-19. The hospital record dated 1/23/2021 showed that R1's prescribed diet was a pureed diet and nectar thick liquid with 1:1 staff supervision due to aspiration precaution. R1 was transferred back to the facility on 1/27/2021. The hospital transfer record dated 1/27/2021 showed a prescribed diet of a mechanical soft diet and nectar thick liquid for R1.

The POS (Physician Order Sheet) for the month of January 2021 showed the following orders for

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R1:
-on 1/22/2021, diet was downgraded to a mechanical soft diet and nectar thick liquid.
-on the readmission order dated 1/27/2021 were:
1) Mechanical diet and nectar thick liquid
2) Full Code status
3) Physical and occupational therapy
4) Speech therapy for dysphagia management and diet tolerance

The Nursing Admission Summary dated 1/27/2021 showed that R1 was alert, oriented to person, and place. The summary also revealed that R1 was a Full Code status. The summary also showed that R1 had "dementia in which he forgets to eat and drink." As indicated on this summary, R1 was on aspiration precautions and that he required supervision when eating.

The facility's incident report dated 1/31/2021 showed that R1 was served Italian Beef sandwich for lunch by V6 and V7 (CNAs) on 1/31/2021. After V6 and V7 had opened the wrapper of the Italian beef sandwich for R1 to use his hands to eat, both V6 and V7 had left R1, unsupervised while eating beef sandwich, and french fries that was served to him. V6 and V7 proceeded to pass lunch trays to the rest of the residents in the nursing unit. After V6 and V7 was done passing lunch trays, they passed by R1's room and saw R1 slumped over, skin was pale, and R1 was not responsive, not breathing and no pulse beat. V4 and V5 (Nurses) were summoned immediately and initiated CPR (Cardiopulmonary Resuscitation) and another CNA had called 911 emergency life service. Paramedics worked on R1 and tried to revive him to no avail. R1 expired and pronounced dead at 1:21 P.M. on 1/31/2021.

The nurse's progress notes dated 1/31/2021

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S9999	Continued From page 4 showed the following events prior to R1's demise: -11:45 A,M. - Entered by Activity Staff: "(R1's) daughter, and granddaughter came around 11:45. The granddaughter brought the food to the front desk. I then took it and delivered it. I left it on his table out of his reach because he was sleeping. I don't know what was in the bag." - 1145 A.M. - Portillo's bag dropped off to facility and front desk delivers food to resident's room and food is placed on bedside table - 1230 - "(V6) passed by residents room and noticed he was slumped over, pale skin color, and immediately yelled out to V5 (Nurse) for help, (V5) runs to V4 (RN) for help. - 1232- (V4) and (V5) initiate CPR (Cardio Pulmonary Resuscitation) and (V4) swipes softened substance out of (R1's) throat, CNA called 911, (V7) went to get oxygen tank, (V6) went to get crash cart. - 1240- EMS arrives at facility and takes over CPR with Police officers waiting by the main door entrance. - 1:30 P.M., (V5) calls (R1's) POA (Power of Attorney) daughter. - 1:40 P.M., (R1's) daughter arrives at facility, states to (V4) "if he choked eating an Italian beef, then he died happy" please tell the coroner "I do not want an autopsy to be done to him, please don't let them do that to him" - 3:00 P.M. - Coroner came to facility and took pictures and did evaluation. - 3:00 P.M. - funeral home came to pick up (R1)"	S9999		

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S9999	Continued From page 5 During the survey, interviews were held with the following staff who were involved with the care regarding R1's dysphagia treatment and aspiration/swallowing precautions: 1) On 3/26/2021 at 11:30 A.M., interview with V1 (Former Administrator, in charged at the facility at time of R1's choking incident). V1 stated that R1 was on "mechanical soft diet and anyone prescribed with altered/modified diet requires some form of supervision. My CNAs left (R1) room after they set up the Italian Beef from Portillo's that (R1's) family had brought for him. My CNAs then left (R1's) room with the Italian Beef sandwich was within R1's reach without supervision. My CNAs proceeded to pass lunch trays to other residents in the nursing unit. My Activity staff was the one who brought the Italian beef bought from Portillos by (R1's) family for (R1's) lunch. During lunch time on 1/31/2021, R1 was found unresponsive, with the Italian beef sandwich loosely on (R1's) hand. CPR initiated timely, paramedics took over, however, was not able to revive (R1). The (2) CNAs and the Activity were no longer being employed at the facility after this choking incident." 2) On 3/27/2021 at 1:59 A.M., interview with V8 (Activity Aide), stated that R1's daughter had brought a bag of Portillos sandwich to the facility for R1's lunch around 11:45 A.M. on 1/31/2021. V8 also added that this is nothing new since R1's family had always brought Portillos food for R1. V8 added that she delivered the Portillos sandwich bag to R1's room and placed it on the bedside table where R1 cannot reach. V8 also added that she had informed V6 and V7 that she had placed the Portllos sandwich and placed it on R1's bedside table.	S9999		

