

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  IL6001283	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  C 10/13/2022
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NAME OF PROVIDER OR SUPPLIER  BRIA OF RIVER OAKS	STREET ADDRESS, CITY, STATE, ZIP CODE 14500 SOUTH MANISTEE BURNHAM, IL 60633
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S 000	Initial Comments  Complaint Investigations 2297882/IL151833 and 2298029/IL152017	S 000		
S9999	Final Observations  Statment of Licensure Violations:  300.610 a) 300.1210 b) 300.3210 t) 300.3240 a)  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 plan. Adequate and properly supervised nursing care and personal care shall be provided to each resident to meet the total nursing and personal	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 care needs of the resident.</p> <p>Section 300.3210 General t) The facility shall ensure that residents are not subjected to physical, verbal, sexual or psychological abuse, neglect, exploitation, or misappropriation of property.</p> <p>Section 300.3240 Abuse and Neglect a) An owner, licensee, administrator, employee or agent of a facility shall not abuse or neglect a resident.</p> <p>These regulations are not met as evidenced by:</p> <p>Based on interview and record review, the facility failed to follow their abuse policy by not ensuring resident are free from verbal and physical abuse. This affected 2 of 3 (R1, R5) residents reviewed for abuse. These failures resulted in R1 having items snatched from his hand and being yelled at by facility staff, and R1 admitting he feels vulnerable, unsafe, with the inability to protect himself; and R5 being attacked by a peer and R5 sustaining a laceration to the scalp.</p> <p>Findings include:</p> <p>1. The facility's incident report, dated 10/5/2022, regarding R1, documents the following: "It was reported on 10/5/2022, around 1:30 PM that resident reported an allegation of abuse where he was involved in an incident with staff (V8)."</p> <p>R1's face sheet documents at 50 year old male with history including: hemiplegia and hemiparesis following cerebral infarction affecting</p>	S9999		

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S9999	<p>Continued From page 2</p> <p>left dominant side, partial traumatic amputation of right foot, depression, acute hematogenous osteomyelitis, multiple sites, Polyneuropathy, and peripheral vascular disease.</p> <p>R1's Minimum Data Sheet (MDS), dated 8/10/2022 section C, documents R1's mental status is intact, as noted in the Brief Interview for Mental Status (BIMS) score of 15 out of 15. R1's MDS Section G documents R1 requires extensive assist and two+ person's physical assist with Activities of Daily Living</p> <p>On 10/5/2022 at 1:07 PM, surveyor heard loud screaming/arguing and hollering like someone screaming "Ohhh", coming from a residents room; sounded like at least 2 male voices.</p> <p>On 10/5/2022 at 1:09 PM, surveyor heard V8 (Social Service Director) scream something (perhaps, "you okay now!") at the door way of R1's room; then V8 walked towards surveyor.</p> <p>On 10/5/2022 at 1:10 PM, R1 states V8 (Social Service Director) hurt his arm when he grabbed him and snatched money out of his hand. V8 had asked him if he ordered food yesterday and didn't pay for it. R1 was trying to explain that "CNA (Certified Nursing Assistant) had my money for the food and the delivery guy did not take the money because I usually pay with a card and the delivery people thought is was paid." Surveyor stated to R1, "I heard some hollering." V8 stated, "I hollered because it hurt." R1 stated he did not give V8 his money. V8 "snatched" R1's money out of R1's hand.</p> <p>On 10/5/2022 at 1:12 PM, V6 (Certified Nursing Assistant/CNA) was at the nurses station, with a direct view into R1's room, and stated she saw</p>	S9999		
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S9999	<p>Continued From page 3</p> <p>V8, "He grabbed at (R1)", and demonstrated what she saw V8 do to R1 (she acted out a reaching down and snatching back motion). V6 stated V8 grabbed at R1 "very aggressively."</p> <p>On 10/5/2022 at 1:13 PM, V7 (CNA) was at the nurses station, with direct view into R1 room, and stated she saw V8 grab at R1, and "it was very aggressive." V6 and V7 state they saw V8 leaving the room with money in his hand.</p> <p>On 10/6/22 at 11:52 AM, R14 (Alert and oriented x3 roommate of R1, and in the room at the time of incident) stated, "I heard (V8) and (R1) arguing. (V8) was loud and mean to (R1). I would not want (V8) to talk to me in that tone."</p> <p>On 10/6/22 at 11:43 AM, R1 said, "I can't protect myself. I felt vulnerable. V8 was yelling at me, which put me at a defense. I didn't know who (V8) was. I thought (V8) was a well-dressed resident. (V8) demanded that I give him the money from a restaurant order I placed yesterday. The restaurant dropped off the food and forgot to get my money. The food was at the front desk. I normally pay with a credit card. I called the restaurant to report they forgot to get the money." R1 stated he told V8 he, "didn't know who he was and I wasn't giving him sh*t. Then (V8) grabbed me on the collar." R1 demonstrated being grabbed on the collar by placing his right hand on the top of his t-shirt, closing his hand to a fist, grabbing his shirt and balling/twisting the shirt around the neck. "While holding my shirt around the collar, (V8) snatched my money out of my left paralyzed hand, and pulled my arm by accident." R1 stated, "I felt intimidated." R1 stated, V8 "treated me like a kid and antagonized me by sticking out his tongue when leaving my room." R1 reported how he felt like crying. R1 states, "I</p>	S9999		

