

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

October 14, 2011

Ms. Cathy Etheze, Administrator  
Kingdom Way  
97 Kingdom Way  
Newport, VT 05855

Dear Ms. Etheze:

Enclosed is a copy of your acceptable plans of correction for the survey conducted on **August 25, 2011**. 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,



Pamela M. Cota, RN  
Licensing Chief

PC:jl



Kingdom Way RCH 08/25/2011

**Initial Comments:**

An unannounced onsite re-licensing survey was completed on 8/25/11 by the Division of Licensing and Protection. The following is a regulatory violation:

**R181 – Staff Services; S/S=E**

**5.11.d The licensee shall not have on staff a person who has had a charge of abuse, neglect or exploitation substantiated against him or her, as defined in 33 V.S.A. Chapters 49 and 69, or one who has been convicted of an offense for actions related to bodily injury, theft or misuse of funds or property, or other crimes inimical to the public welfare, in any jurisdiction whether within or outside of the State of Vermont. This provision shall apply to the manager of the home as well, regardless of whether the manager is the licensee or not. The licensee shall take all reasonable steps to comply with this requirement, including, but not limited to, obtaining and checking personal and work references and contacting the Division of Licensing and Protection in accordance with 33 V.S.A. §6911 to see if prospective employees are on the abuse registry or have a record of convictions.**

This REQUIREMENT is NOT MET as evidenced by:

Based on record review and staff interviews, the facility had on staff a person with criminal convictions. Per record review on 8/25/11 at 1:45 PM, the VCIC (Vermont Criminal Information Center) background check revealed misdemeanor convictions for one of two employee records reviewed. The home did not have a waiver from the Licensing Agency to retain this employee. This was confirmed with the Human Resources Department of Northeast Kingdom Human Services at 1:45 PM on 8/25/11, as well as with the Manager of Kingdom Way RCH at 2:05 PM on 8/25/11.

*Please see attached plan of correction.*

Facility: Kingdom Way  
Survey Date: August 25, 2011

R181 - Staff Services  
5.11.6

Plan of Correction:

- NKHS will continue to obtain background checks for prospective employees in accordance with both DAHL and NKHS Background Check policies. Such checks will continue to include obtaining information from the child abuse registry, the adult abuse registry, VCIC, and Vermont DMV records.
- For prospective employees of licensed residential facilities, any convictions or substantiated findings will be reported by NKHS' Director of Human Resources and Compliance to the Director of Residential and Risk Management. Following a review of the background check results, a decision will be made regarding the appropriateness of continuing the hiring process. If it is determined by NKHS that the prospective employee is suitable for employment, NKHS will request a waiver through the Division of Licensing and Protection.
- New employees may begin the orientation process though will not begin working with residents or in the licensed facility until the background check process, including obtaining a DLP waiver, if needed, has been completed.
- Given the prior practice detailed above, NKHS will complete a review of background checks for all existing employees of our licensed residential facilities. Waivers will be requested through DLP for any employees with past misdemeanor or felony convictions, regardless of the nature of the crime.

R181 POC accepted 10/12/11 JHamer RN / PMurphy RN