Illinois Department of Public Health STATEMENT OF DEFICIENCIES (X1) PROVIDER/SUPPLIER/CLIA (X3) DATE SURVEY (X2) MULTIPLE CONSTRUCTION AND PLAN OF CORRECTION **IDENTIFICATION NUMBER:** COMPLETED A. BUILDING: C B. WING IL6008775 04/27/2023 NAME OF PROVIDER OR SUPPLIER STREET ADDRESS, CITY, STATE, ZIP CODE **223 WEST VIENNA, P.O. BOX 118** SPANISH OAKS CENTER ANNA. IL 62906 SUMMARY STATEMENT OF DEFICIENCIES PROVIDER'S PLAN OF CORRECTION (X5) COMPLETE (X4) ID (EACH CORRECTIVE ACTION SHOULD BE (EACH DEFICIENCY MUST BE PRECEDED BY FULL PRÉFIX PREFIX DATE REGULATORY OR LSC IDENTIFYING INFORMATION) CROSS-REFERENCED TO THE APPROPRIATE TAG TAG **DEFICIENCY**) S 000 S 000 Initial Comments Investigation of Facility Reported Incident of April 22, 2023//IL159043. S9999 Final Observations S9999 Statement of Licensure Violations: 330.710a) 330.4240 a) Section 330.710 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 with the involvement of the administrator. The written policies shall be followed in operating the facility and shall be reviewed at least annually by the Administrator. The policies shall comply with the Act and this Part. Section 330.4240 Abuse and Neglect a) An owner, licensee, administrator, employee or agent of a facility shall not abuse or neglect a resident. This requirement is NOT met as evidenced by: Based on interview and record review, the facility failed to ensure a resident is free from staff to resident sexual abuse for one (R1) of six residents reviewed for abuse in the sample of six. This failure resulted in R1 experiencing negative psychosocial outcomes evidenced by R1's tearfulness, sad demeanor, feelings of fear and traumatization, and worrying about the stability of Attachment A her residential placement. Statement of Licensure Violations Findings include:

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

TITLE

(X6) DATE

PRINTED: 05/22/2023 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 IL6008775 04/27/2023 NAME OF PROVIDER OR SUPPLIER STREET ADDRESS, CITY, STATE, ZIP CODE 223 WEST VIENNA, P.O. BOX 118 **SPANISH OAKS CENTER** ANNA, IL 62906 SUMMARY STATEMENT OF DEFICIENCIES PROVIDER'S PLAN OF CORRECTION (X4) ID (X5) COMPLETE (EACH DEFICIENCY MUST BE PRECEDED BY FULL PREFIX (EACH CORRECTIVE ACTION SHOULD BE PREFIX REGULATORY OR LSC IDENTIFYING INFORMATION) DATE CROSS-REFERENCED TO THE APPROPRIATE TAG TAG DEFICIENCY) S9999 Continued From page 1 S9999 An email to IDPH (The Illinois Department of Public Health), dated 4/22/23, authored by V1 (Administrator) documented the following: "(R1) was admitted to (the facility) on 11/14/18 from (another shelter care facility). (R1) has a diagnosis of bipolar disorder and is her own guardian. I received a call this morning at 3:50am from V3 (Personal Care Attendant), off duty staff, stating (R1) was at her (V3)'s door just across the street, saying she had been assaulted by staff. V3 brought R1 back to the facility and called me. I immediately came in and called 911 and when they (law enforcement) arrived, they placed staff (V4 Personal Care Attendant) under arrest. V4 has been employed here since 8/14/19. R1 was transported to (a local hospital) ER (Emergency Room) accompanied by ...the Sheriff's Deputy as well as myself and (V2 Assistant Administrator). R1 was transferred to (a larger hospital) as (the local hospital) does not have a sexual assault nurse examiner. If any further information is needed, please advise ..." R1's Face Sheet documented an admission date of 11/14/18, and a diagnosis of Bipolar Disorder. Unspecified. On 4/25/23 at 9:15am. V1 stated that R1 was out to a previously scheduled Primary Care Physician appointment at this time. V1 stated R1 is very

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low functioning, having been in special education throughout school, and has a diagnosis of bipolar disorder. V1 stated R1 was at an appointment with her Primary Care Provider and would return around 10:00am. V1 stated R1 is her own guardian and has no Power of Attorney. V1 stated the facility's shifts are 6:00am to 2:00pm. 2:00pm to 10:00pm, and 10:00pm to 6:00am, V1 was asked to produce the Abuse Investigation for