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S9999	Continued From page 6 3) On 3/27/2021 at 2:05 P.M., interview with V7 (CNA), stated that together with V6, both of them have elevated R1's head of bed while R1 was lying in bed in preparation for lunch on 1/31/2021. V7 also added that R1 was sleepy and weak. V7 stated that she opened the sandwich bag that R1's family had brought. V7 added that it was a Portillos Italian Roast Beef sandwich, 2 precut sandwiches measuring approximately 4-5 inches long of French/submarine bread and in it were slices of roast beef. There was also a bag of french fries that came with it. V7 does not remember if there was a carbonated drink that came with it nor if this drink was thickened to nectar thick consistency. V7 also stated that neither she nor V6 had cut the beef, or french bread. V7 also stated that she was aware that R1 was on mechanical soft diet. V7 added that R1 was a risk of aspiration that was why they have elevated the head of R1's bed. V7 also stated that both she and V6 left R1, unsupervised while eating the Italian roast beef sandwich and french fries. V7 also added that R1 was eating the french fries. V7 also added that R1 was holding the precut Italian beef sandwich in his right hand. V7 stated that both she and V6 proceeded to pass lunch trays to the rest of the residents in the nursing unit. V7 also added that after passing the lunch trays for the residents in the unit, both she and V6 passed by R1's room and saw R1 slumped over, unresponsive and immediately summoned V4 and V5 (Nurse) for help. 4) On 3/29/2021 at 3:00 P.M., interview with V6 stated that both she and V7 served the Portillos Italian Roast Beef sandwich to R1. V6 added that they opened the sandwich wrapper, left R1 eating the sandwich without supervision and her and V7 proceeded to pass lunch trays to other residents.	S9999		

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S9999	Continued From page 7 V6 added that R1 was on mechanical soft diet and honey thick liquid but no one told her that R1 needs to be supervised. V6 also stated that her employment from the facility was terminated because she did not follow the facility's policy but does not know what kind of policy but was in regards to R1's choking. 5) On 3/27/2021 at 3:10 P.M. interview with V4 (Registered Nurse) stated that on 1/31/2021 around 12:30 P.M., V6 and V7 yelled for help because R1 was found unresponsive. V4 added that she and V5 immediately went to R1's room. V4 found R1 lying in bed, unresponsive, not breathing and no pulse. V4 also stated that R1 was loosely holding a precut Italian beef sandwich in his right hand. V4 added that there was a bite or two from the sandwich. V4 also added that she swiped R1's mouth and was able to remove some amount of mushy type off white/light brown color that "most definitely resemble part of the chewy and hard French bread and the sliced roast beef." V4 added that R1 was on a mechanical soft diet and on aspiration risk and needed supervision for eating. V4 added that CPR was initiated immediately, paramedics called and took over R1's care. Despite of paramedics' effort, R1 had expired at the facility as V4 continued to state. V4 also added that she called R1's daughter, came to facility while paramedics were still working on R1. V4 also added that when R1 was pronounced dead, R1's daughter had stated "at least he died happy eating his favorite food." 6) On 3/30/2021 at 9:15 A.M, interview with V5 (Licensed Practical Nurse) stated that she was aware that R1 was on mechanical soft diet, and on aspiration precaution and should have been supervised when eating. V5 also added that she	S9999		

