

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: IL6004832	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 01/05/2023
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NAME OF PROVIDER OR SUPPLIER SYMPHONY CHICAGO WEST	STREET ADDRESS, CITY, STATE, ZIP CODE 5130 WEST JACKSON BOULEVARD CHICAGO, IL 60644
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S 000	Initial Comments FRI of 12/27/2022/IL154657	S 000		
S9999	Final Observations Statement of Licensure Violations 1 of 2 300.610a) 300.1210b) 300.3210t) 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 and shall be reviewed at least annually by this committee, documented by written, signed and dated minutes of the meeting. 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	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	<p>Continued From page 1</p> <p>resident to meet the total nursing and personal care needs of the resident.</p> <p>Section 300.3210 General</p> <p>t) The facility shall ensure that residents are not subjected to physical, verbal, sexual or psychological abuse, neglect, exploitation, or misappropriation of property.</p> <p>These Requirements were NOT MET as evidenced by:</p> <p>Based on interview and record review, the facility failed to ensure that two residents (R5 and R6) were free from resident-to-resident physical abuse. This failure affected R5 who sustained a laceration to the left eyebrow that required stitches.</p> <p>Findings include:</p> <p>On 01/03/23 at 11:20 am, V1 (Administrator), who is the abuse coordinator, provided the surveyor with the initial and final incident reports that were sent to the state agency for the alleged incident that occurred on 11/27/2022 between R5 and R6. The final report faxed to the state agency on December 2, 2022, documents, in part, "(R5) was warming up his (R5) food when (R6) walked up behind him (R5). When (R5) turned around, (R6) struck him (R5) with his cane. (R5) then took (R6's) cane and hit (R6) with it."</p> <p>On 01/03/23 at 12:35 PM, due to a history of traumatic brain injury, bilateral hearing loss and selective mutism, the surveyor had to interview R6 by writing the questions on a piece of paper to which R6 was able to reply "yes" or "no" by shaking his (R6) head. At times, R6 would</p>	S9999			

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S9999	<p>Continued From page 2</p> <p>answer with simple sentences but as the dialogue progressed, it became incomprehensible. When the surveyor inquired if R6 hit R5 with his (R6) cane, R6 shook his head "Yes" and stated, "He (R5) put his (R5) hands on me (R6) first." When asked why, R6 replied, "I (R6) don't know." The surveyor inquired if R6 was hurt. R6 replied, "Not at all."</p> <p>On 01/03/23 at 1:03 PM, the surveyor used the facility's language interpreting service to interview R5 who is mostly Spanish speaking. When asked about the alleged altercation with R6, R5 kept responding, "I don't remember." The surveyor inquired if R5 had gone to the hospital recently. R5 stated, "I (R5) went to the hospital once, but it was nothing. It was like a month ago. I (R5) hit my eyebrow." When the surveyor inquired if R5 was hit by another resident, R5 stated, "I (R5) don't remember if someone hit me."</p> <p>On 01/03/23 at 12:11 pm, V12 (LPN/Licensed Practical Nurse) stated, "I (V12) was at my medication cart at the nurses' station and heard a lot of commotion, so I (V12) ran over to where the microwave is at. I (V12) saw (R5) had (R6's) cane and was hitting (R6) with it. He (R5) told me that he (R5) was at the microwave trying to warm food up. (R6) came to him (R5) and put his (R6) finger in his (R5) face and hit him (R5) with the cane. I asked (R6) if he (R6) hit (R5) first, he (R6) said yes. So, he (R6) initiated the fight." V12 added that R5 was bleeding from above one of his (R5) eyes (V12 could not remember which eye but stated that it's documented).</p> <p>On 01/04/23 at 9:34 AM, V26 CNA stated that she (V26) didn't see when the altercation started because she (V26) was in a resident's room. V26 added, "When I got to it, (R6) was on the floor</p>	S9999		

