



VERMONT

AGENCY OF HUMAN SERVICES

DEPARTMENT OF DISABILITIES, AGING AND INDEPENDENT LIVING

Division of Licensing and Protection

103 South Main Street, Ladd Hall

Waterbury VT 05671-2306

<http://www.dail.vermont.gov>

Voice/TTY (802) 241-2345

To Report Adult Abuse: (800) 564-1612

Fax (802) 241-2358

June 23, 2010

Mr. Thomas Gaboriault, Administrator
Four Seasons Care Home
135 South Main Street
Northfield, VT 05663

Dear Mr. Gaboriault:

Enclosed is a copy of your acceptable plans of correction for the annual licensing survey and complaint investigation conducted on **February 11, 2010**. Please post this document in a prominent place in your facility.

We may follow-up to verify that substantial compliance has been achieved and maintained. If we find that your facility has failed to achieve or maintain substantial compliance, remedies may be imposed.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne E. Leavitt RN, MS".

Suzanne Leavitt, RN, MS
Assistant Director

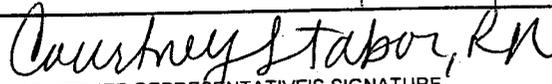


Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 0129	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 02/11/2010
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NAME OF PROVIDER OR SUPPLIER FOUR SEASONS CARE HOME	STREET ADDRESS, CITY, STATE, ZIP CODE 135 SOUTH MAIN STREET NORTHFIELD, VT 05663
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R100	Initial Comments: An unannounced onsite complaint and licensing survey was conducted 2/11/2010 through 2/12/2010.	R100	RECEIVED Division of JUN 28 10 Licensing and Protection	
R104 SS=E	V. RESIDENT CARE AND HOME SERVICES 5.1 Admission 5.2.a Prior to or at the time of admission, each resident, and the resident's legal representative if any, shall be provided with a written admission agreement which describes the daily, weekly, or monthly rate to be charged, a description of the services that are covered in the rate, and all other applicable financial issues, including an explanation of the home's policy regarding discharge or transfer when a resident's financial status changes from privately paying to paying with SSI or ACCS benefits. This admission agreement shall specify at least how the following services will be provided, and what additional charges there will be, if any: all personal care services; nursing services; medication management; laundry; transportation; toiletries; and any additional services provided under ACCS or a Medicaid Waiver program. If applicable, the agreement must specify the amount and purpose of any deposit. This agreement must also specify the resident's transfer and discharge rights, including provisions for refunds, and must include a description of the home's personal needs allowance policy. (1) In addition to general resident agreement requirements, agreements for all ACCS participants shall include: the ACCS services, the specific room and board rate, the amount of personal needs allowance and the	R104		

Division of Licensing and Protection	 LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE <i>Manager</i>	(X6) DATE
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R104	Continued From page 1 provider's agreement to accept room and board and Medicaid as sole payment. This REQUIREMENT is not met as evidenced by: Based on record review and interview, the facility did not provide 2 of 6 reviewed residents (Resident #1 and Resident #2) with completed admission agreements. Findings include: 1) Per record review on 2/12/2010, there were no room and board nor personal needs allowance rates indicated in the admission contracts of Resident #1 and Resident #2. Per interview with the Administrator and the Manager that afternoon, both confirmed this information.	R104		
✓ R128 SS=D	V. RESIDENT CARE AND HOME SERVICES 5.5 General Care 5.5.c Each resident's medication, treatment, and dietary services shall be consistent with the physician's orders. This REQUIREMENT is not met as evidenced by: Based on record review and interview, the facility did not assure that 1 of 5 applicable residents (Resident #1) had physician orders for all medication. Findings include: 1) Per record review on 2/12/2010, there was no order for nitroglycerine tablets, kept at bedside by Resident #1, present in the record. During interview on the afternoon of 2/12/2010, the Manager confirmed that Resident #1 does	R128		

Division of Licensing and Protection

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✓ R128	Continued From page 2 possess nitroglycerine tablets and that there is no written physician order for this medication.	R128		
✓ R178 SS=F	V. RESIDENT CARE AND HOME SERVICES 5.11 Staff Services 5.11.a There shall be sufficient number of qualified personnel available at all times to provide necessary care, to maintain a safe and healthy environment, and to assure prompt, appropriate action in cases of injury, illness, fire or other emergencies. This REQUIREMENT is not met as evidenced by: Based on record review and interview, the facility does not have sufficient qualified personnel available at all times to provide necessary care. Findings include: 1) Per record review and interview of the Manager on 2/11/2010, the facility maintains 1 overnight staff person. Per interview with 2 residents (Resident #1 and Resident #2) on 2/12/2010, Resident #2 is asked as part of job duties to assist during night hours when another resident falls. Per Resident #2 this assistance has been provided to staff on more than 1 occasion.	R178		
✓ R213 SS=G	VI. RESIDENTS' RIGHTS 6.1 Every resident shall be treated with consideration, respect and full recognition of the resident's dignity, individuality, and privacy. A home may not ask a resident to waive the resident's rights.	R213		

