

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>IL6005227</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>05/23/2024</b>
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NAME OF PROVIDER OR SUPPLIER  <b>LAKEVIEW REHAB &amp; NURSING CENTER</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>735 WEST DIVERSEY CHICAGO, IL 60614</b>
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S 000	Initial Comments  Annual Licensure Survey	S 000		
S9999	Final Observations  Statement of Licensure Violations (1 of 2):  300.615e) 300.615f) 300.615j)  Section 300.615 Determination of Need Screening and Request for Resident Criminal History Record Information e) In addition to the screening required by Section 2-201.5(a) of the Act and this Section, a facility shall, within 24 hours after admission of a resident, request a criminal history background check pursuant to the Uniform Conviction Information Act for all persons 18 or older seeking admission to the facility, unless a background check was initiated by a hospital pursuant to the Hospital Licensing Act. Background checks shall be based on the resident's name, date of birth, and other identifiers as required by the Department of State Police. (Section 2-201.5(b) of the Act). f) The facility shall check for the individual's name on the Illinois Sex Offender Registration website at <a href="http://www.isp.state.il.us">www.isp.state.il.us</a> and the Illinois Department of Corrections sex registrant search page at <a href="http://www.idoc.state.il.us">www.idoc.state.il.us</a> to determine if the individual is listed as a registered sex offender. j) The facility shall be responsible for taking all steps necessary to ensure the safety of residents while the results of a name-based background check or a fingerprint-based background check are pending; while the results of a request for waiver of a fingerprint-based	S9999		

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

TITLE

(X6) DATE  
06/15/24

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S9999	<p>Continued From page 1</p> <p>check are pending; and/or while the Identified Offender Report and Recommendation is pending.</p> <p>These requirements were NOT met as evidenced by:</p> <p>Based on interview and record review, the facility failed to conduct resident criminal history background checks within 24 hours after admission for 10 residents (R44, R50, R114, R119, R123, R128, R134, R135, R292 and R293), failed to check the IDOC (Illinois Department of corrections) registry, and Illinois Sex Offenders Registry for 1 resident (R292) residents and did not arrange for a fingerprint-based background check within 72 hours after receiving results of a name-based background check for 10 residents (R44, R50, R114, R119, R123, R128, R134, R135, R292 and R293). This failure has the potential to affect all the residents residing in the facility.</p> <p>Findings include:</p> <p>The facility "Midnight Census Report" dated 5/20/24 documents, in part, that there are 137 active residents in the facility.</p> <p>On 5/22/24 at 12:12pm, V1 (Administrator) said, "I (V1) am familiar with screening residents. If the facility is accepting a resident, we (facility) should put the resident in an isolated room until the CHIRP (Criminal History Information Response Process) results are received. I (V1) hope they are doing that here. This protects all residents in the facility. Admissions would know more about this."</p> <p>On 5/22/24 at 12:15pm, V33 (Admissions Director) stated, "Social Services is mainly in charge of the identified offenders. Upon</p>	S9999		

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S9999	<p>Continued From page 2</p> <p>admission, I (V33) put the resident information into the CHIRP (Criminal History Information Response Process) system and once I (V33) get a response and if there is a hit, I (V33) notify Social Services. The CHIRP is done upon admission, within 24 hours."</p> <p>On 5/22/24 at 1:22pm, V31 (Social Service Director) stated, "When a resident comes in, the CHIRP (Criminal History Information Response Process) is ran by admissions not social services. Then admissions send the results to us (social services), and we (social services) run the rest of the checks and contact the (fingerprint company) to obtain fingerprints if needed. Fingerprints are due within 72 hours." This surveyor and V31 (Social Services Director) reviewed the requested criminal background checks for R44, R50, R114, R119, R123, R128, R134, R135, R292 and R293 as follows:</p> <ol style="list-style-type: none"> <li>1. R44's CHIRP (Criminal History Information Response Process) was completed over 72 hours from admission date and there is no date for when R44's fingerprints were ordered.</li> <li>2. R128's CHIRP (Criminal History Information Response Process) was completed almost 2 months from admission date and there is no date for when R128's fingerprints were ordered.</li> <li>3. R123's CHIRP (Criminal History Information Response Process) was completed over 48 hours from admission date; Illinois Sex Offender Registry and Illinois Department of Corrections was completed over 9 months from admission date; and there is no date for when R123's fingerprints were ordered.</li> <li>4. R293's CHIRP (Criminal History Information Response Process) was completed over 48 hours from admission date and there is no date for when R293's fingerprints were ordered.</li> <li>5. R292 has no documentation that any</li> </ol>	S9999		
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S9999	<p>Continued From page 3</p> <p>background checks were done.</p> <p>6. R135's CHIRP (Criminal History Information Response Process) was completed over 1 month from admission date and there is no date for when R135's fingerprints were ordered.</p> <p>7. R134's CHIRP (Criminal History Information Response Process) was completed over a week from admission date and there is no date for when R134's fingerprints were ordered.</p> <p>8. R50's CHIRP (Criminal History Information Response Process) was completed almost a month from admission date; Illinois Sex Offender Registry and Illinois Department of Corrections were completed over 5 months from admission date and there is no date for when R50's fingerprints were ordered.</p> <p>9. R119's CHIRP (Criminal History Information Response Process) was completed over 2 months from admission date and there is no date for when R119's fingerprints were ordered.</p> <p>10. R114's CHIRP (Criminal History Information Response Process) was completed almost 2 months from admission date and there is no date for when R114's fingerprints were ordered.</p> <p>"I (V31) could not find any papers showing that any backgrounds were ran on R292. I (V31) was not here back then. When asked about the missing background checks and fingerprints on the list of residents V31 was given for the Resident Identified Offender Protocol Worksheet, V31 replied, "That was all I (V31) could find. I (V31) just recently started in this position." On 5/23/2024 at 9:28am, V1 (Administrator) said, "We (facility) understand how serious this is. The Admission Director and Social Service Coordinator have already been educated on a new plan, so the background checks and fingerprints are completed and completed on time."</p>	S9999		

