

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENTIFICATION NUMBER 365694	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUPPLIER SIGNATURE HEALTHCARE OF CHILLCOTHE		STREET ADDRESS, CITY, STATE, ZIP 60 MARIETTA ROAD CHILLCOTHE, OH 45601	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG F 0600	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)		
<p>Level of harm - Immediate jeopardy</p> <p>Residents Affected - Few</p>	<p>Protect each resident from all types of abuse such as physical, mental, sexual abuse, physical punishment, and neglect by anybody.</p> <p>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** ></p> <p>Based on medical record review, review of personnel files, review of a facility Self-Reported Incident (SRI), review of a local law enforcement report, social media documentation review, review of the facility's abuse policy and procedure, review of the facility's employee handbook, and interviews with staff and residents, the facility failed to ensure a resident was free from sexual abuse by a staff member. This resulted in Immediate Jeopardy and psychosocial harm for one resident (Resident #71), when Licensed Physical Therapy Assistant (LPTA) #93 kissed Resident #71 during a physical therapy session, digitally penetrated her vagina and exchanged inappropriate messages via a social media messenger that were sexual in nature. This affected one (Resident #71) of four residents reviewed for sexual abuse. The facility census was 91.</p> <p>On 03/29/18 at 4:00 P.M., the Administrator, Director of Nursing (DON) and the Regional Care Consultant (RCC) #92 were notified that Immediate Jeopardy began on 03/09/18 at 9:10 A.M., when LPTA #93 was providing a 50 minute massage therapy session which included kissing the resident on the mouth and the resident reported digital penetrated her vagina. During the therapy session, Resident #62 overheard Resident #71 telling LPTA #93 to stop and declining his offer to go into the bathroom. At 12:39 P.M., LPTA #93 began messaging Resident #71 via a social media messenger. LPTA #93 sent multiple messages pursuing Resident #71 including when can I see you again, asking her if she would like a more intense massage, and did she want to go to the bathroom with him for more privacy. When recounting the incident, Resident #71 became tearful stating she felt scared and intimidated by LPTA #93 who was a large man.</p> <p>The Immediate Jeopardy was removed on 03/30/18 when the facility implemented the following corrective actions:</p> <ul style="list-style-type: none"> - On 03/14/18 at 12:30 P.M., LPTA #93 was suspended by Rehabilitation Service Manager (RSM) #97 - On 03/14/18 at 12:30 P.M., an investigation was initiated by the Administrator, DON, Licensed Practical Nurse (LPN) #95, Social Service Director (SSD) #96 and RSM #97 upon initial report of the sexual abuse allegation for Resident #71. At 2:30 P.M., the DON submitted an SRI to the State Agency regarding the sexual abuse allegation. - On 03/14/18 at 1:00 P.M., LPN #98 assessed Resident #71 for any signs and symptoms of abuse, with no concerns or abnormal results. The physician assistant (PA) #99 was notified of Resident #71's allegation of sexual abuse by LPN #98. - On 03/14/18 at 1:00 P.M., the Administrator, DON, LPN #95, SSD #96 and RSM #97 obtained written witness statements including Resident #62, State tested Nursing Assistant (STNA) #9, LPN #95, LPTA #128, SSD #96, Resident #71, LPTA #93, and LPTA #114. - On 03/14/18 at 1:15 P.M., resident interviews were obtained utilizing the investigation questions for resident interview form for alert and oriented residents to include whether or not LPTA #93 provided therapy services to them. These interviews were completed by RNs #101 and #103, and LPN #102. All alert and oriented residents were interviewed by 03/15/18 at 12:00 P.M. including Residents #3, #20, #38, #67, #69, #72, #76, #78, #79, #82, #85 and #90 who received therapy services from LPTA #93. There were no negative findings. - On 03/14/18 at 1:15 P.M., RN #103, LPN #98 and LPN #189 initiated skin checks on all residents residing in the facility. These skin checks were completed on 03/15/18 at 12:00 P.M. No evidence of abuse was identified for any of these residents. - On 03/14/18 at 2:32 P.M., the DON made notification to local law enforcement, the brother of Resident #71, and the Medical Doctor (MD) #100 of the allegation of sexual abuse. - On 03/14/18 at 2:32 P.M., the Abuse policy, Social Media policy and Professional Boundaries from the employee handbook was