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Papillomavirus), HIV (Human Immunodeficiency Virus), Syphilis. Medications (prescribed): Rocephin 500mg (milligrams) IM (intramuscular) injection single dose, Doxycycline 100mg twice daily for seven days, Flagyl 500mg twice daily for seven days. Received information on crime victims' compensation, and a voucher for follow up care. As a survivor of sexual assault...you are

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STATEMENT OF DEFICIENCIES		(X1) PROVIDER/SUPPLIER/CLIA	(X2) MULTIPLE CONSTRUCTION			(X3) DATE SURVEY	
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33 (		k help in dealing with the			100		
		an assault. Rape crisis					
		ounseling services. You may					
	call your local rape						
		schedule an appointment.					
		cam and evidence collection	1				
		evidence and direct report to					
	law enforcement of	ficer consent: (signed by R1)."		-38			
	On 4/25/23 at 10:5	0am, R1 was interviewed with					
		sent at the request of R1. R1	1		.4		
		ted to person place, and time.					
		a speech impediment. R1's					
. 1		R1 was tearful at times during					
		tated she resides on the first					
	floor of the residen	ce and shares a room with R2					
	and R3. R1 stated	on Friday 4/21/23 at about					
	7:30pm, R1 took he	er nighttime medications and					
8	went to bed. R1 st	ated she was sleeping soundly	'.l.				
		t in the night, time unknown,					
		I by the sensation of somebody					
199		1 stated V4 was standing over					
45		ked. R1 stated she noticed it					
		e room and the lights in the				555	
	F-1	n like usual. R1 stated she					
		was doing, and R1 stated that		35.3			
e i		ted her to suck his penis. R1					
		"Leave me alone, or I will tell	1				
		I took R1's pants off, and R1 m. R1 stated that V4 looked					
		d then left the room briefly. R1				100	
		irned with a condom. R1					
		er phone, she took pictures of					
		she would show them to V1.	1				
10	1	t V1 wouldn't believe her. R1					
8		at his privates in her mouth,					
		ondom on and put his penis in					
		R1 stated neither of her					
		up while this was going on. R1					
		told her he was finished, that					

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STATEMEN	IT OF DEFICIENCIES OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:		E CONSTRUCTION	(X3) DATE	SURVEY	
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-,		1L6008775	B. WING		04/2	7/2023	
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	ANNA, IL 62906						
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	the condom had breenjoyed it. R1 stated bathroom, and R1 to and ran as fast as a lives across the street door and R1 told Vaput on her shoes, a street together. R1 calling V1 to tell her when they got to the hiding in the bushed within a few minute V1's office, and the They went into the took him away. R1 reported they found toilet of the bathroocondoms in V4's bot took R1 to the ER, couldn't do a rape to to a larger hospital R1 stated, "The hospivates, they said to was not sure what it medications were at that, she came bact that V4 is in jail, but of jail and come bastaff did everything stated she has bee is thinking about it. previously been ina and R1 had never a say he was inapproting the Surveyor would closapparently a peer to a state of the surveyor would closapparently a peer to the surveyor wou	oken, and how much he had ed V4 then went to the threw a blanket over herself she could to V3's house, who eet. R1 stated V3 came to the 3 "What he did." R1 stated V3 nd they went back across the stated V3 was on her phone what happened. R1 stated e house, V4 was outside s. R1 stated V1 showed up s. R1 stated V1 took V4 into in the police arrived on scene. office, handcuffed V4, and stated later the police a condom wrapper in the in that V4 had been in, and tookbag. R1 stated V1 and V2 but the staff there said they est so the ambulance took R1 where the test could be done. Spital took pictures of my they were red." R1 stated she tests were performed or what administered. R1 stated after the home and was told by staff a she is scared he will get out ck and hurt her. R1 stated they could do for her. R1 in offered counseling, and she R1 stated V4 had never ppropriate with her in any way, seen or heard other residents priate with them. R1 asked was in trouble or if the se down the facility, as old R1 that would be the case.					
	R1's "Outpatient Pa	itient Care Medical Provider					

Summary" dated 4/25/23 documented,

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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: | (X2) MULTIPLE CONSTRUCTION | (X3) DATE SURVEY | A. BUILDING: | COMPLETED

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B. WING \_\_\_\_\_\_ C 04/27/2023

