

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>IL6005474</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING: _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>05/08/2019</b>
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NAME OF PROVIDER OR SUPPLIER  <b>BRIA OF BELLEVILLE</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>150 NORTH 27TH STREET BELLEVILLE, IL 62226</b>
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S 000	Initial Comments  Complaint Investigation  1943117/IL111765	S 000		
S9999	Final Observations  Statement of Licensure Violations  300.1210b) 300.3240a)  Section 300.1210 General Requirements for Nursing and Personal Care  b) The facility shall provide the necessary care and services to attain or maintain the highest practicable physical, mental, and psychological well-being of the resident, in accordance with each resident's comprehensive resident care plan. Adequate and properly supervised nursing care and personal care shall be provided to each resident to meet the total nursing and personal care needs of the resident.  Section 300.3240 Abuse and Neglect  a) An owner, licensee, administrator, employee or agent of a facility shall not abuse or neglect a resident. (Section 2-107 of the Act)  These requirements are not met as evidenced by:  Based on interview and record review, the facility failed ensure sexual abuse did not occur for 1 of 12 residents (R1) reviewed for abuse in the sample of 12. This failure resulted in R1 being scared with emotional distress and continued emotional distress when seeing the alleged	S9999	<h2>Attachment A</h2> <h3>Statement of Licensure Violations</h3>	

Illinois Department of Public Health  
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE  
Electronically Signed

TITLE

(X6) DATE

05/24/19

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S9999	<p>Continued From page 1</p> <p>perpetrator in the facility after the initial incident.</p> <p>Finding includes:</p> <p>R1's Facility Incident Report dated 04/12/2019 at 1:45 PM, documents the following: "(R1) reported to her CNA (Certified Nurse's Assistant) that her roommate's husband was patting her on the shoulder and moved his arm lower making her feel uncomfortable. V8 (spouse of R11 - roommate) stated that he was just visiting as usual and patted (R1) on the shoulder and was just checking to see how she was doing. Local Police were notified of the allegation. (R1) was offered a room move, (R1) stated that she would move instead to avoid any inconvenience."</p> <p>R1's Incident Report Occurrence Resolution, dated 4/12/19, document "Interdisciplinary team met, reviewed investigation, chart and findings. Staff and residents were interviewed. Based on the results of the investigation, the facility was unable to substantiate abuse. Resident has carried out her normal routine with no signs of mental anguish."</p> <p>On 05/03/2019 at 10:24 AM, V1 (Administrator) stated, "A resident (R1) reported that she was inappropriately touched by roommate's husband about 3 weeks ago. I immediately restricted (V8's) visits to 3 times a week and visits have to be in the lobby and supervised by the receptionist." V1 also stated, "There was another incident previously but no investigation was done and completed on R3 even though it was documented in the final report."</p> <p>R1's electronic Physician Order Sheet for April 2019 documents in part, a diagnosis of hemiplegia, weakness, dementia. R1's Minimum</p>	S9999		
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S9999	<p>Continued From page 2</p> <p>Data Set (MDS) dated 03/12/2019 a Brief Interview for Mental Status (MDS) score of 15 out of 15 (cognitively intact). R1's Care Plan with a date initiated of 03/06/2019 document "(R1) has a diagnosis and is being treated for Dementia without Behavioral Disturbances. She is currently alert and orientated to person, place and time, with no apparent symptoms of cognitive deficits."</p> <p>On 05/01/2019 at 9:30 AM, R1 stated, "About 3 weeks ago it was during the day about 4:00 PM that evening (V8, husband of R11, my roommate) came up behind me in my wheelchair. (V8) put his right hand on my right shoulder and asked if I was feeling okay then he lowered his hand to the top of my right breast and cupped my breast. I was not wearing a bra. (V8) then asked if I was feeling okay and I said 'Yes' and I stopped it and turned towards (V8) and said, 'Don't do that'. (V8) then went to the doorway, looked around, closed the door. (V8) came back to me and placed his hand again on my right shoulder and he reached down and cupped my breast and again I told him, 'Don't do that.' I felt scared, terrified and uncomfortable. I told him to stop it and he went and sat in the corner where his wife (my roommate) was. His wife was sleeping at the time and snoring when this started happening. I was sharing the room with her. I called my husband and told him what happened. I did not tell staff until the next day. After the incident I was moved to another room. I did not feel safe sharing a room where (V8) was. I did see (V8) in the lobby and it makes me feel scared all over again like it was all happening all over again. I was in shock, running into him again. I wish they would have told me he was in the building. When I saw him it was awful. Why didn't they prepare me because when I saw him it was like it was happening again."</p>	S9999		
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S9999	<p>Continued From page 3</p> <p>R1's Nurse's Notes do not document any allegation of abuse or being touched inappropriately.</p> <p>V4 (Certified Nursing Assistant/CNA) statement dated 04/19/2019 (no time) document "(R1) came to me and told me she didn't like being in her room because of (V8). When I asked, she told me that he came behind her and started to rub her shoulders. While doing that his hands kept getting lower and he grabbed her breast. She told him to stop and he did it again. First I reported it to the Director of Nursing and then the Administrator."</p> <p>On 05/02/2019 at 2:38 PM, V4 stated, "(R1) came to me and told me she didn't like being in her room because of (V8). When I asked why, she told me that (V8) came up behind her and started to rub her shoulders. While doing that (V8's) hands kept getting lower until he grabbed her breast. (R1) said she told him to stop and then he did it again. I first I reported it to the (DON) and then my administrator."</p> <p>V11's (Licensed Practical Nurse/LPN) nurses' note dated 4/11/19, untimed documented, "To Whom it may Concern: It was brought to my attention that a complaint was made against (R11's) husband. The complaint was he felt (R1's) breast. (R1) states he felt my breast and I told him to not do that and he then went to the door to see if anyone saw him then he came back and felt my breast again. She goes on to tell me that she spoke with staff about the incident. This is very upsetting to hear from a resident's mouth. We are to protect all of our residents at this facility. Please take action, our residents need to be safe. This is the second resident that I have</p>	S9999		