reviewed per the ad hoc quality assurance and performance improvement (QAPI) meeting by the Interdisciplinary team (IDT) which consisted of MD #100, the DON, the Administrator, LPN #95, RSM #97, RN #197, RN #103, SSD #96 and LPN #102. - On 03/14/18 at 6:36 P.M., Resident #71 was transported to the local hospital for evaluation. - On 03/14/18, 03/15/18 and 03/16/18, SSD #96 assessed Resident #71 for possible psychosocial issues. No negative outcomes were noted. - On 03/14/18 at 3:00 P.M., the minimum data set (MDS) Care Plan Coordinator #197 reviewed Resident #71's plan of care with no updates. - On 03/14/18 at 1:15 P.M., all facility staff re-education began on Abuse, Neglect and Misappropriation policy and procedure, use of Social Media, and Professional Boundaries of conduct. This training was completed by Staff Developer RN #101 and completed on 03/30/18 at 12:00 P.M. - On 03/15/18, the ombudsman was contacted regarding the allegation by the Administrator. - On 03/23/18 at 1:45 P.M., the facility terminated LPTA #93. - On 03/28/18 at 4:00 P.M., a monthly QAPI meeting was held and reviewed completed SRIs and investigations. Those in attendance included the Administrator, DON, Business office Manager (BOM) #172, Admissions #182, Dietary Manager #199, LPN #102, Activity Director #179, SSD #96 and RN #101. - On 03/29/18 at 1:30 P.M., 2:15 P.M., and again on 03/30/18 at 6:15 A.M., scheduled staff meetings were held by the Administrator regarding Abuse Policy and Procedures, Social Media Policy and Procedures and Professional Boundaries. Staff in attendance included STNA #107, #108, #109, #119, #123, #130, #148, #157, #175, #187 and #193, Plant Staff #167, Central Supply #198, RN #101, Activity Director #179, Dietary Manager #199, Laundry Supervisor #223 and Laundry #222. - On 03/29/18 from 4:40 P.M., to 5:30 P.M., interviews with RNs #103 and #101, LPNs #102, #95, #104 and #105, Chaplain #106, STNAs #107, #108, #109 and Certified Occupational therapy assistants (COTA) #110, #111 and #112 and RSM #97 verified they had received education on the abuse policy, social media and professional boundaries. They all were knowledgeable and knew who to report to. - On 03/30/18 at 7:00 A.M., the Administrator updated the Resident Interview Tool with Questions related to Social Media. - On 03/30/18 at 12:25 P.M., LPN #102, Medical Records #181, LPN #95, RN #103 and RN #197 re-interviewed and educated alert and oriented residents on staff member engagement on social media. During the interview/education, one resident (Resident #62) indicated she had friended two LPNs (LPN #98 and LPN #165) on social media to look at photos of their families. She indicated there was no allegation of abuse. Both nurses were provided with coaching and counseling on the social media policy. - Beginning on 03/30/18, the facility will utilize the Resident Interview tool with Questions concerning Abuse and Social Media policy and procedure to conduct random interviews with five residents three times a week for four weeks, random interviews with five residents one time a week for eight weeks to be completed by the Administrator or designee. <p>Although the Immediate Jeopardy was removed, the deficiency remained at Severity Level 2 (no actual harm with potential for more than minimal harm that is not Immediate Jeopardy) as the facility was in the process of implementing their corrective action plan and were monitoring to ensure continued compliance.</p>		
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE	

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENTIFICATION NUMBER 365694	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUPPLIER SIGNATURE HEALTHCARE OF CHILLCOTHE		STREET ADDRESS, CITY, STATE, ZIP 60 MARIETTA ROAD CHILLCOTHE, OH 45601	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)		
F 0600 Level of harm - Immediate jeopardy Residents Affected - Few	<p>(continued... from page 1) Findings include: Review of the medical record for Resident #71 revealed an admission date of [DATE]. [DIAGNOSES REDACTED]. Review of the admission Minimum Data Set (MDS) assessment, dated 02/23/18, revealed the resident had intact cognition. The resident required limited assistance of one staff for bed mobility, transfers, ambulation. Review of behavior and mood assessment revealed no behaviors. Review of the nurse progress notes dated 02/16/18 to 03/29/18 revealed no pertinent information related to abuse, mood, or behaviors concerns. Review of the computerized plan of care dated 02/17/18 revealed Resident #71 had impaired coping