NAME OF PROVIDER OR SUPPLIER

STREET ADDRESS, CITY, STATE, ZIP CODE

**SPANISH OAKS CENTER** 

223 WEST VIENNA, P.O. BOX 118

(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 5	S9999		
	"Diagnoses discussed: 1. Adult victim of sexual abuse. 2. Intellectual disability. 3. bipolar disorder. No procedures performed, no medication changes. " Follow up was not outlined on this document.			**
	On 4/25/23 at 11:30am, V3 stated she works days and evenings. V3 stated she was asleep on 4/22/23 in the very early morning when V3 heard somebody pounding on her door. V3 stated R1 was at the door, and stated, "(V4) raped me." V3 stated R1 was wrapped in a blanket and had on a nightshirt and no pants. V3 stated R1 showed V3 a naked picture of V4 on R1's phone. V3 stated as they headed back to the facility, V3 called V1 to report the abuse. V3 stated upon entering the residence, V3 noted the front door alarm had been turned off and several lightbulbs had been removed, making common areas dark. V3 stated they found V4 hiding in the shrubs. V3 stated V4 was fully dressed. V3 stated at this point, V1 arrived and took V4 into V1's office, and law enforcement arrived about a minute later. V3 stated V4 was handcuffed and taken away by V5 (Police Officer). V3 stated she then remained in the residence with the residents, as V4 had been the only staff member on duty, while V1 and V2 took R1 to the hospital. V3 stated since she does not work nights as V4 always did. V3 did not have a lot of interaction with V4 beyond giving shift change report. V3 stated she never witnessed or heard reports from other staff or residents about any inappropriate behavior. V3 stated she believes R1's account of the incident. V3 stated R1's mood is usually happy and upbeat, but since the incident she has been very quiet.			- ju
	On 4/25/23 at 1:15pm, R2 was alert and oriented to person, place, and time. R2 stated she is			

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through and interviewed residents and staff,"

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was clear of any offenses. V1 stated the facility has a zero-tolerance policy for abuse and, V4 has

information on Judici.com, V4 has been charged

V4's "Illinois State Police Bureau of Identification Conviction Information Request Response" dated 8/29/19 documented, "A search of the files of this bureau. Submitted by your agency failed to reveal any criminal conviction record for the subject in question. Result: No record on file."

been terminated. V1 stated according to

with a Class X felony.

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noise but couldn't be sure what it was or where it came from. R6 stated as far as he knew, V4 had been usually quiet and a nice guy, and he was surprised when he had heard what happened to R1. R6 stated he has never been hurt or abused by any staff, nor prior to 4/22/23 had he heard

Illinois Department of Public Health (X1) PROVIDER/SUPPLIER/CLIA STATEMENT OF DEFICIENCIES (X2) MULTIPLE CONSTRUCTION (X3) DATE SURVEY AND PLAN OF CORRECTION IDENTIFICATION NUMBER: COMPLETED A. BUILDING: \_ С B. WING IL6008775 04/27/2023 NAME OF PROVIDER OR SUPPLIER STREET ADDRESS, CITY, STATE, ZIP CODE 223 WEST VIENNA, P.O. BOX 118 **SPANISH OAKS CENTER** ANNA, IL 62906 SUMMARY STATEMENT OF DEFICIENCIES PROVIDER'S PLAN OF CORRECTION (X5) COMPLETE (X4) ID (EACH DEFICIENCY MUST BE PRECEDED BY FULL PREFIX (EACH CORRECTIVE ACTION SHOULD BE PRÉFIX CROSS-REFERENCED TO THE APPROPRIATE DATE REGULATORY OR LSC IDENTIFYING INFORMATION) TAG TAG DEFICIENCY) S9999 Continued From page 9 S9999 about abuse happening to other residents. On 4/27/23 at 12:50pm, V8 (Police Chief/V5's Supervisor) stated the investigation into the assault is still ongoing and evidence is still being gathered, and per guidance V8 has obtained from the States Attorney, the investigation may not be released at this time. V8 stated for this reason, he has advised V5 not to be interviewed by IDPH. V8 stated he is very limited in what he can disclose about the investigation but was able to share that V4 confessed to the sexual assault and did not seem to understand the concept that R1's ability to consent could be limited due to R1's intellectual functioning. V8 stated that there was at this time no evidence that V4 had been grooming R1. The facility's undated Abuse and Neglect Policy documented, "An owner, licensee, Administrator, employee, or agent of the facility will not abuse or neglect a resident. Residents are to be treated with dignity and respect at all times and under any circumstance." "A"

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