

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

December 7, 2011

Mr. James McWilliam, Administrator
The Lodge At Otter Creek
350 Lodge Road
Middlebury, VT 05753-4498

Provider #: 0596

Dear Mr. McWilliam:

Enclosed is a copy of your acceptable plans of correction for the survey and complaint investigation conducted on **October 5, 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:ne

Enclosure



NOV 16 2011

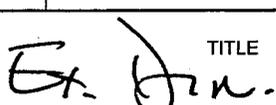
PRINTED: 10/17/2011
FORM APPROVED

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 0596	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 10/05/2011
NAME OF PROVIDER OR SUPPLIER THE LODGE AT OTTER CREEK		STREET ADDRESS, CITY, STATE, ZIP CODE 350 LODGE ROAD MIDDLEBURY, VT 05753		
(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
R100	Initial Comments: An unannounced onsite complaint investigation was conducted on 10/4/11 and 10/5/11 to determine regulatory compliance with the State of Vermont Residential Care Home Regulations (2000).	R100	Please see attached Plan of correction.	
R999 SS=E	MISCELLANEOUS rr. "Unlicensed home" means a place, however named, which meets the definition of a residential care home and which does not possess a license to operate. ll. "Residential care home" means a place, however named, excluding a licensed foster home, which provides for profit or otherwise, room, board and personal care to three or more residents unrelated to the licensee. Based on record review and interview, the home failed to await receipt of licensure prior to admitting 9 persons (Residents #1 to #9) to it's pending Residential Care Home. Findings include: Per record review on 10/4/11, the residential care home was originally licensed to operate effective 8/19/2010. Per review of the current resident roster and original resident admission agreements, 9 persons were admitted to the Residential Care Home and were under Residential Care contract prior to the original licensure date. During interview on 10/4/11, the Administrator confirmed that the admission agreements of Residents #1-9 were signed and/or dated prior to the licensure date. During interview on 10/5/11 with the home's Marketing Specialist an admission roster was reviewed and indicated that 9 persons were admitted to the	R999		

Division of Licensing and Protection

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

 TITLE

(X6) DATE

10/27/11

STATE FORM

6899

Y1J111

If continuation sheet 1 of 2

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 0596	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/05/2011
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R999	Continued From page 1 home prior to licensure.	R999			

Plan of Correction for Lodge at Otter Creek Complaint Survey investigation 10/05/11

R999

rr. "Unlicensed home" means a place, however named, which meets the definition of a residential care home and which does not possess a license to operate.

ll. "Residential care home" means a place, however named, excluding a licensed foster home, which provides for profit or otherwise, room, board and personal care to three or more residents unrelated to the licensee.

Based on record review and interview, the home failed to await receipt of licensure prior to admitting 9 persons (residents #1 to #9) to it's pending Residential Care Home. Findings include:

Per record review on 10/4/11, the residential care home was originally licensed to operate effective 8/19/2010. Per review of the current resident roster and the original resident admission agreements, 9 persons were admitted to the Residential Care Home and were under Residential Care contract prior to the original licensure date. During interview on 10/4/11, the administrator confirmed that the admission agreements of residents #1-9 were signed and or dated prior to the licensure date. During interview on 10/5/11 with the home's Marketing specialist an admission roster was reviewed and indicated that 9 persons were admitted to the home prior to licensure.

The lodge at Otter Creek Comment:

On May 1st 2010 the lodge at Otter Creek was granted an ALR license for apartments 101-108. The survey results indicate that 9 residents were moved into the RCH setting at TLOC prior to the RCH license being granted. Certainly The Lodge at Otter Creek is responsible for moving resident's numbered 3 and 4 and residents numbered 6 and 7 into the RCH area, and signing admission agreements with these residents, prior to licensure. the walk through for this requested license occurred on 5/05/10. Residents 3 and four moved in 5/10/10. Residents 6 and 7 moved into the area requesting RCH licensure on 8/06/11, nearly three months after the walk through. During this time The Lodge at Otter Creek did provide much needed care to these four residents in an area with a RCH license pending.

Action taken to correct the deficiency:

This action was not taken from a position of disrespect with regard to the Vermont RCH regulations. The Lodge at Otter Creek and it's senior management team have reviewed the regulations as they apply to this situation and have agreed that, while it was important to meet the needs of these residents at the time, there will be no further admissions to areas where licensure is pending or absent in the future.

Measures put into place to assure that this deficient practice does not recur:

Executive Director will meet with the Marketing specialist once a week for an "admissions meeting" to review all incoming admissions to the licensed program and to confirm that all residents who will sign a RCH or ALR admission agreement, will reside in a licensed RCH or ALR apartment.

How corrective action will be monitored so deficient practice does not recur:

Executive Director will weekly maintain over sight of all admissions and will review all signed admission agreements.

R999 POC accepted as circled. 12/1/11 CLaraway RN / Amcota RN