

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: IL6005359	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 03/29/2023
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NAME OF PROVIDER OR SUPPLIER LIBERTYVILLE MANOR EXT CARE	STREET ADDRESS, CITY, STATE, ZIP CODE 610 PETERSON ROAD LIBERTYVILLE, IL 60048
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S 000	Initial Comments Complaint Investigations 2312622/ IL 158137- 300.3210 t), 300.3240 b)c)g) 2312626/ IL 158140- No deficiencies	S 000		
S9999	Final Observations Statement of Licensure Violations: 300.3210 t) 300.3240 b) 300.3240 c) 300.3240 g) Section 300.3210 General t) The facility shall ensure that residents are not subjected to physical, verbal, sexual or psychological abuse, neglect, exploitation, or misappropriation of property. 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) 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 writing to the resident's representative and to the Department. (Section 3-610(a) of the Act) g) A facility shall comply with all requirements for reporting abuse and neglect pursuant to the Abused and Neglected Long Term Care Facility Residents Reporting Act.	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>These requirements are not met as evidenced by:</p> <p>Based on interview and record review, the facility failed to ensure a resident was not abused, failed to immediately report the abuse to the facility Administrator and the State Health Department, and failed to follow the Abused and Neglected Long Term Care Facility Residents Reporting Act.</p> <p>This applies to 1 of 3 resident (R1) reviewed for abuse in a sample of 5.</p> <p>The findings include:</p> <p>The Facility Unusual Occurrence Report, dated 3/27/23, states, "Upon entering the dining room while gathering residents for Bingo, (V4- Activity Assistant) observed (V8-R1's Husband) trying to pull (R1) forward in her wheelchair. When she resisted he slapped her on the right side of her face with his open hand." This report shows it was sent to the State Health Department on 3/28/23 at 1:25 PM.</p> <p>On 3/29/23 at 8:30 AM, V1 (Administrator) stated, "We have a husband who struck a resident. He did the same thing about 1 year ago. We had a meeting with him and we decided if anything like this happens again then we would have to put more restrictions on him and his visitation rights. This time it was visually witnessed by 1 staff and observed by a second. She heard the slap. This husband tends to ignore the rules. He is so stubborn and obstinate. One of his big things is being non-compliant with the masks. Then he is quick to point out what other people are doing and how they are not following the rules. He is here everyday in the building from 6:00 AM- 8:00</p>	S9999		
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S9999	<p>Continued From page 2</p> <p>PM. There are no other families that are that involved with a resident. He is our primary visitor. Last time this happened, the police came and they filed a domestic battery report. About 1 month ago, the Officer called me and asked me how this gentleman was doing then he was on vacation so another Officer came this time and he filed another report. (R1's) verbalization ability is very little. The staff could tell when then interviewed her after this happened that her body language changed and I think she said- or what they could make out was, "It is what it is." I think the last time she said, "I don't want him to get in trouble." The husband denies striking her. He wants to confront the person that reported him. Last time it was 2 nursing students that saw him. The first time it was more involved, more severe. We gave him a warning. We can't watch him 24/7, and he was in the facility at will. Now we have him restricted to 1 hour visits 2 x a day. He assists her with meals because she needs to be fed, and he thinks he is the only one that can feed her. It is his main goal is to make sure he feeds her because he doesn't think anyone else can do it."</p> <p>On 3/29/23 at 9:15 AM, V4 (Activity Assistant) stated, "I was taking another resident into the dining room for Bingo it was about 2:15 PM on Monday. They were kind of at an angle to me and (V8) was standing over (R1). They were close to the table that they sit at in the dining room. He was trying to move her up in the wheelchair because sometimes she slides down. She was resisting him and he slapped her. My coworker, (V5- Activity Assistant) was behind me with the Bingo cart and and she heard the slap. After that, I just got ready for Bingo. I waited until after we were done to go tell (V3- Social Services/ Activity</p>	S9999		
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S9999	<p>Continued From page 3</p> <p>Director) what happened. I didn't want to cause a scene right then. (V8) and (R1) sat in there and played Bingo, and then (V5) and I went to (V3's) office and they had us write out our statements. No one talked to (V8) at that time. (V8) usually leaves after Bingo and while I was with (V3) she called the receptionist, and she said that (V8) had left. Then (V3) let (V2- Director of Nursing) know. I didn't see (V8) again after that and he never confronted me. I had never seen (V8) do anything to (R1) before but I had heard stories about what happened last time. He is not an easy man to deal with. He complains about a lot of things."