Illinois Department of Public Health

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

TITLE

(X6) DATE

Illinois Department of Public Health
STATEMENT OF DEFICIENCIES (X1) PROVIDER/SUPPLIER/CLIA

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION A. BUILDING:			(X3) DATE SURVEY COMPLETED	
IL600167		IL6001671	8. WING		06/11/2	C 06/11/2021	
NAMEOF	PROVIDER OR SUPPLIER	STREET AD	DRESS, CITY,	STATE, ZIP CODE	•		
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S9999	Continued From pa	ge 1	S9999				
4	The following offens Act and this Part. Of disqualifying until the legislation adding the regardless of the date of the offense (see C of this Part).	ses are disqualifying under the Offenses are not considered e effective date of the ne offenses to the Act, ate an individual is convicted Appendix A through Appendix the Criminal Code of 1961 or					
	6) Assault; agg battery of an unborr aggravated domest heinous battery; agg firearm; aggravated a firearm equipped designed or used fo firearm; aggravated battery of an unborr senior citizen; or drubodily harm [720 ILC 3.05, 12-3.1, 12-4.2-5, 12-4.3, 12 (formerly III. Rev. St 12-2, 12-3, 12-4.1, 12-4.3, 12-4.4, 12-4.1985, ch. 38, par. 9-38, pars. 55, 56, and	ravated assault; battery; in child; domestic battery; ic battery; aggravated battery; ic battery; aggravated battery with a battery with a machine gun or with any device or attachment or silencing the report of a battery of a child; aggravated in child; aggravated battery of a ug-induced infliction of great CS 5/12-1, 12-2, 12-3, 12-4, 12-4.1, 12-4.2, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-3.2, 12-4, 12-4.1, 12-4.2, 12-3.2, 12-4, 12-4.1, 12-4.2, 16, and 12-4.7; III. Rev. Stat. 1.1; III. Rev. Stat. 1961, ch. d 56a to 60b); at 43 III. Reg. 3665, effective					
1455 -	Section 955.165 Fin History Records Che a) Educational entit schools, and health to check the Health allowing a student to hiring an employee 1) Whether a fin	ies, other than secondary care employers are required Care Worker Registry before penter a training program or to determine: agerprint-based criminal alsk has previously been	16				

Illinois Department of Public Health

PRINTED: 07/12/2021 FORM APPROVED Illinois Department of Public Health STATEMENT OF DEFICIENCIES (X1) PROVIDER/SUPPLIER/CLIA (X2) MULTIPLE CONSTRUCTION (X3) DATE SURVEY AND PLAN OF CORRECTION IDENTIFICATION NUMBER: COMPLETED A. BUILDING: B. WING IL6001671 06/11/2021 NAME OF PROVIDER OR SUPPLIER STREET ADDRESS, CITY, STATE, ZIP CODE 905 WEST CHESTNUT STREET CHESTNUT CORNER S C LOUISVILLE, IL 62858 SUMMARY STATEMENT OF DEFICIENCIES PROVIDER'S PLAN OF CORRECTION (X4) ID (X5) COMPLETE PRÉFIX (EACH DEFICIENCY MUST BE PRECEDED BY FULL **PREFIX** (EACH CORRECTIVE ACTION SHOULD BE REGULATORY OR LSC IDENTIFYING INFORMATION) TAG TAG CROSS-REFERENCED TO THE APPROPRIATE DATE DEFICIENCY) S9999 Continued From page 2 S9999 of "FEE APP" or "CAAPP". B) If the individual has disqualifying convictions and a waiver has not been granted pursuant to this Part, the individual is not allowed to work as a direct care giver for a health care employer or as an individual with access to residents, the resident's living quarters, or the resident's financial, medical or personal records in a long-term care setting. f) A health care employer who makes a conditional offer of employment to an applicant who is not exempt under Section 955.130, for a position as an employee, shall initiate a fingerprint-based criminal history records check on the applicant, if such a background check has not been previously conducted. A health care employer shall not use the fingerprint-based criminal history records check process provided in the Act and this Part to initiate background checks for applicants for employment positions to which the Act and this Part do not apply. (Section 33(d) of the Act) These Requirements have NOT been met as evidenced by the following: Based on interview and record review, the facility failed to initiate an employee background check within 30 days of employment and failed to deflect the employment of an individual with a disqualifying criminal offense. This has the potential to affect all 63 residents living in the

Minois Department of Public Health

facility.

Findings include:

On 06/11/21 at 7:55am, V3, Ombudsman, stated staff at the facility had complained to her that V1,

Administrator, had not initiated a timely background check on V2. Aide. Staff had also

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Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION

ILEGORIES

NAME OF PROVIDER OR SUPPLIER

CHESTNUT CORNER'S C

STREET ADDRESS, CITY, STATE, ZIP CODE

905 WEST CHESTNUT STREET LOUISVILLE, IL 62858

LOUISVILLE, IL 62858							
(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			
\$9999	Continued From page 3	S9999					
1,5	complained to her V2, Aide, had been convicted of felony battery, and V1, Administrator, was aware of the offense but had allowed V2 to remain employed.						
	On 06/11/21 at 10:25am, V1, Administrator, stated the facility utilizes the Joint Committee on Administrative Rules Administrative Code Title 77: Public Health Part 955 Healthcare Worker Background Check code guidelines as their Healthcare Worker Background Check Policy. V1						
-	stated the facility sends all new employees to a third party vendor for their background checks within ten days of hiring. V1 stated he believes changes in licensure regulations due to Covid restrictions may have lengthened the allowable time alloted to initiate background checks. V1						
	stated V2's payroll title is Aide, with duties ranging from resident care to maintenance. V1 stated V2 was hired on 7/14/20, and was sent for a background check within ten days of hire. V1 stated on 10/08/20, the facility was notified by the Illinois Department of Public Health(IDPH)						
	Healthcare Worker Registry that V2 had the disqualifying offense of aggravated battery. V1 stated he was not sure why they did not receive notification about the disqualifying offense until three months later. V1 stated V2 was allowed to remain in the facility's employ as they were short		5)				
-	staffed, and V1 believed IDPH had issued guidance that employees with disqualifying offenses could be waived due to the Covid pandemic. V1 asked the surveyor if she felt V2's employment was problematic, as V2 was scheduled to work this night and he would need to try to find coverage if he was going to have to terminate V2.			F2			
	An Email correspondence from IDPH, dated	1.1					