related to life style changes and lack of support system, resident was overly concerned with things at times. Interventions included orient to surroundings, introduce her to other residents, establish trust relationships, allow to discuss feelings of fear and anxiety, discuss loss of independence, offer positive praise for appropriate behavior and provide quality listening Review of the physical therapy (PT) notes dated 03/09/18 revealed LPTA #93 provided therapy services to Resident #71 for a total 50 minute session. Review of the SRI dated 03/14/18 at 2:31 P.M., revealed on 03/14/18 at approximately 12:30 P.M., Resident #71 reported to STNA #94 that LPTA #93 had kissed her on the mouth and had been messaging back and forth on social media with her. She asked STNA #94 not to say anything because she did not want LPTA #93 to lose his job. Multiple interviews were conducted with Resident #71 and different versions of the incident were obtained with more allegations. She reported while he was giving her a massage, his hands were near her vagina and peri area and when he rolled her over he kissed her on the lips. She reported Resident #62 had seen the kiss. The facility reported a therapist had entered the room and saw the privacy curtain was pulled and LPTA #93 was sitting in the room providing therapy services. It was also revealed LPTA #93 had given \$20.00 dollars to Resident #71 and had conversations on social media messenger. Resident #71 provided visualization of the messages on her phone of interaction between Resident #71 and LPTA #93. Information of the contact on social media messenger revealed LPTA #93 initiated contact with Resident #71 on 02/20/18 at 3:15 P.M., and on 03/09/18 at 12:39 P.M., after the said massage session consensual phone messaging began between Resident #71 and LPTA #93. They had conversation on 03/09/18, 03/10/18 and 03/13/18. Resident #71 had not reported it before now because she had not spoken with her brother about it until 03/13/18. Her brother told Resident #71 it was not right and she needed to report it. At 5:45 P.M., Resident #71 made a gesture with her index finger in an upward motion and when asked what this meant she reported LPTA #93 had his finger in her VJJ (a slang term for vagina). A head to toe assessment was completed and she was sent to the local emergency room due to this further allegation. Review of social media messages dated from 02/20/18 at 5:15 P.M., to 03/14/18 at 9:49 A.M., revealed LPTA #93 initiated contact and requested to become friends and with Resident #71 on 02/20/18. On 03/09/18, LPTA #93 and Resident #71 became friends on social media facebook messenger. On 03/09/18 at 12:39 P.M., LPTA #93 was waving at Resident #71. At 2:05 P.M., Resident #71 responded back with hi sorry I took a nap after my wonderful massage session. The message also had a grin emoticon (defined as a representation of a facial expression, formed by various combinations of keyboard characters and used in electronic communications to convey the writer's feelings or intended tone.) At 2:20 P.M., LPTA #93 responded back with So glad u liked it. If I have time, would u like another one? Cuz im not sure when I'll be back. This message had a sad face emoticon. Resident #71 responded, Yes, to which LPTA #93 replied, Can u behave yourself?? With a wink tongue out emoticon used. Resident #71 responded back with yes I believe I can. The question is can you? At 2:23 P.M., LPTA #93 replied with Actually, i'm not gonna promise u at all. Im horrible at temptations. Resident #71 responded back with Lol now ya must behave LPTA #93 replied, Ill try. I might have to help u go into the bathroom. They say it's a little more private in there. There was a heart eyes emoticon used for this message. Resident #71 responded, Lol to toilet is yuk, LPTA #93 replied, Well we might have to go in there so u can show me. What do you think? Resident #71 responded, I think slow down so we don't get caught. LPTA #93 replied, Oh we wouldn't my dear, but if that's what u want. There was also the use of a crying emoticon for this message. LPTA #93 sent emoticons of a flower then at 4:46 P.M., OMG!!!! Resident #71 responded, Lol. LPTA #93 replied, What did u think, I know!!!!, Tease! Ha! Resident #71 responded, No Not Me. LPTA #93 responded, Ha! Uh Huh!! I bet Resident #71 responded, with a wink face emoticon. LPTA #93 replied, I have a feeling you & i r gonna get along GREAT! There was also the use of the heart eyes emoticon. Resident #71 responded, We shall see, but I think so. LPTA #93 