

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  IL6011993	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED  C 02/14/2023
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NAME OF PROVIDER OR SUPPLIER  BELLA TERRA BLOOMINGDALE	STREET ADDRESS, CITY, STATE, ZIP CODE 165 SOUTH BLOOMINGDALE ROAD BLOOMINGDALE, IL 60108
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S 000	Initial Comments	S 000		
	Investigation of Facility Reported Incident of January 31, 2023/IL156222			
S9999	Final Observations	S9999		
	Statement of Licensure Violations			
	300.610a) 300.1210b) 300.3240e) 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			
			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>care and personal care shall be provided to each resident to meet the total nursing and personal care needs of the resident.</p> <p>Section 300.3240 Abuse and Neglect</p> <p>e) Resident as perpetrator of abuse. When an investigation of a report of suspected abuse of a resident indicates, based upon credible evidence, that another resident of the long-term care facility is the perpetrator of the abuse, that resident's condition shall be immediately evaluated to determine the most suitable therapy and placement for the resident, considering the safety of that resident as well as the safety of other residents and employees of the facility.</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 protect a cognitively impaired resident from sexual abuse by another resident.</p> <p>This failure resulted in R8 experiencing sexual abuse at the facility when R9 provided a bed bath to R8, and R8 displaying psycho-social symptoms of emotional upset when discussing the incident. R8's medical diagnosis makes assessing the effects of sexual abuse difficult. A reasonable person would not want to be bathed by another</p>	S9999		

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S9999	<p>Continued From page 2</p> <p>facility resident.</p> <p>This applies to 1 of 3 residents (R8) reviewed for resident-to-resident abuse in the sample of 9.</p> <p>The findings include:</p> <p>The facility's Abuse Report Final Form dated February 6, 2023, shows an allegation of sexual abuse occurred at the facility on January 31, 2023. The alleged victim was R8 (female resident), and the alleged perpetrator was R9 (male resident). The form continues to show, "On 1/31/2023, V13 (RN-Registered Nurse) reported that R9 was seen in R8's room and R9 stated he was in her room to assist her with a bed bath."</p> <p>The EMR (Electronic Medical Record) shows R8 is a 60-year-old female resident. R8 was admitted to the facility on July 1, 2022, with multiple diagnoses, including hemiplegia and hemiparesis following cerebral infarction affecting left non-dominant side, hypertension, anemia, depression, chronic respiratory failure, and cerebrovascular disease.</p> <p>R8's MDS (Minimum Data Set), dated December 15, 2022, shows R8 has severe cognitive impairment, requires limited assistance by one facility staff member with eating, extensive assistance with bed mobility, transfers between surfaces, dressing, and toilet use, and is totally dependent on facility staff for locomotion off the unit, personal hygiene, and bathing. R8 is always incontinent of bowel and bladder. R8's MDS continues to show R8 has a functional limitation in range of motion of her upper and lower extremities on one side of her body.</p> <p>The EMR shows R9 is a 62-year-old male</p>	S9999		
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S9999	<p>Continued From page 3</p> <p>resident. R9 was admitted to the facility on June 8, 2022. R9 went on therapeutic leave on September 22, 2022 and returned to the facility on September 26, 2022. R9 has multiple diagnoses including COPD (Chronic Obstructive Pulmonary Disease), opioid dependence, alcohol abuse, anxiety, seizures, and depression.</p> <p>R9's MDS dated November 28, 2022, shows R9 is cognitively intact, requires physical help limited to transfer only for bathing, is independent with eating, and requires supervision with all other ADLs (Activities of Daily Living). R9 is occasionally incontinent of urine and always continent of stool.</p> <p>R9's Illinois State Police criminal background check, dated June 8, 2022, shows R9 has a criminal history of "disorderly conduct, bad checks/obtain control of property, and attempted forgery/make/alter document."</p> <p>On February 1, 2023, at 12:57 PM, V1 (Administrator) said she received an allegation of sexual abuse regarding R8 and R9 on January 31, 2023. V1 said, "The CNA (Certified Nursing Assistant) went into R8's room and noticed that she was unclothed, and her hair was wet. R9 gave her a bed bath. I reported it to IDPH (Illinois Department of Public Health) because R8 is not decisional."</p> <p>On February 1, 2023, at 2:18 PM, R8 said, "R9 and I are engaged. It happened last week. We stay at the same place (resident could not name the facility). He tells me he loves me. He hugs me. On shower days we get a bed bath. He decided to clean me up and it was my shower day. He gave me a new gown." R8 was tearful while discussing the incident.</p>	S9999		