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S9999	Continued From page 8 was not informed that R1 was served with the Italian roast beef sandwich, because if she would have known, she would have not let R1 eat it since definitely R1 will choke. V5 also added that " even a person with no swallowing difficulty have problems swallowing french bread that was chewy and tough and sliced beef, that though was thinly sliced, they were long." V5 stated that CPR was immediately initiated, paramedics took over but R1 expired at the facility despite efforts were made to revive him V5 also added that R1's daughter was at the facility when paramedics were working on R1. V5 also stated that R1's daughter had stated that "at least he died happy eating his favorite food." 7) On 3/27/2021 at 5:45 P.M., interview with V9 (R1's Attending Physician) stated that she deferred all plan of care regarding swallowing difficulty management and diet tolerance to the speech therapist. V9 also added that she refused to sign the death certificate since R1 was pronounced dead by the paramedics. 8) On 3/28/2021 at 10:30 A.M., interview with V10 (Speech Therapist) stated that he had provided a speech therapy treatment to R1 prior to hospitalization on 1/22/2021 because R1 had swallowing difficulty. V10 also added that he downgraded R1's diet on 1/22/2021 to a mechanical soft, was placed on aspiration precaution due to risk of aspiration. V10 also added that he assessed, evaluated and provided plan of treatment regarding R1's dysphagia/swallowing difficulty on 1/29/2021 when R1 had returned back to the facility from the hospital on 1/27/2021. V10 also added that R1 was placed on a mechanical soft diet, placed aspiration precaution and " needed direct supervision to provide verbal cues to (R1) for	S9999		

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S9999	Continued From page 9 safety swallowing techniques like taking a small bite/ swallow, clear throat alternate with honey thick liquid. (R1) will not be able to do this on his own because (R1) lack safety awareness. I told the plan of care regarding safety swallowing precaution to staff and (V5). I did not informed (R1's) family because I did not get a chance and before given a chance (R1) had already choke from the Italian roast beef. (R1) should not have been given that Italian roast beef, it was not the right diet consistency for him and will he definitely choke from it especially no staff was there to supervise and give verbal cues for safety swallowing. I wrote on my documentation distant supervision because in the real, perfect world, they cannot provide that to him because the CNAs were doing other task, but indeed (R1) needed to be directly supervise. His food should be ground meat like the ground meat that was use to mix with a spaghetti sauce. " The Speech Therapy Assessment and Evaluation dated 1/29/2021 made by V10 showed that R1 was assessed as follows: " Short Term Goals: 1. (R1) will safely swallow mechanical soft and nectar thick fluids using alternation of liquids/solids, hard throat clear/re-swallow, effortful swallow, no straws, and general swallow techniques/precautions with 80% of attempts and 20% verbal cues in order to decrease signs and symptoms of oral and or pharyngeal dysphagia. 2. (R1) will complete oral motor exercises given skilled instruction and 35 %. Verbal cues in order improve mastication of solids and to improve lingual ROM (Range of Motion) and strength.	S9999		

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S9999	Continued From page 10 Long Term Goals: 1. (R1) will safely swallow mechanical soft and nectar thick liquids using alternation of liquids/solids, hard throat clear/re-swallow, effortful swallow, no straw and general swallow techniques/precautions with 90% of attempts and with occasional verbal cues in order to decrease signs and symptoms of oral and or pharyngeal dysphagia. Patient Goals: (R1) goals on dysphagia management and diet tolerance. Potential for Achieving Goals: (R1) demonstrates good rehab potential as evidenced ability to swallow 1 step directions, supportive caregivers/staff, participation in passive activity and able to make needs known. Participation: Patient/Caregiver participated in establishing POT (Plan of Treatment)." The speech assessment also showed that R1 had an oropharyngeal phase of swallowing difficulty. The facility policy for Food and Nutrition Services dated 5/19/1999 with revision date of 2/19/2021 showed that "Mechanical Soft- a Regular diet with meat ground and other foods cooked to a soft consistency." The facility's Guidelines for Aspiration Precautions were: "Residents who require swallowing/aspiration precautions are to have the following carried out: - Speech therapy evaluation - Plan of care to reflect targeted precautions as recommended by speech; may include but not limited to: - No straws - Small bites/drinks - Monitor for secretions	S9999		

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S9999	Continued From page 11 - Head of bed (HOB) elevation - Increased 1:1 supervision ...." The death certificate showed R1 had expired on 1/31/2021 at 1:21 P.M. with immediate cause of death as "aspiration of food bolus." The death certificate also showed that significant factors that cause the death were: dysphagia and CVA." " AA "	S9999		