Illinois Department of Public Health

10/08/20, documented, "Subject: (V2) Please be

PRINTED: 07/12/2021 FORM APPROVED Illinois Department of Public Health STATEMENT OF DEFICIENCIES (X1) PROVIDER/SUPPLIER/CLIA (X2) MULTIPLE CONSTRUCTION (X3) DATE SURVEY AND PLAN OF CORRECTION IDENTIFICATION NUMBER: A. BUILDING: COMPLETED B. WING IL6001671 06/11/2021 NAME OF PROVIDER OR SUPPLIER STREET ADDRESS, CITY, STATE, ZIP CODE 905 WEST CHESTNUT STREET CHESTNUT CORNER S C LOUISVILLE, IL 62858 SUMMARY STATEMENT OF DEFICIENCIES (X4) ID PROVIDER'S PLAN OF CORRECTION ID (X5) COMPLETE PRÉFIX (EACH DEFICIENCY MUST BE PRECEDED BY FULL PREFIX (EACH CORRECTIVE ACTION SHOULD BE REGULATORY OR LSC IDENTIFYING INFORMATION) TAG CROSS-REFERENCED TO THE APPROPRIATE TAG DATE **DEFICIENCY**) S9999 Continued From page 4 S9999 advised that the fingerprint based criminal history records check has been completed for the individual listed. The records revealed a criminal conviction for this individual. Pursuant to the Health Care Worker Background Check Act, the revealed conviction causes the individual to be ineligible to be hired, employed, or retained by a health care employer or long term care facility, unless IDPH has granted a waiver. (A) Waiver may be requested after 04/29/22." Guidance at the Joint Committee on Administrative Rules Administrative Code Title 77: Public Health Section 330.911 Part 955 Healthcare worker Background Check Code Section 955.115, Initiation of Fingerprint-Based Criminal History Records Checks as a Fee Applicant Inquiry, states," When initiating a background check, an educational entity, health care employer, staffing agency, workforce intermediary, or organization that provides pro bono legal services shall electronically submit to the Department of Public Health the student's. applicant's, or employee's social security number, demographics, disclosure and authorization information in a format prescribed by the Department of Public Health within 2 working days after the authorization is secured. (Section 33 (e) of the Act). The student, applicant, or employee shall go to a livescan vendor and have his or her fingerprints collected electronically and

Illinois Department of Public Health

Guidance at

transmitted to the Department of State Police within 10 working days after signing the authorization and disclosure form. Each

individual shall submit his or her fingerprints in an electronic manner prescribed by the Department of State Police. (Section 33(e) of the Act)

http://dph.illinois.gov/topics-services/health-care-r egulation/health-care-worker-registry, "Changes

PRINTED: 07/12/2021

FORM APPROVED Illinois Department of Public Health STATEMENT OF DEFICIENCIES (X1) PROVIDER/SUPPLIER/CLIA (X2) MULTIPLE CONSTRUCTION (X3) DATE SURVEY AND PLAN OF CORRECTION **IDENTIFICATION NUMBER:** A. BUILDING: _ COMPLETED B. WING IL6001671 06/11/2021 NAME OF PROVIDER OR SUPPLIER STREET ADDRESS, CITY, STATE, ZIP CODE 905 WEST CHESTNUT STREET CHESTNUT CORNER S C LOUISVILLE, IL 62858 SUMMARY STATEMENT OF DEFICIENCIES (X4) ID PROVIDER'S PLAN OF CORRECTION (EACH DEFICIENCY MUST BE PRECEDED BY FULL PRÉFIX **PREFIX** (EACH CORRECTIVE ACTION SHOULD BE COMPLETE REGULATORY OR LSC IDENTIFYING INFORMATION) TAG TAG CROSS-REFERENCED TO THE APPROPRIATE DATE **DEFICIENCY**) S9999 Continued From page 5 S9999 Under Executive Order 2020-22: This Executive Order made changes to the fingerprinting requirements for CNA students and health care employees to work in Illinois; these changes remain in effect for the duration of the Gubernatorial Disaster Proclamations.On April 10, 2020, the Illinois Department of Public Health filed emergency rules to make changes to the Health Care Worker Background Check Code [77] III. Adm. Code 955] to implement the provisions of Executive Order 2020-22. The fingerprinting requirements that have changed under this Executive Order and/or the emergency rule are as follows: Students enrolled in CNA training programs and certain health care employees (and those applying for jobs at health care facilities) must have their fingerprints collected electronically and transmitted to the Illinois Department of State Police within 30 working days of enrollment in a CNA training program or the start of employment. Previously, a student or new hire had only 10 days to have fingerprints scanned and submitted before they would be suspended from the training program or employment." The facility failed to present any documentation to validate V1's statement that V2 was sent for a background check within 10 days as V1 stated. A Resident Location List, dated 06/11/21, documented a total of 63 residents living at the facility. (B)

Illinois Department of Public Health