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✓ R213	Continued From page 3 This REQUIREMENT is not met as evidenced by: Based on record review and interview, 1 applicable resident (Resident #1) was not treated with dignity. Findings include: 1) Per record review on 2/12/2010, Resident #1 is assessed as capable of maintaining personal funds. Per interview with Resident #1 on 2/11/2010 at 4:35 PM, the facility had declined to provide the personal check book upon request. Resident #1 stated that s/he felt "humiliated" and "belittled" by this refusal, as s/he has no guardian and is responsible for managing own personal finances. Per interview on 2/11/2010 at 2:20 PM, the Administrator and Manager confirmed that the facility maintained physical control of the resident's check book as a condition of occupancy and that assistance was provided to pay bills owed and to dispense checks for personal use each week.	R213		
✓ R216 SS=E	VI. RESIDENTS' RIGHTS 6.2 A resident shall not be required to perform work for the licensee. If a resident chooses to perform specific tasks for the licensee the resident shall receive reasonable compensation which shall be specified in a written agreement with the resident. This REQUIREMENT is not met as evidenced by: Based on record review and interview, the facility did not enter into a written contract indicating reasonable compensation for work provided by 2 applicable residents (Resident #1 and Resident #2). Findings include:	R216		

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✓ R216	Continued From page 4 1) Per record review on 2/12/2010, there was no contract available to indicate compensation amounts and specific job duties for Resident #1 from the time of admission to residential care status on 4/15/2009 through 1/6/2010. Per interview on 2/11/2010, Resident #1 stated that in exchange for a reduced rental rate, light housekeeping duties would be performed, such as laundry, bed making, cleaning of a common kitchen and sweeping. Per interview on the afternoon of 2/12/2010, the Manager confirmed that Resident #1 had, until 1/5/2010, performed work for reduced rental rates and that there was no written contract that specified the amount of work or a payment system that would constitute the reduction amount of rent. 2) Per record review on 2/12/2010, there was no contract available to indicate compensation amounts and / or specific job duties for Resident #2, who performed various tasks around the home. Per interview on 2/12/2010 at 5:20 PM, Resident #2 stated that s/he pays a monthly rental amount and works for the remaining rent by working for the facility. This Resident stated that in exchange for services, s/he assists with facility repairs and is available during night hours to assist staff with residents who fall--which has happened 'many times'. Per this resident a cash "stipend" is received for cigarettes and small items and that there is no hourly rate for pay and no contract entered into with the facility detailing services and payment. Per interview with the Administrator immediately following this interview, it was confirmed that no contract exists specifying duties and pay for reduced rent.	R216		
✓ R247 SS=F	VII. NUTRITION AND FOOD SERVICES	R247		

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✓ R247	Continued From page 5 7.2 Food Safety and Sanitation 7.2.b All perishable food and drink shall be labeled, dated and held at proper temperatures: (1) At or below 40 degrees Fahrenheit. (2) At or above 140 degrees Fahrenheit when served or heated prior to service. This REQUIREMENT is not met as evidenced by: Per observation and interview, the facility did not assure that perishable food in one of two refrigerators in the home was properly labeled, dated and temperature maintained. Findings include: 1) Per observation on 2/11/2010 at 11:45 AM, there were unlabeled food items and a foul odor was emitting from the second floor refrigerator. No thermometers or temperature logs were present. During interview at that time, the Manager confirmed that there were no thermometers in this refrigerator, that no temperature logs were available, and that there was no specific cleaning schedule for this resident-use unit.	R247		
R253 SS=D	VII. NUTRITION AND FOOD SERVICES 7.3 Food Storage and Equipment 7.3.c All food service equipment shall be kept clean and maintained according to manufacturer's guidelines This REQUIREMENT is not met as evidenced by: Based on observation and interview, the facility	R253		