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S9999	<p>Continued From page 3</p> <p>and (R5) was hitting him (R6) with (R6's) cane. I grabbed (R5) and walked him (R5) to the nurse because his (R5) head was bleeding."</p> <p>On 01/04/23 at 10:31 AM, V1 (Administrator) stated, "(R5) was sent out to the hospital to ensure that there was no internal injury since he (R5) received a blow to the head."</p> <p>On 01/04/23 at 1:07 PM, the surveyor inquired what type of injury, in your professional opinion, is possible if a resident is hit in the head with a cane? V32 (R5's Primary Physician) replied, "Well it could be no injury, it could be a minor abrasion, a superficial hematoma, underlying subdural bleed, brain contusion, possible death. All of that is possible."</p> <p>R5's 11/27/22 "Emergency Department Discharge Summary" documented, in part, "Discharge Diagnoses: Laceration of face."</p> <p>R5's Nursing Progress Note authored by V12 on 11/27/22 at 3:54 PM documents, in part, "Patient (R5) arrived back to the facility. Patient (R5) has dissolvable stitches to his (R5) left lower eyebrow."</p> <p>R5's face sheet documents diagnoses including but not limited to personality disorder, convulsions, alcohol abuse, schizophrenia, osteoporosis, and anxiety disorder.</p> <p>R5's 12/08/22 BIMS (Brief Interview for Mental Status) determined a score of 13, indicating that R5's cognition is intact.</p> <p>R6's face sheet documents diagnoses including but not limited to traumatic brain injury, cerebral infarction, hemiplegia and hemiparesis affecting</p>	S9999		

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S9999	<p>Continued From page 4</p> <p>left non-dominant side, bilateral hearing loss, selective mutism, major depressive disorder, psychosis, schizoaffective disorder and anxiety disorder.</p> <p>R6's 11/01/22 BIMS determined a score of 9, indicating that R6's cognition is moderately impaired.</p> <p>R6's 12/24/2019 care plan documents, in part, "The resident has the potential to demonstrate physically aggressive behaviors."</p> <p>The facility "Abuse Prevention Program-Policy" dated 11/22/17 documents, in part, "Residents have the right to be free from abuse, neglect, exploitation, misappropriation of property or mistreatment ...Physical abuse is the infliction of injury on a resident that occurs other than by accidental means and that requires medical attention. Physical abuse includes hitting, slapping, pinching, kicking, and controlling behavior through corporal punishment."</p> <p>(B)</p> <p>2 of 2 Licensure Violations</p> <p>300.661 Section 300.661 Health Care Worker Background Check</p> <p>A facility shall comply with the Health Care Worker Background Check Act and the Health Care Worker Background Check Code.</p> <p>(Source: Amended at 45 Ill. Reg. 11096, effective August 27, 2021)</p>	S9999		

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S9999	<p>Continued From page 5</p> <p>This Regulation is NOT MET as Evidenced By:</p> <p>Based on interview and record review, the facility failed to ensure Healthcare Worker Background Checks were done in a timely manner and were documented in an effort to prevent abuse. This failure has the potential to affect all 160 residents residing in the facility.</p> <p>Findings include:</p> <p>The (01/03/2023) Facility census was 160 residents.</p> <p>On 01/04/2023 at 9:26am, this surveyor and V29 (Director of Human Resources) initiated review of the staff Health Care Worker Background check.</p> <p>On 01/04/2023 at 9:29am, V29 stated that V13 (Certified Nursing Assistant) was hired on 11/03/2018 and that Healthcare Worker Background check was initiated on 06/21/2019. Review of V13 Health Care Worker Registry and the facility (As of 01/03/2023) Anniversary List by Organization affirmed V29 statement.</p> <p>On 01/04/2022 at 9:30am, surveyor inquired about the importance of the Healthcare Worker Background Check. V29 (Director of Human Resources) stated, "We (facility) are supposed to run the background check before staff come in, before they start working. The importance of doing the background check is to make sure there is no abuse allegation towards staff or resident; or that staff are eligible to work in a nursing home. Crimes committed will make staff not eligible to work in a nursing home. Some crimes, you get a waiver and some cannot. Most part, I (V29) do the background check prior to</p>	S9999		

