

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: IL6003081	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 10/27/2022
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NAME OF PROVIDER OR SUPPLIER DECATUR REHAB & HEALTH CARE CT	STREET ADDRESS, CITY, STATE, ZIP CODE 136 SOUTH DIPPER LANE DECATUR, IL 62522
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S 000	Initial Comments Complaint Investigation: 2268570/IL152593	S 000		
S9999	Final Observations Statement of Licensure Violations: 300.610a) 300.3240b) 300.3240c) 300.3240e) Section 300.610 Resident Care Policies a) The facility shall have written policies and procedures governing all services provided by the facility. The written policies and procedures shall be formulated by a Resident Care Policy Committee consisting of at least the administrator, the advisory physician or the medical advisory committee, and representatives of nursing and other services in the facility. The policies shall comply with the Act and this Part. The written policies shall be followed in operating the facility. Section 300.3240 Abuse and Neglect b) A facility employee or agent who becomes aware of abuse or neglect of a resident shall immediately report the matter to the Department and to the facility administrator. (Section 3-610(a) of the Act) c) A facility administrator who becomes aware of abuse or neglect of a resident shall immediately report the matter by telephone and in	S9999	Attachment A Statement of Licensure Violations	

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

TITLE

(X6) DATE

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S9999	Continued From page 1 writing to the resident's representative and to the Department. (Section 3-610(a) of the Act) e) Employee as perpetrator of abuse. When an investigation of a report of suspected abuse of a resident indicates, based upon credible evidence, that an employee of a long-term care facility is the perpetrator of the abuse, that employee shall immediately be barred from any further contact with residents of the facility, pending the outcome of any further investigation, prosecution or disciplinary action against the employee. (Section 3-611 of the Act) These requirements were not met as evidenced by: Based on observation, interview, and record review the facility failed to investigate repeated allegations of sexual and physical abuse of R1 by an employee and failed to prevent potential further abuse by failing to remove the alleged perpetrator (V4, Registered Nurse) from direct resident care for one (R1) of six residents reviewed for sexual abuse on the sample list of seven. These failures resulted in the alleged perpetrator having direct contact with R1 for ten more days in a two-week time period. During this time R1 continued to make daily allegations of physical and sexual abuse against V4, was scared for her safety, was unable to sleep, and felt like no one was listening to her. This failure had the potential to affect all 36 residents residing in the facility.	S9999		

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S9999	Continued From page 2 Findings include: R1's Physician Order Sheet dated 10/1/22 through 10/31/22 documents R1 has diagnoses of Congestive Heart Disease, Renal Cell Carcinoma of the Left Kidney, Arthritis, Heart Failure, and Depression. R1's Cognitive Assessment dated 9/15/22 documents R1 has moderately impaired cognition. On 10/22/22 at 10:15 AM, R1 was lying in bed. R1 sat straight up in bed and stated, "I have been sexually abused here. A little short guy (V4) who runs the place, he tried to abuse me sexually. I don't want anything to do with him. He is a short guy with a long ponytail." R1 then began to get tears in her eyes and stated, "I have been upset and no one will listen to me. I can't sleep. He is in and out all the time. He tried to rape me and he tried to put his hands in me. I kicked him off me and he tried to sexually rape me. His name is (V4's name) but I don't know him. It happened in my room. I woke up and realized I was being attacked. I can't even sleep. I have a heart condition and cancer. I came here to get rehab. It happened to me twice. Both times happened while I was in the bed. The other men and everyone else have been most polite. Maybe he has a hard time because he is short and ugly. I have seen him on the floor since and he was passing medications. I don't feel safe at all here with him running around. I will fight for my life and kill him if I have to." On 10/24/22 at 9:40 AM, V18 Hospice Nurse stated R1 accused a male nurse (V4) of touching her. V18 stated V18 did report it to the facility and her guardian (V19). V18 stated the first time he reported it was on 10/4/22. V18 stated she	S9999		