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R253	Continued From page 6 did not assure that a refrigerator for the use of residents was maintained in a clean / sanitary manner. Findings include: 1) Per observation on 2/11/2010 with the facility Manager at 11:25 AM, the door seals of refrigerator on the second floor were covered with a black, mold-like substance around the entire circumference of both the freezer and refrigerator sections. Additionally, the bottom of the refrigerator seal was held in place with duct tape. During interview that afternoon, the Manager confirmed that the refrigerator / freezer had a mold-like substance around the seals. 2) The inside of the refrigerator in which leftovers are stored, had dried on food spills on the inside walls, shelves and door. The Manager confirmed there is not a cleaning schedule in place nor a specific person assigned to maintain the cleanliness of this refrigerator.	R253		
✓ R267 SS=D	IX. PHYSICAL PLANT 9.1 Environment 9.1.b All homes shall comply with all current applicable state and local rules, regulations, codes and ordinances. Where there is a difference between codes, the code with the higher standard shall apply. This REQUIREMENT is not met as evidenced by: Based on observation and interview, the facility did not assure that all emergency exit lights were fully functional. Findings include: 1) During a walking tour on the afternoon of	R267		

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✓R267	Continued From page 7 2/12/2010 with the facility Manager, it was noted that exit lights on both exit ends of the second floor were not operating. A manual check of these lights, by the Manager, confirmed that they were not functional at that time.	R267		
✓R295 SS=D	IX. PHYSICAL PLANT 9.8 Heating 9.8.a Each home shall be equipped with a heating system which is of sufficient size and capability to maintain all areas of the home used by residents and which complies with applicable fire and safety regulations. This REQUIREMENT is not met as evidenced by: Based on record review, observation and interview, the facility did not follow the recommended maintenance schedule for boiler testing and furnace cleaning. Findings include: 1) Per observation of 2 furnace units in the basement of the "Independent" section of the home on 2/11/2010 at 4:55 PM, there was black soot along the top of each furnace casing around the exit vents. This was confirmed the following morning by a life safety surveyor, who stated that furnaces should be cleaned / inspected every 2 years. Current records indicating the furnaces had been cleaned / inspected were not available. 2) Per observation during the environmental tour with the Administrator on the morning of 2/11/2010, there was no evidence that a required boiler inspection had been conducted for the heating unit in the front building. This requirement had been cited as a deficient practice by the	R295		

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R295	Continued From page 8 Department of Public Safety on 4/28/2009 and again on 1/26/2010. The Administrator confirmed that this inspection was overdue and is scheduled for 3/4/2010.	R295		
✓ R302 SS=F	IX. PHYSICAL PLANT 9.11 Disaster and Emergency Preparedness 9.11.c Each home shall have in effect, and available to staff and residents, written copies of a plan for the protection of all persons in the event of fire and for the evacuation of the building when necessary. All staff shall be instructed periodically and kept informed of their duties under the plan. Fire drills shall be conducted on at least a quarterly basis and shall rotate times of day among morning, afternoon, evening, and night. The date and time of each drill and the names of participating staff members shall be documented. This REQUIREMENT is not met as evidenced by: Based on record review and interview, the facility did not conduct annual fire drills in the required frequency with rotations among morning, afternoon, evening, and night hours. Findings include: 1) Per record review on 2/11/2010, there were 5 fire drills completed during the prior 12 months. These drills occurred as follows: 2/21/2009 (no time listed); 6/10/2009 at 1:30 PM; 7/17/2009 at 1:30 PM; 12/21/2009 at 1 PM; and 12/22/2009 (no time listed). During interview on the afternoon of 2/11/2009, the Manager confirmed that 5 fire drills had been completed during the prior year with 3 drills during afternoon hours only, and that	R302		

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R302	Continued From page 9 2 fire drills had no indication of time of day completed.	R302		
✓ R313 SS=D	<p>XI. RESIDENT FUNDS AND PROPERTY</p> <p>11.1 A resident's money and other valuables shall be in the control of the resident, except where there is a guardian, attorney in fact (power of attorney), or representative payee who requests otherwise. The home may manage the resident's finances only upon the written request of the resident. There shall be a written agreement stating the assistance requested, the terms of same, the funds or property and persons involved.</p> <p>This REQUIREMENT is not met as evidenced by: Based on record review and interview, the facility did not obtain a written agreement from 1 of 5 applicable residents (Resident #1) outlining the terms of management / assistance of funds. Findings include:</p> <p>1) Per record review on 2/11/2010, there was no written authority granted by Resident #1 to the facility to assist the Resident in managing checking account funds. Per interview on 2/11/2010 at 2:20 PM, the Administrator stated that the facility held the check book (locked in the medication cart) and helped Resident #1 write checks to pay bills and make purchases. The Administrator confirmed that no written agreement had been completed to define the rights / responsibilities of the facility and the Resident regarding the checking account belonging to Resident #1 and stated that the Resident had agreed when moving in that the home would hold the checkbook and help pay</p>	R313		