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S9999	<p>Continued From page 4</p> <p>On February 1, 2023, at 1:44 PM, R9 was sitting in his room. R9 said, "I proposed to the girl down the hall (R8) and gave her a ring. She complained she did not get a bath. I helped wash her up. She was wearing a hospital gown and had food all over her chest. I was able to get the food off. She wears an [incontinence brief] or pull-up type of underwear."</p> <p>On February 1, 2023, at 2:18 PM, V16 (Certified Nursing Assistant/CNA) said, "After dinner last night, R9 came to get me to tell me [R8] needed a clean brief. I noticed R8's hair was wet. She was lying in bed, covered by a blanket. I asked the other CNA (V15) if she gave R8 a bed bath, and she said no. I lifted the blanket off of R8 and she was completely naked underneath the blanket. No gown and no incontinence brief, and she was wet all over her body from head to toe. She had been washed everywhere. When I asked her why her hair was wet, she told me it was because the male resident had helped her with a bed bath."</p> <p>On February 1, 2023, at 4:02 PM, V1 (Administrator) said, "We will be doing the investigation for the abuse allegation from last night. I asked R8 who disrobed her, and she said she did that herself."</p> <p>On February 2, 2023, at 10:46 AM, V11 (SSD-Social Service Director) said, "I am currently working on finding placement for R9 at another facility. He said his daughter has a plane ticket for him to move to Massachusetts, and I sent two more referrals out there, but he is on the wait list. I was never aware he and R8 had a relationship. He never talked about it. He never requested to share a room with her. I have never</p>	S9999		
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S9999	<p>Continued From page 5</p> <p>seen him speak to other residents. He did not tell me he gave her a ring. He has never asked me to make plans to transfer his fiancé (R8) with him when he leaves the facility."</p> <p>On February 7, 2023, at 11:43 AM, V16 (CNA) said, "That night, just after dinner, R9 walked out of R8's room. R8 was wet everywhere. R8 said, "My husband gave me a bath." I was assigned to R8 that night. I worked from 3:00 PM to 7:00 AM the next morning. It was not her night to receive a shower. R8 cannot remove her own clothes or her incontinence brief by herself. Her left arm does not work, and her left leg does not work. She is not able to cover herself with a blanket. She is able to feed herself with her right hand, but she will make a mess. When I saw her naked and all wet in the bed, I asked her who gave her a bath, and she said R9 gave her a bath. R8 was wet on her breasts, her genital area, and from her head down to her toes. I never removed her clothes that evening, and I did not give her a bed bath. No one ever told me the two residents were married or engaged."</p> <p>On February 7, 2023, at 12:10 PM, V14 (RN) said, "I regularly care for R9. No one has ever told me he and R8 were engaged or married. That night (1/31/2023), he started saying that she was his wife and then later, he said she was his fiancé. I told him he was not allowed to go in R8's room. He said he was just trying to help her, and then he started swearing and went in the room and threw a garbage bag at a CNA in the other hallway."</p> <p>On February 7, 2023, at 12:20 PM, V13 (RN) said, "I was taking care of R8 that night (1/31/2023). The CNA came and told me the resident received a bed bath from a resident. I</p>	S9999		
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S9999	<p>Continued From page 6</p> <p>was passing medication, and the CNA came up to my cart and said the patient was naked. R8 said, "I just received a bed bath by R9." She had a stroke, and she is unable to move her left side and is not able to remove her clothes by herself. I did not remove her clothes or give her a bed bath that night. After the bed bath situation, she said they were engaged."</p> <p>On February 7, 2023, at 1:48 PM, V19 (CNA) said, "I was not taking care of R8 that night. I was at the nurse's station. I was doing my charting. V16 asked me to follow her into R8's room. R8 was lying in the bed completely naked. The bedding was wet. The resident used her right arm to cover her breasts, and her left arm was lying on top of her body, with her left hand resting on her genital area. The resident was not able to move her left hand or arm. R8 said R9 cleaned her up. There was a disposable razor on the table. The resident had a small cut on her hip between her waist and her hip. She kept rubbing it. R9 came into the room and I asked him why would he give a bath to a resident? He said he shaved her legs. When I finished dressing her, she showed me a ring on her right hand and said he proposed to her. I was never aware they had any type of relationship going on. This resident cannot remove her own clothes by herself. She is fully dependent. None of us were aware there was any type of relationship between these two residents at the time."</p> <p>On February 7, 2023, at 1:25 PM, R8 was lying in her bed. R8 had a brace on her left forearm. R8 said, "I had a stroke, and I am completely paralyzed on my left side." R8 was wearing a long-sleeved shirt and elastic waist pants. R8's shirt had a dried, white substance in the middle of her chest area. R8 said she spilled yogurt on her</p>	S9999		