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S9999	<p>Continued From page 6</p> <p>hiring, I (V29) did check V13 (Certified Nursing Assistant), but probably not printed it, since she (V13) worked here before. The date on the left top corner of the form was the date I (V29) ran the background check."</p> <p>On 01/04/2022 at 9:43am, surveyor inquired about V15 (Licensed Practice Nurse) Healthcare Worker Background Check. V29 stated, "I (V29) just ran her (V15) background check today. She (V15) started 11/01/2021, I (V29) know I (V29) ran it around that time. I (V29) don't know what happened to her (V15) file. I (V29) know that if it is not documented, it never happened." Review of V15 Health Care Worker Registry and the facility (As of 01/03/2023) Anniversary List by Organization documented that V15's last hire date was on 11/05/2021 and not on 11/01/2021 as stated by V29.</p> <p>On 01/04/2023 at 9:49am, V29 stated that V18 (Licensed Practice Nurse) was hired on 06/02/2004 and the Healthcare Worker Background check was dated 3/27/2006. Review of V18 Health Care Worker Registry and the facility (As of 01/03/2023) Anniversary List by Organization affirmed V29 statement.</p> <p>On 01/04/2023 at 9:50am, surveyor inquired about V18 (Licensed Practice Nurse) Healthcare Worker Background Check. V29 stated, "That was well before I (V29) came in, I (V29) have no clue why it's late. I (V29) started as HR Director on 7/31/2018."</p> <p>On 01/04/2023 at 9:57am, V29 stated that V31 was hired on 09/20/2013 and the Healthcare Worker Background Check was dated 05/19/2016. Review of V31 Health Care Worker</p>	S9999		

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S9999	<p>Continued From page 7</p> <p>Registry documented that it was initiated on 09/10/2019 and not on 05/19/2016; and the facility (As of 01/03/2023) Anniversary List by Organization affirmed V29 statement about V31's last hire date.</p> <p>On 01/04/2023 at 9:58am, surveyor inquired about V31 (Registered Nurse) Healthcare Worker Background Check. V29 stated, "I (V29) was not here when she (V31) was hired. I (V29) don't know what happened to her (V31) background check."</p> <p>The (As of 01/03/2023) Anniversary List by Organization documented that V13's last hire date was on 11/03/2018, V15's last hire date was on 11/05/2021, V18's last hire date was on 06/02/2004, and V31's last hire date was on 09/20/2013.</p> <p>On 01/04/2023 at 10:51am, surveyor inquired about Healthcare Worker Background check. V2 (Director of Nursing) stated, "We ran the background check prior to starting to work, to see if there is previous issue like anything criminal, to avoid or prevent any type of abuse."</p> <p>On 01/04/2023 at 11:30am, surveyor inquired about Health Care Worker Background Check. V1 (Administrator) stated, "This needs to be done within 10days of hire. That's the regulation. We should be following the regulation."</p> <p>The (undated) Director of Human Resources Job Description documented, in part "Purpose of your Job Position. The primary purpose of your job position is to direct human resources department in accordance with current applicable federal, state, and local standards, guidelines, and regulations ... Administrative Functions. To</p>	S9999		

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S9999	<p>Continued From page 8</p> <p>ensure that appropriate documentation concerning the employee's right to work in this country is verified in accordance with current laws, regulations, and guidelines concerning such matters, and that appropriate documentation of such review is filed in the employee's personnel record within the specified time frame."</p> <p>The (undated) Pre-hire Screening Helpful Information Background Checks documented, in part "Purpose: (Facility) is required to conduct various background check including fingerprinting and reference checks. These item are examined during State inspection therefore it is a crucial part of the file and must be in order. All these checks must be done and completed prior to a prospective candidate beginning work. The HR (Human Resources) Manager/BOM (Business Office Manager) is responsible for ensuring the timely and accurate request of all background checks, fingerprint portal registry check and professional reference checks. Procedure: BACKGROUND CHECKS. A series of background checks must be initiated for all candidates after a conditional employment offer has been made and before their first official day.</p> <p>The (undated) Abuse Prevention Program - Policy documented, in part "Residents have the right to be free from abuse, neglect, exploitation, misappropriation of property or mistreatment. His include but is not limited to corporal punishment, involuntary seclusion, and any physical or chemical restraint not required to treat the resident's medical symptoms. PURPOSE: The purpose of this policy and the Abuse Prevention Program is to describe the process for identification, assessment, and protection of residents form abuse, neglect, misappropriation of property, and exploitation. This will be</p>	S9999		

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S9999	Continued From page 9 accomplished by: conducting pre-employment screening of employee ..." (C)	S9999			