</p> <p>On 3/29/23 at 10:00 AM, V5 (Activity Assistant) stated, "I was going into the dining room behind (V4). I was pushing the cart. I heard what sounded like a slap and saw (V8) was standing over (R1) and she was resisting him. When (V8) looked up and saw us then he went around to the back of (R1's) chair. We couldn't find anyone at the time, so we continued with Bingo. (V8) is very erratic and I did not want to confront him. I have always just tip-toed around him. I try my best just to keep him happy. When Bingo was done and we saw (V3) we told her what happened. She called the (V2), and (V2) went and looked at (R1). There were no marks that I could see. I've seen (V8) yell at (R1) before and other staff. I stay away from (V8). Recently we were having a Bingo game and (V8) got upset about one of the other resident's winning and he yelled out, "That is B.S. - but he actually said the words." The other residents feel like he takes advantage of the rules. (R4) mentioned feeling uncomfortable around (V8) in the dining room. He approached her once with a sarcastic comment and she said she is not sure she wants to come to Bingo anymore if he is going to be there. (V8) is always arguing with the staff. He is here a lot and he is</p>	S9999		
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S9999	Continued From page 4 always at Bingo." On 3/29/23 at 10:25 AM, V3(Social Services/ Activity Director) stated, " I was not witness to it on Monday, but this is not the first time this had occurred. (R1) has significant verbal challenges, and when I approached her on Monday she greeted me with open arms and a hug like she always does. Then I asked her "Is everything okay with you and (V8)?" (R1) got very emotional and seemed very frustrated- her body language just changed and she started shaking her fist. I don't really think (V8) is an abuser, but it is out of sheer frustration when (R1) is not responding to him the way he wants her to. It is kind of a controlling obsession for him- I really feel so badly for him. When this happened on Monday, the girls should have come and told me right away. I know he has confronted (V6- Licensed Practical Nurse/LPN) about it, and another nurse, and they were not even here. He wants to blame others. After he confronted them, then he came after me. He plays Bingo with (R1), but really he just plays Bingo. He doesn't use good judgement and he is starting to upset the other residents. On Monday, he took all the beanie babies from the cart. He says he wants to give them to his granddaughter. I asked him how old his granddaughter is and he said 14. He thinks this whole thing is from Bingo. Before I knew what had happened, I approached him about the Bingo prizes, and asked him to save some things for the other residents. He came here last night after we talked with him, and it took several of us to get him to leave. Then he was here again at 6 AM this morning. I told him he doesn't need to come at 6 AM and he said, "I look forward to it." I told him (this restriction) might be healthy for him to get out of here for a while. Then he went back and started taking things out of her room. He was very emotional.	S9999		

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S9999	<p>Continued From page 5</p> <p>He was taking the pictures and things out of her room, because he said those are his things, and he doesn't want them disappearing. He is here for easily 6 hours a day for meals- he always feeds her. The front door has a code and he knows the code. The police came on Tuesday. (V1- Administrator) put everything in order, and then he called the police. They were here about noon. Then (V1) and I met with (V8) about 1:00 PM. (V8) said the police believed him, and he didn't understand why we didn't. He kept trying to negotiate with the restrictions. He insists he has to be here to cut up her food in the certain way he thinks it needs to be cut. I think she loves him, but she gets exasperated by him. She expressed frustration with him from the beginning. When I talked to (R1) after the first time this happened, I can't remember exactly what she said, but it was statements of love and concern, and I remember she said she didn't want him to get in trouble. After I took statements from the girls, we went to talk to (R1). (V8) was just coming back in the building, so I had to hurry, but when he came in he was just doing his own thing for a little bit, and I talked to the staff to get them to distract him. We had her in one area of the building and he didn't see her right away. I'm sure (V8) stayed for dinner on Monday, and then he was back at 6:00 AM on Tuesday morning."</p> <p>On 3/29/23 at 9:45 AM, V6 (LPN) stated, "The incident happened on Monday and the police were called on Tuesday. I was not here on Monday. On Tuesday (V8) came running out of her room with a piece of paper in his hand toward me yelling, "You God D*** nurses- you did this, you did this because you hate me!" He is constantly doing aggressive things, but he does them 'on the sneak'. He broke the window in her room during COVID. Come look at this-" Surveyor</p>	S9999		