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S9999	<p>Continued From page 4</p> <p>R44's face sheet documents, in part an admission date of 12/22/23. R44's diagnosis includes, but are not limited to: major depressive disorder, schizoaffective disorder, bipolar type, and anxiety disorder.</p> <p>R128's face sheet documents, in part an admission date of 11/03/23. R128's diagnosis includes but are not limited to: alcohol abuse and major depressive disorder.</p> <p>R123's face sheet documents, in part an admission date of 7/28/23. R123's diagnosis includes but are not limited to: schizoaffective disorder.</p> <p>R293's face sheet documents, in part an admission date of 4/19/22. R239's diagnosis includes but are not limited to: schizophrenia and depression.</p> <p>R292's face sheet documents, in part an admission date of 12/24/18. R292's diagnosis includes but are not limited to: cerebral infarction and seizures.</p> <p>R135's face sheet documents, in part an admission date of 1/3/24. R135's diagnosis includes but are not limited to: schizoaffective disorder.</p> <p>R134's face sheet documents, in part an admission date of 12/17/23. R134's diagnosis includes but are not limited to: liver disease and nephropathy induce by unspecified drug.</p> <p>R50's face sheet documents, in part an admission date of 6/02/23. R50's diagnosis includes but are not limited to: adjustment disorder with mixed disturbance of emotions and conduct and unspecified dementia.</p> <p>R119's face sheet documents, in part an admission date of 12/23/22. R119's diagnosis includes, but are not limited to: unspecified dementia, unspecified severity, with other behavioral disturbance and major depressive disorder.</p>	S9999		

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S9999	<p>Continued From page 5</p> <p>R114's face sheet documents, in part an admission date of 10/21/22. R114's diagnosis includes, but are not limited to: cocaine abuse, psychoactive substance uses and major depressive disorder.</p> <p>Facility policy title, "Abuse Prevention Program," undated, documents, in part, "It is the policy of this facility to prevent resident abuse, neglect, mistreatment and misappropriation of property. Each resident receives care and services in a person-centered environment in which all individuals are treated as human beings. ...Residents who allegedly mistreat another resident will be immediately removed from contact ...The facility will not tolerate resident abuse ...</p> <p>Facility policy title, "RESIDENT RIGHTS," undated, documents, in part, "As a resident of this facility, you have the right to a dignified existence and to communicate with individuals and representatives of choice. The facility will protect and promote your rights .... The facility must provide a safe ...home-like environment .... The facility must implement procedures that protect you from abuse ..."</p> <p>Facility job description titled, "Administrator," revised date 8/21/23, documents, in part, "Is aware of Resident Abuse Reporting Law and Policy while acting as the Abuse Coordinator ...Ensure understanding of, and compliance with, all rules regarding residents' rights."</p> <p>Facility job description titled, "Social Services," effective date 1/29/24, documents, in part, "The Director of Social Services is responsible for providing related social work services so that each resident may attain the highest practicable level of physical, mental, and psychosocial well-being. The person holding this position will be held accountable and is responsible for the decision making for carrying out the assigned</p>	S9999		