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S9999	<p>Continued From page 4</p> <p>heard to become a victim."</p> <p>R1's Final Investigation Report, undated documents, "On 04/12/2019 it was reported that (R11's) husband touched (R1) inappropriately. Based on the known facts, the following conclusions have been determined about the original allegation. "(R1) stated that (V8) came to the side of the room, he usually said hi and greeted her daily, often patting or rubbing her shoulder. She felt that he was putting his hand near her breast and she asked him to stop, she stated that he walked over to the door to close it. She stated that he came and walked back over to her and continued to rub on her shoulder and towards her breast. She stated she told him to stop and he did. She stated she had never felt threatened by him before and that she had a good relationship with his wife which is her roommate. She said she had discussed this with her husband and that her husband had spoken with (V8) about the incident. Skin assessments done by the administrator showed no signs of abuse. Resident stated that she just wouldn't feel comfortable around (V8) anymore. We planned a room move for the roommate and (R1) asks me if she could just move. Room move completed. Police called, report made. Alleged visitor (V8) was interviewed and stated that he always checks on (R1). He admitted to rubbing on her shoulder but never touching her inappropriately. He stated that this accusation was devastating to him and denies closing the door or going back over to (R1) and touching her again. I discussed to (V8) that I was going to have to have him visit his wife supervised in the lobby or front conference room, not allowing him to go past the double doors until the investigation was completed by the police department. (V4) interviewed and stated that (R1) informed him of this incident while he was caring</p>	S9999		
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S9999	<p>Continued From page 5</p> <p>for her. He stated that he has never seen any activity suspicious between (V8) and (R1) but does recall an incident a month back that involved suspicious activity between (V8) and another resident. Resident and staff interviewed with no new negative findings. Based on staff interviews, resident interviews, and the review of medical records the facility is unable to substantiate sexual abuse. There was no additional witnesses or evidence of abuse."</p> <p>On 05/08/2019 at 8:10 AM, V18 (CNA) stated, "(R1) is alert and oriented and able to answer questions. She is reliable, does not exaggerate and is credible."</p> <p>On 05/08/2019 at 8:12 AM, V19 (CNA) stated, "(R1) is credible and reliable. She does not have a history of making things up that I am aware of."</p> <p>On 05/08/2019 at 8:13 AM, V6 (Supervisor CNA) stated, "(R1) is alert, interviewable, credible and able to recall and answer things."</p> <p>V1's Investigation Notes interview, dated 4/12/2019 with R1 documents, "(R1) interviewed states (V8) greeted her, put his hand on her shoulder, moved it lower. Went to the door, closed it. Came back and continued to move his hand down lower. She mentioned this had happened in the past to another resident."</p> <p>On 05/03/2019 at 12:45 PM V1 stated, "Police are called in for any kind of abuse (sexual, theft, physical) depending on our policy. Once I started taking statements I learned (R1's) breast was touched. I sent my initial report based on staff. I am not sure if I mentioned (V8) grabbing her breast. I think it was in the final report. The initial report does not document the breast touching. I</p>	S9999		
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S9999	<p>Continued From page 6</p> <p>think the breast touching is in the final report."</p> <p>On 05/03/2019 at 1:55 PM, V16 (spouse of R1) stated, "Yes, my wife called me that night and told me (V8) had touched her breast. She was traumatized. I never talked to him about it or saw him. He is lucky I never saw him. It's just not right; how would he feel if someone did this to his wife. He should not be touching anybody's wife but his own." The Final Report documents V16 talked to V8.</p> <p>On 05/01/2019 at 1:00 PM, V7 (Police Officer) stated, "Yes we were notified of an incident with (R1). When I interviewed (R1) she told me (V8) grabbed her breast. This is currently under investigation."</p> <p>(B)</p>	S9999		
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