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R313	Continued From page 10 bills as a condition of residency.	R313		

R104

Resident #1 now has a contract addendum indicating the room and board amount along with the personal needs allowance. (completed 3/2/10) Resident #2 indeed has a signed admission agreement with the room and board amount along with the personal needs allowance. It has always been in his file and I have enclosed a copy of this for review. The administrator and or manager will see to it that everyone has a contract in place. POC accepted 4-23-10. — C. Karaway, RN

R213

The facility will continue to secure checkbooks and make them available to the residents as they request. (Completed 5/10/10) POC accepted 5-11-10. — C. Karaway, RN

R128

This resident no longer resides here in the home. We will continue to follow our protocol as we've always done. We will check in with residents from time to time to see if they have any medications at the bedside. (Completed 5/10/10) POC accepted 5-11-10. — C. Karaway, RN

R178

Resident #1 is no longer asked to anything regarding the Four Seasons as of 1/5/10. Resident #2 has a signed contract regarding specific duties and continuing to be on call as he has been in the past (since 2007) (Completed 4/5/10) POC accepted 4-23-10. — C. Karaway, RN

R253 & R247

The refrigerator discussed was in the care of the house mother. She has been counseled on many occasions on her "housekeeping". You noticed the memo on the front of the refrigerator asking that all foods be labeled and dated. On 2/12/10 at 3:30am the refrigerator was cleaned inside and out. A bag of ham that was out dated was found to be the cause of the odor. The seals to the door were cleaned and the mold-like substance came off well. There is now a thermometer in this refrigerator and we are checking the temperature daily. It has been added to weekly chore list. The assistant manager will be in charge of making sure the unit stays clean. (Completed 3/2/10) POC R247 accepted 4-23-10. — C. Karaway, RN

The freezer temperature is at zero. Facility implemented a new policy. There will now be daily monitoring of the temperature of the unit. Staff will notify Manager and/or Administrator if the temperature is above 40 in the refrigerator or above 5 in the freezer. (Completed 5/5/10) POC R253 accepted 5-11-10. — C. Karaway, RN

R216

As you have been told by Resident # 1, she had a verbal agreement and was compensated by reduced rent, groceries, cable TV, furnished her a computer with internet connection. She has since stopped work as of 1/5 10. Resident # 2 had a verbal agreement as well and was provided with a monthly check of \$450.00, cable TV and groceries. Resident # 2 has a contract in place stating compensation amount

and duties. As of 4/5/10 all other residents who perform work will have a written contract signed by the administrator, Thomas Gaboriault. R216 - POC accepted 4-23-10. — C. Laraway, RN

R267

Both exit signs that were not in working order had been in working order just two weeks prior when the assistant state fire marshal came back to ensure we had fixed them after his last facility inspection. He assessed them and signed them off as fixed and working properly. We have added checking exit lights to our fire drill list and will be checking with each fire drill. (Completed 2/19/10) POC accepted 5-11-10. — C. Laraway, RN

Addendum to R267—The exit signs were repaired the following day. The Manager will ensure that the lights are in working order when fire drills are run and as needed. (Completed 4/5/10) POC accepted 5-11-10. — C. Laraway, RN

R295

All furnaces are cleaned annually. Companies hired to do this will leave a tag on each furnace as to date and findings. (Completed 2/14/10). The State of Vermont boiler inspector has been notified of inspection as of 3/4/10. Inspection will occur every two years. Manager and Administrator will see to this. POC accepted 4-23-10. — C. Laraway, RN

R302

Fire Drills are not in place every other month for the upcoming year. We are now pre-scheduling the drills. They have been added to our bi-monthly "to do" list. They will stagger in shifts as well as in time. Staff currently has random "pop quizzes" from Manager as far as what to do in the event of a fire. Manager will see to it that the schedule is set and followed. POC accepted 4-23-10. — C. Laraway, RN

R313

All residents have signed agreements with Four Seasons for holding their checkbooks and helping and organize and pay bills. As previously stated, never has Four Seasons had any requirement to hold checkbooks as a condition of admission. Manager will see to it that all residents have agreements in place as of 4/5/10. POC accepted 4-23-10. — C. Laraway, RN