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S9999	<p>Continued From page 4</p> <p>don't feel safe."</p> <p>On 10/7/2022 at 1:51 PM, V7 stated she was sitting at the nurses station heard both R1 and V8 yelling. V7 stated, "then I saw (V8) snatch something out of (R1's) hand aggressively, and (R1) screamed "ouch b****, you p**** a** n-word." V7 stated after she saw V8 snatch something from R1, R1 said "ouch", and grabbed his left arm with his right hand (she demonstrated). R1 said V8 was taking advantage of him because of his condition, and R1 was crying.</p> <p>Handwritten interviews and notes from V1's investigation documents the following:          Handwritten statement, dated 10/5/2022 taken by V15 (Nurse Supervisor), from R1: "I was trying to explain to him about the misunderstanding and he immediately grab the money from my left hand. We were going back and forth exchanging words and he left out of the room."          Handwritten note by the Administrator statement from R22 - "I only heard them talking then (R1) yelled out and he said (V8) snatched his arm when he tried taking money for food or something."          Handwritten statement from V7, dated 10/5/2022: "I was sitting at my desk. I then heard the two men getting loud and going back and forth. About 30 seconds later, I saw (V8) grab something going towards the resident's lap."          Hand written note by V1, and statement from Police Officer documents: "on 10/5/2022, (R1) told the responding officer that (V8) grabbed money from (R1) and left the room."          Administrator hand written not from statement with V6 documents: "(V6) overheard loud voices from (R1's) room. (R1) said (V8) snatched the money from (R1's) left hand which is now in</p>	S9999		

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S9999	<p>Continued From page 5</p> <p>pain."</p> <p>R1's Nurse's progress note, dated 10/5/2022 at 3:06 PM, documents the following: Resident reported an alleged incident with a staff member. Incident reported per facility policies and procedures. Resident c/o pain to his left shoulder, PRN medications given per orders.</p> <p>R1's Social Worker progress note, dated 10/5/2022 at 4:08 PM by V42, documents the following: It was reported that resident allegedly stated that he and a staff member were in an incident where the staff member was aggressive towards him.</p> <p>R1's Social worker progress note, dated 10/5/2022 at 4:27 PM by V42, documents the following: Staff met with R1 on 1:1 to follow up with him after the incident and to check on his wellbeing. R1 appears stable and calm at this time. Writer assured the resident of his safety and encouraged him to always seek for staff assistance for any concern. Staff will continue to follow up and document as needed.</p> <p>On 10/11/2022 at 11:15 AM, via telephone, V8 stated regarding 10/5/2022 with R1, he was at the front desk and a vendor came asked for money for food R1 purchased. V8 stated he looked for R1, and he wasn't in his room, "maybe he was smoking." V8 stated then he went downstairs and saw Human Resources give the money to the vendor. V8 stated he went to resident's room and he (R1) was back in his room. V8 stated he asked R1 what happened with food, and he didn't pay for it. V8 stated R1 said "this is the money" and put it on his table. V8 stated, R1 said the CNA brought money back to him. V8 stated R1 said he was calling the restaurant to have guy</p>	S9999		