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S9999	<p>Continued From page 3</p> <p>says something about (V4) every time I come in and she is very upset when she is talking to me. V18 stated (R1) says (V4) will come in and touch (R1). V18 stated V18 reports it to the nurse on duty every visit. V18 stated (R1) also accused (V4) him of throwing (R1) down in the bed, that was on 10/14/22. V18 stated the facility has called (V18) to come in and sit with (R1). V18 stated (R1) fears (V4).</p> <p>R1's nurse's note dated 10/6/22 at 11:00 AM, written by V8 Licensed Practical Nurse (LPN) documents, "Resident (R1) very upset, stated a white male fought with her and touched her last night and she was scared to be alone."</p> <p>On 10/22/22 at 9:17 AM, V8 stated, "About two weeks ago, (R1) was in the dining room and I asked her why she was out there. She told me she had a scuffle with some white man and she said some white man did something to me. She said, "Well I'm not going to allow him to do anything else to me." She said it happened down there at the hotel. I thought down there at the hotel was her room. She was saying it was last night but (V4) was not working. I did tell Administration. I was trying to figure out what she was talking about. I felt like (V4) was the only one she could be talking about."</p> <p>On 10/22/22 at 8:40 AM, V11 Activity Aide stated, "(R1) tells me about it every time I see her. She brings it up. I talked to other folks (staff) about it. She says that (V4) came into her room and he put his hands on her and tried to rape her and she fought him off. I do one on ones with her when she will allow it so I see her about every day. I asked if they could put a baby monitor in her room to see what was going on because something must have happened. She says he is</p>	S9999		

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S9999	<p>Continued From page 4</p> <p>short and her story is always the same. It's all she wants to talk about. She is scared and upset. She hasn't accused any of the other staff of anything like that."</p> <p>On 10/22/22 at 8:30 AM, V4 Registered Nurse stated: he has never touched R1 except to walk her down the hallway. He is the 3rd shift nurse. "She does get medication because she is on hospice. I give her a pill at midnight. It is Hydrocodone. I now have one of the Certified Nurse's Assistants (CNA) accompany me when I work with her. Because I am the only nurse, I do have to interact with her. I have no clue why she made this allegation. She was confused one night and she was walking down the hall without her walker and she was wearing a top for sure so I approached her and I took her to the dining room. I got the (unknown) CNAs attention. She ended up having a UTI (Urinary Tract Infection). That's when her behavior toward me changed. She gets very suspicious now about me. She is still angry towards me and I don't know what I did to offend her. When I work, she will ask others where am I at and will ask why am I here. She is very suspicious towards me. She will yell out when she sees me, "That's him, that's you, call the police!" Then her story will change. She had an accident where she fell in the bathroom. And I don't think she was clothed then. I had to go in and assess her when she fell. I believe there was a (unknown) CNA in there when I assessed. She wasn't hurt when she fell. I believe the management is aware that she is still accusatory towards me."</p> <p>On 10/22/22 at 9:43 AM, V1 Administrator stated V1 has not conducted an investigation of abuse related to R1's allegations against V4. V1 has not removed V4 from having further contact with R1</p>	S9999			

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S9999	<p>Continued From page 5</p> <p>and has not notified the police or the state agency after the allegations of abuse were made. V1 stated they chalked it up to R1's having behaviors or delusions. V1 stated this is the first time she has made allegations of a sexual nature. V1 stated R1 says stuff daily and that she is now fixated on V4. V1 stated this started at the beginning of October 2022.</p> <p>On 10/24/22 at 9:59 AM, V17 Regional Director of Operations stated when there is an allegation of any type of sexual misconduct then the alleged perpetrator should be suspended pending investigation, the Administrator, the guardian, police, and public health should be notified.</p> <p>The facility's Daily Census dated 10/22/22 provided by V1 Administrator documents there are 36 residents residing in the facility. (B)</p>	S9999		
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