

Division of Licensing and Protection
103 South Main Street, Ladd Hall
Waterbury, VT 05671-2306
<http://www.dail.vermont.gov>
Voice/TTY (802) 871-3317
To Report Adult Abuse: (800) 564-1612
Fax (802) 871-3318

April 21, 2014

Roger Deshaies
Fletcher Allen Health Care - M
111 Colchester Ave
Burlington, VT 05401

Dear Mr. Deshaies:

Enclosed is a copy of your acceptable plans of correction for the survey conducted on **April 8, 2014**. Please post this document in a prominent place in your facility.

Sincerely,



Pamela M. Cota, RN
Licensing Chief

PC:jl

cc: Carol Muzzy, Director, Accreditation & Regulatory Affairs

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 04/11/2014
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 472300	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 04/08/2014
NAME OF PROVIDER OR SUPPLIER FLETCHER ALLEN HEALTH CARE - M			STREET ADDRESS, CITY, STATE, ZIP CODE 111 COLCHESTER AVE BURLINGTON, VT 05401		
(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) COMPLETION DATE	
V 000	INITIAL COMMENTS An unannounced on-site investigation was conducted by the Division of Licensing and Protection on 4/7/14 and 4/8/14. Complaint #11206 was investigated to determine compliance with 42 Code of Federal Regulations, part 405, subpart U, Conditions for Coverage for End Stage Renal Disease Services. The following regulatory violation was identified related to the complaint.	V 000			
V 101	494.20 COMPLIANCE WITH FED/STATE/LOCAL LAWS The facility and its staff must operate and furnish services in compliance with applicable Federal, State, and local laws and regulations pertaining to licensure and any other relevant health and safety requirements. This STANDARD is not met as evidenced by: Based on record review and staff interview the facility failed to comply with Vermont State Statute, Title 33, Chapter 69 "Reports of Abuse, Neglect and Exploitation of Vulnerable Adults" by failing to assure timely reporting, to the appropriate State Agency (SA), of suspected neglect of care by a staff member. Findings include: Per V.S.A. Title 33, Chapter 69, § 6903. Reporting suspected abuse, neglect, and exploitation of vulnerable adults (a) Any of the following, other than a crisis worker acting pursuant to 12 V.S.A. § 1614, who knows of or has received information of abuse, neglect, or exploitation of a vulnerable adult or who has reason to suspect that any vulnerable adult has been abused, neglected, or exploited shall report	V 101	SEE ATTACHED Plan of Correction	5/2/15	

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

TITLE

(X6) DATE

[Signature]

Director

4/18/14

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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V 101	Continued From page 1 or cause a report to be made in accordance with the provisions of section 6904 of this title within 48 hours: Per record review the facility identified, during the process of conducting an internal review, a concern related to patient care services. The facility suspended Registered Nurse (RN) #1 for suspicion of neglecting to meet the needs of some patients by failing to provide medication in accordance with physician orders. Although the facility recognized and acted upon the concern on 2/17/14, they did not notify Adult Protective Services until 4 days later on 2/21/14. This was confirmed by the Assistant Nurse Manager during interview on the morning of 4/8/14.	V 101	SEE ATTACHED Plan of CORRECTION	5/2/14

A 000 INITIAL COMMENTS

An unannounced on-site investigation was conducted by the Division of Licensing and Protection on 4/7/14 and 4/8/14. Complaint #11206 was investigated to determine compliance with 42 Code of Federal Regulations, part 405, subpart U, Conditions for Coverage for End Stage Renal Disease Services. The following regulatory violation was identified related to the complaint

V 101 492.20 COMPLIANCE WITH FED/STATE/LOCAL LAWS

The facility and its staff must operate and furnish services in compliance with applicable Federal, State, and local laws and regulations pertaining to licensure and any other relevant health and safety requirements.

This STANDARD is not met as evidenced by: Based on record review and staff interview the facility failed to comply with Vermont State Statute, Title 33, Chapter 69 "Reports of Abuse, Neglect and Exploitation of Vulnerable Adults" by failing to assure timely reporting, to the appropriate State Agency (SA), of suspected neglect of care by a staff member. Findings include:

Per V.S.A. Title 33, Chapter 69, § 6903. Reporting suspected abuse, neglect, and exploitation of vulnerable adults

Any of the following, other than a crisis worker acting pursuant to 12 V.S.A. § 1614, who knows of or has received information of abuse, neglect, or exploitation of a vulnerable adult or who has reason to suspect that any vulnerable adult has been abused, neglected, or exploited shall report or cause a report to be made in accordance with the provisions of section 6904 of this title within 48 hours:

Per record review the facility identified, during the process of conducting an internal review, a concern related to patient care services. The facility suspended Registered Nurse (RN) #1 for suspicion of neglecting to meet the needs of some patients by failing to provide medication in accordance with physician orders. Although the facility recognized and acted upon the concern on 2/17/14, they did not notify Adult Protective Services until 4 days later on 2/21/14. This was confirmed by the Assistant Nurse Manager during interview on the morning of 4/8/14

Action Plan

- The requirements for timely reporting under Title 33 Vermont Statutes Annotated Chapter 69 Reports of Abuse, Neglect, and Exploitation of Vulnerable Adults were reviewed with key Leadership by the Director of Accreditation and Regulatory Affairs on 4/9/2014. Specifically with the Director of Risk Management, Manager of Case Management and Social Work, Director of Renal Services, Manager and Assistant Manager of Renal Services, Director of Pharmacy, Director of Accreditation and Regulatory Affairs and the RN Coordinators for Accreditation and Regulatory Affairs.
- The Fletcher Allen Health Care Policy entitled- Abuse: "Internal" Investigation of alleged patient abuse, neglect, or exploitation will be signed off by each renal staff member. Their signature will indicate that they understand their role and responsibilities. Leadership at each Renal Dialysis Unit will review and monitor for 100% compliance with staff signatures.

- The All Plan of Actions will be complete as of 5/22/2014.
- All cases where the allegation of abuse, neglect or exploitation of a vulnerable adult that has occurred within the Fletcher Allen Health Care Facility will be reviewed for appropriate and timely action by the Vice President of Quality and Operational Effectiveness, or his or her designee, and the Director of Risk Management, or his or her designee.

*POC accepted 4/24/14
Bonnie Howe
RW*