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S9999	Continued From page 6 followed V6 into R1's room. "They couldn't have any visitors, and he stood out there holding signs up at the window. He comes in here at 6:00 AM every morning. He was here this morning and the night shift nurse told him he had to leave. He said he wanted to get her laundry or something like that. He is usually asleep in her recliner while she is out propelling through the facility. (R1) is in her own land, she doesn't care if (V8) is here or not. I have seen him be aggressive. At the dining room table he smacks her hands or yells at her "stop that!", or if she is pushing against the table he says, "sit there!" He wants her to do what he wants her to do. He screams at the kitchen staff, activities, everyone. When she first came in she was much more coherent and she was able to speak. The last few years her mental capacity has really gone down hill." On 3/29/23 at 8:30 AM, V8 stated, "My wife has had 2 strokes and she has Alzheimer's. They have accused me of slapping her- twice now. I am only allowed to be there for 1 hour in the morning, and 1 hour in the afternoon for lunch. I have been here from 6 AM- 8 PM 7 days a week. I definitely did not hit her. Why would I do that? I have to cut her food up real fine because I don't want her on that other stuff (pureed). I told them let the people that reported me take a lie detector, and I will take a lie detector, but they won't do it. I am there 8-10 hours a day, and they say I beat my wife. I just want to be able to come 3 times a day so I can be there at every meal. She can't talk at all and her left side is weak. I think this is all started because we were playing Bingo, and I took 2 stuffed animals off of the cart. That is where it all started. She had slipped down in her wheelchair and I was trying to pull her back up- I didn't hit her." At 1:15 PM, V8 was sitting in the dining room feeding R1. V9 (R1/V8's future	S9999			

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S9999	<p>Continued From page 7</p> <p>daughter-in-law) was also sitting with them. (V9) stated, "Show her your coat- he got burned because during the pandemic he built a little hut with a fire outside her window and he would hold up signs that said- "don't take her tray, she is not finished yet, she needs to be changed, or make sure you lock her wheelchair." It was so sweet!" V8 then stated, "I am worried she will not get fed if I am not here. V9 interjected, "She lost 30 lbs during the pandemic, she got COVID here- she is much better off because he is caring for her." V8 continued, "We won at Bingo, and I took 2 stuffed animals for her granddaughter- she likes to give them to her. That makes her smile. There was another lady there complaining on Monday, and the next thing I know I am being accused of hitting her. I always come at 6:00 AM and I bring her a donut or a banana because they don't feed her breakfast until 8:30 AM, and she is hungry when she gets up early. Then I leave about 9:30 and I take her laundry- I do laundry every 2 days- her clothes and mine, and that makes 1 load. Then I come back at 11:00 AM, and I push her around the facility. She likes to go around all the time. Then I leave about 1:30 PM, and come back at 4:00 PM, and do her leg exercises because they won't give her therapy anymore and they don't touch her. Then I stay for dinner. They have lost 2 sets of dentures. (R5) do you know who she is? She got upset because I guess I took the stuffed animals that she wanted. Last June or July, I was trying to pull (R1's) butt back in the chair, and they accused me of hitting her. I'm not hitting her. (R1 sitting next to spouse head is tilted toward him and suddenly her eyes were glaring at him) V9 stated, "She cried this morning because he wasn't here- it is just so ridiculous." V8 stated, "I told them to give me a lie detector and have whoever reported me take one too. They are trying to get rid of me because they</p>	S9999		
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S9999	<p>Continued From page 8</p> <p>don't want me here." Surveyor asked, "Why would they not want you here?" V9 stated, "Because he complains when she is wet." V8 continued, "They have lost 5-6 pairs of jeans for her because they put them in their laundry instead of hers. Surveyor asked, "Have you looked in the laundry- lost and found?" V8 stated, "Oh no they won't let you do that."</p> <p>The facility Alleged Resident abuse, Neglect, Mistreatment, Misappropriation or Involuntary Seclusion Report, dated 7/21/22, states. "On Wednesday 7/20/22 afternoon at approximately 5:10 PM (R1) was seated in her wheelchair across from the unit 400 nurses' station. (V8) was visiting (R1). (V8) is very involved in (R1's) care and visits facility daily. He normally arrives at 6:00 AM and leaves the facility at 8:00 PM. (R1) is demented and requires total assistance with all activities of daily life throughout the entire day and evening. (V8) was attempting to reposition (R1) in the wheelchair. At some point during his efforts to assist (R1) (V8) grew frustrated by (R1's) non compliance to his efforts. (V8) grabbed (R1) around the neck and next (V8) struck (R1) four times across the face with his open hand."</p> <p>The facility policy entitled Elder Abuse Policy, dated 1/22/19, states, "The purpose of this policy is to ensure that all employees of (Facility) are familiar with what constitutes elder abuse, are able to identify signs of abuse and are aware of who and when to report suspected abuse. All employees shall be aware of the Elder Justice Act and the mandate of reporting any suspected crime. (Facility) maintains a living environment that fosters reporting of concerns and problems that indicate abuse and that protects each and every one of its residents." This same policy states, "All allegations must be reported</p>	S9999		

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S9999	Continued From page 9 immediately to the nursing home administrators or your supervisor who will report to the administrators." (B)	S9999		
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