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S9999	<p>Continued From page 6</p> <p>come back to get money. V8 stated he told R1 Human Resources paid already, and he (V8) would give the money to Human Resources to reimburse them. Surveyor asked what did R1 say. V8 states, "(R1) did not say anything, just okay." V8 stated, he then took the money off the bedside table. V8 stated he told R1 he must always pay.</p> <p>V8 stated, "I never raised my voice. (R1) never raised his voice at me, and (R1) just said he wants to call his mother." V8 stated R1 never screamed at him or raised his voice. V8 stated he never grabbed or touched R1 in any way. V8 stated, "He (R1) wasn't upset when I was with him. All he said is he wanted to call his mother." V8 stated then he "walked outside the room and saw the state lady."</p> <p>On 10/11/2022 at 12:36 PM, V1 (Administrator/Abuse Coordinator) stated she talked to R1 on 10/5/2022, and "he said the restaurant called him when he came back from smoking. (R1) said CNA gave him his money back. (R1) said he had money and showed it to (V8)." V1 stated R1 said he and V8 did exchange words, then V8 snatched money from him and now was feeling pain in his arm. V1 stated R22 "heard (V8) and (R1) yelling." V1 stated R1 felt offended about what V8 said. V1 stated screaming at a resident is abuse, snatching something out of resident's hand unauthorized is abuse, and physically grabbing a resident is abuse.</p> <p>V8's Employee Report incident, dated 10/5/2022 ,documents. Discourteous behavior. Employee will attend customer service training before he returns to the facility.</p>	S9999		

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S9999	<p>Continued From page 7</p> <p>2. R5's Brief Interview for Mental Status, dated 10/1/22, documents a score of 13, which indicates cognitively intact.</p> <p>R5's Care plan, dated 9/28/22, documents: R5 is at risk for potential abuse and neglect due to the diagnosis of Bipolar disorder.</p> <p>Incident report, dated 9/28/22, documents: R5 reports another resident (R6) hit him with something. R5 was observed with blood on R5's head. Injury: Laceration top of scalp. R5 statements documents: "I was heading to the dining room when this guy (R6) cursed me out and hit me for nothing. He (R6) seemed angry. He (R6) hit me on the head."</p> <p>R6's Behavior Assessment, dated 9/28/22, documents: Physically aggression toward self/other. Verbally aggression. Resident (R6) was involved in an altercation with a fellow peer (R5).</p> <p>Final Investigation, dated 10/3/22, documents: R5 stated he was on his way downstairs, when R6 began making derogatory remarks. R5 responded. Then R6 became physically aggressive.</p> <p>On 10/6/22 at 5:15 PM, R5 said, "I don't want to talk about it." R5 refused to elaborate about the incident dated 9/28/22.</p> <p>On 10/7/22 at 4:44 PM, V27 (Nurse) said, "(R5) was hit by (R6) in the head."</p> <p>On 10/7/22 at 5:04 PM, V29 (Treatment Nurse) said, "(R5) had a laceration measuring 1cm x 0.2cm x 0.0cm (no depth). I applied steri-strips to</p>	S9999		
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S9999	<p>Continued From page 8</p> <p>(R5's) head after the altercation with (R6)."</p> <p>On 10/11/22 at 12:25 PM, V40 (Nurse Practitioner) said, "(R5) had an altercation with (R6). I saw (R5) with a small portion of the top of (R5's) head shaved with a new dressing on top."</p> <p>On 10/12/22 at 10:55 AM, V43 (Social Service) said, "(R5) said something to (R6). (R5) would not report what was said during our interview. (R6) became physical aggressive with (R5). (R6) hit (R5) on the head causing an injury that required steri- strips."</p> <p>The facility's Abuse police documents the following: This facility affirms the right of our residents to be free from abuse, neglect, exploitation, misappropriation of property or mistreatment. This facility therefore prohibits abuse, neglect, exploitation, misappropriation of property, and mistreatment of residents. Physical abuse is the infliction of injury on a resident that occurs other than by accidental means and that requires medical attention (whether or not actually given). Physical abuse includes hitting, slapping, pinching, kicking and controlling behavior through corporal punishment</p> <p>(B)</p>	S9999		