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S9999	<p>Continued From page 6</p> <p>duties and responsibilities in accordance with current existing federal and state regulations and established company policies and procedures ...Completes the Screening Assessment for Indicators of Aggressive and/or Harmful Behavior within 72 hours ...Is aware of the Resident Abuse Reporting Policy &amp; Procedure."</p> <p>Facility job description titled, "Admissions Director," effective date 1/29/24, documents, in part, "the Admissions Director is responsible for coordinating all admissions and transfers to the facility and works closely with the nursing staff and social services relating to psych/service needs of prospective residents. The person holding this position is held accountable and is responsible for the decision for carrying out the assigned duties and responsibilities in accordance with current existing federal and state regulations and established company policies and procedures. Informs appropriate Social Worker at facility of admission information."</p> <p>(C)</p> <p>Statement of Licensure Violations (2 of 2):</p> <p>300.661</p> <p>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> <p>This Regulation is NOT MET as Evidenced By:</p>	S9999		

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S9999	<p>Continued From page 7</p> <p>Based on interview and record review, the facility failed to ensure Health Care Worker Background Checks were thoroughly complete and done in a timely manner in an effort to prevent abuse. This failure has the potential to affect all 137 residents residing in the facility.</p> <p>Findings include:</p> <p>The facility "Midnight Census Report" dated 5/20/24 documents, in part, that there are 137 active residents in the facility.</p> <p>On 5/22/24 at 11:30am, V34 (Regional Human Resource Director) said, "The facility runs state and criminal background checks on employees to ensure the residents will be safe. We (facility) do a second check on abuse and neglect as well. Employees are checked within 10 days of hire. When we (facility) receive the results of the background check we (facility) look at whether the state says an employee is eligible for hire or not."</p> <p>On 5/22/24 at 11:41am, this surveyor and V34 (Regional Human Resource Director) discussed the Health Care Worker Background Check as follows:</p> <p>V26's (Cook) paper file was reviewed. V26's "Illinois Department of Public Health: Health Care Worker Registry," dated 8/7/19, documents, in part, "Work Eligibility: Not Yet Determined...Click here for Fingerprinting form." V26's date of hire was 5/22/98.</p> <p>When asked why the background checks were completed over 20 years after V26's hire date and why no further action was taken for V26 such as finger since printing due to V26's work eligibility is</p>	S9999		

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S9999	<p>Continued From page 8</p> <p>not yet to be determined, V34 replied, "Ugh. Yeah, I (V34) seen that one (referring background check file). His (V26) being eligible to work shows not yet determined and he's (V26) been here quite a while. It's unfortunate. He (V26) should have went for fingerprints. I (V34) cannot explain why it wasn't done properly. I'm (V34) not gonna even try to explain. There's a checklist human resource is given to ensure this doesn't happen. I'm (V34) not sure why the previous Human Resource Director didn't do it, but she's gone now."</p> <p>Facility presented document titled "New Hire Checklist," undated, documents, in part, " .... Items to be completed before first day ... Background Results."</p> <p>Facility policy title, "Abuse Prevention Program," documents, in part, "It is the policy of this facility to prevent resident abuse ...Prior to a new employee starting a work schedule...File a Criminal History Check per STATE STATUE on all new hires."</p> <p>Facility policy title, "(Facility) Facility Assessment Tool," reviewed date 1/18/24, documents, in part, "Potential candidates for employment are considered contingent upon meeting the requirements ...as well as a satisfactory criminal background check, healthcare work registry ..."</p> <p>Facility policy title, "RESIDENT RIGHTS," undated, documents, in part, "As a resident of this facility, you have the right to a dignified existence and to communicate with individuals and representatives of choice. The facility will protect and promote your rights .... The facility must provide a safe ...home-like environment .... The facility must implement procedures that protect you from abuse ..."</p> <p>Facility job description dated 1/24/24 and titled "Job Description Position Title: Human Resource</p>	S9999		

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S9999	<p>Continued From page 9</p> <p>Director," documents, in part, "The Human Resources Director is responsible for HR administration at the facility, including payroll, new hire orientation ... The person holding this position will be held accountable and is responsible for the decision making for carrying out the assigned duties and responsibilities in accordance with current existing federal and state regulations and established company policies and procedures .... Conducts new hire orientation. Ensures all new hire paperwork is complete ... Verifies and maintains license certifications, criminal background checks, nurse aide registry checks and recertification.</p> <p>Facility job description dated 3/4/22 and titled "Human Resource Director," documents, in part, "Summary/Objective: In keeping with our organization's goal of improving the lives of the Guests we serve, the Human Resource Director directs the Human Resources Department in accordance with current applicable federal, state, and local standards, guidelines, and regulations, to assure that quality personnel are interviewed, trained and employed. Essential Functions: ... 10. Provide public information (i.e. (that is), verification of employment) ... 21. Conduct and ensure employee hiring, vetting, and discharge procedures are in compliance with federal, state, and local regulations and established facility policies and procedures." (C)</p>	S9999		