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S9999	<p>Continued From page 7</p> <p>shirt, and she was unable to change her shirt by herself. V16 (CNA) came to R8's room to provide incontinence care to the resident. V16 asked R8 to try to remove her pants without assistance. R8 was unable to move her left arm or leg and used her right arm to attempt to remove her pants. R8 tried for approximately five minutes to remove her pants, without staff assistance, but was unable to do so. V16 assisted R8 to remove her pants and then asked R8 to remove her soiled incontinence brief. R8 was able to unfasten the tabs of the incontinence brief from her right hip area but was unable to unfasten the tabs securing the left side of the brief. V16 continued to encourage R8 to remove the incontinence brief, but R8 was unable to remove the brief without assistance, stating, "I cannot do it." V16 encouraged R8 to remove her long-sleeved shirt without assistance. R8 was unable to remove the shirt. V16 assisted with removing R8's shirt. V16 provided a hospital gown for R8 to wear. R8 was unable to put the hospital gown on without assistance. V16 then asked R8 to reach the top sheet on the bed and cover herself with the sheet. R8 was unable to sit up and bend at the waist to reach the top sheet. R8 used her right foot to bring the top sheet closer to herself but was unable to reach the top sheet and cover herself completely without the staff assisting her. R8 said, "On the evening R9 gave me the bed bath (1/31/2023), R9 covered my body with the sheet."</p> <p>On February 2, 2023, at 11:00 AM, V17 (Nurse Practitioner/NP) documented she did a head-to-toe assessment on R8 on February 1, 2023, at 12:00 PM, following the allegation of sexual abuse on January 31, 2023. V17's examination included a vaginal exam. V17 documented, "Vaginal area with no erythema, bruising present ..."</p>	S9999		
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S9999	<p>Continued From page 8</p> <p>On December 30, 2022, V18 (Psychiatrist) documented the following regarding R8: "Mental Status Examination: Orientation: Alert and oriented to self only. Patient is not oriented to specific day, date, or location. Speech: Dysarthric. Volume: Normal. Rate: Normal but sparse. Thought Process: Confabulatory with expressive word finding deficits. Insight: Poor. Patient cannot describe the patient's current conditions or treatments. Judgment: Poor. Patient is unable to describe what to do with a stamped addressed envelope. Recent Memory: Patient cannot describe how the patient came about to be at [the facility] or what she did this morning. Intellectual Capacity: Impaired. Patient has cognitive impairments with deficits in memory, orientation, calculation, and language, and is unable to care for self."</p> <p>On February 3, 2023, V18 (Psychiatrist) documented the following regarding R8: "Mental Status Examination: Orientation: Alert and oriented to self only. Patient is not oriented to specific day, date, or location. Speech: Dysarthric. Volume: Normal. Rate: Normal but sparse. Thought Process: Confabulatory with expressive word finding deficits. Insight: Poor. Patient cannot describe the patient's current conditions or treatments. Judgment: Poor. Patient is unable to describe what to do with unpaid bills. Recent Memory: Patient cannot describe how the patient came about to be at [the facility] or what she ate yesterday."</p>	S9999		

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S9999	<p>Continued From page 9</p> <p>Intellectual Capacity: Impaired. Patient has cognitive impairments with deficits in memory, orientation, calculation, and language, and is unable to care for self."</p> <p>On February 1, 2023, at 4:13 PM, V18 (Psychiatrist) said that R8 has been under his care, and he is familiar with the resident. V18 continued to say, "In general, R8 has cognitive impairments, and she would need a family member or POA (Power of Attorney) to make important decisions for her. She has cognitive impairment, and we do not want anyone to take advantage of her. In general, she is not capable of making decisions on her own. I do not think she is capable of making decisions on her own."</p> <p>On February 7, 2023, at 4:15 PM, V1 (Administrator) said, R8 and R9 are not married, and the facility does not allow non-married residents to reside in the same room. V1 continued to say male residents are not allowed to provide bed baths to female residents.</p> <p>The facility's Abuse and Neglect policy, effective "10/24/22" shows: "Policy Statement: It is the policy of the facility to provide professional care and services in an environment that is free from any type of abuse, corporal punishment, misappropriation of property, exploitation, neglect, or mistreatment. The facility follows the federal guidelines dedicated to prevention of abuse and timely and thorough investigations of allegations. These guidelines include compliance with the seven (7) federal components of prevention and investigation. ...5. Sexual: Sexual abuse is defined as non-consensual sexual contact of any type with a resident. Even if there is capacity to give consent, consent obtained through intimidation, coercion, or fear is</p>	S9999		
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S9999	Continued From page 10  considered sexual abuse...Sexual abuse also includes non-consensual sexual relationship between residents or a consensual relationship involving a resident/s who wants the sexual relationship but has no cognitive ability to make a consent."  ( B )	S9999		