replied, I have NO doubt!! Resident #71 responded, Awe sweet. LPTA #93 replied, I may not want to return u and utilized the heart eye emoticon. Resident #71 responded, Awe. LPTA #93 responded with Every little bit counts and used the heart eyed emoticon. Resident #71 responded, Awe you don't have to do that Thank you. LPTA #93 responded, I want to. Plus uve helped so many people over the years. You're welcome! LPTA #93 also stated, Doesnt she EVER leave the room?? Ha! Resident #71 replied, NO. NEVER. LPTA #93 responded, Such a shame. Depending on our time id like to find a place for me to give u a better, more intense massage. Im talking after the movie Resident #71 responded with a thumbs up emoticon. LPTA #93 responded, Any ideas where we could go? How does Tuesday sound to you? At 6:48 P.M., LPTA #93 responded, I just left. I'll talk to u later. At 11:20 P.M., LPTA #93 stated, Hi. On 03/10/18 at 1:36 P.M., LPTA #93 responded, R u mad at me? And also used a crying face emoticon. At 3:07 P.M., Resident #71 responded, No hun my phone is so messed up. Its like it's being hit by lighting. It makes strange noise and goes blank. Then won't work for a while. At 3:18 P.M., LPTA #93 responded, Good! R u interested in this Tuesday? On 03/11/18 at 11:19 P.M., LPTA #93 responded, U awake? Resident #71 responded, Yes kinda Where ya work tomm. LPTA #93 replied, Im off tomorrow. Resident #71 responded, Tired went to brothers. LPTA #93 replied, When r u going to brothers Resident #71 responded, I went today. LPTA #93 responded, Oh wish i would know. Resident #71 responded, We had a family thing. LPTA #93 responded , How bout Thursday? Resident #71 responded, Really no big deal, my brother is going to be out of town going to pick up daughter. Sorry. LPTA #93 responded, No worries. Would u like to see me again? Resident #71 responded, Yes. Not here though. LPTA #93 responded Oh no. Any ideas? Resident #71 responded, Hard when I have to depend on ride from here. LPTA #93 responded, I know. I wish there was some way i could pick u up. Resident #71 replied with a thumbs up emoticon and I'm falling asleep can ya text me on morning. LPTA #93 responded, Yes mam. Sweet dreams. Get some rest. Emoticons were sent back and forth for good night. On 03/13/18 at 3:50 P.M., LPTA #93 responded, Hi! How are you today? On 03/14/18 at 9:49 A.M., LPTA #93 responded, I'm working there tomorrow. This was the end of the documented conversation. Review of the local hospital record dated 03/14/18 revealed the resident was seen for possible sexual assault. Resident #71 stated she was digitally penetrated by LPTA #93 on 03/09/18 at the long-term care facility where she resided. The Sexual Assault Nurse Examiner (SANE) on call reported they would not be collecting evidence due to the length of time since the alleged incident. Adult Protective Service (APS) were called and were at the bedside with Resident #71. Review of Resident #62's witness statement dated 03/14/18 revealed she saw LPTA #93 in the room giving a massage to Resident #71. Resident #62 stated LPTA #93 touched Resident #71's breast one time and she saw Resident #71 be kissed by him one time. Review of the local law enforcement report dated 03/14/18 at 2:32 P.M., revealed Officer #113 was dispatched to the long-term care facility for a possible sexual assault. The officer spoke to Resident #71 who reported LPTA #93 came in and began to massage her left hip as she laid on her right side. Resident #71 reported LPTA #93's body was very close to hers, he pulled her pants down around her hip to massage the hip area better and then he kept moving his hands closer to the inside thigh. Resident #71 then stated LPTA #93 touched her chu-chu and slid what she believed was his finger inside of her vagina. Resident #71 stated she immediately pulled away and jerked his hand out of her. She stated when the LPTA #93 pulled his hands back LPTA #93 apologized stating Oh I'm sorry, then he told her to roll to the other hip and while turning over he leaned in and kissed her, sticking his tongue in her mouth. Resident #71 said she did not know what to do and continued to roll over. It was documented she stated LPTA #93 asked her to go into the bathroom but Resident #71 refused and he finished the massage. When she sat up, he kissed her again and told her to add him on social media. Resident #71 said she looked at her phone and saw a friend request from the LPTA #93 and felt obligated to accept him as he was staring at her. She said shortly after the session, LPTA #93 returned to her room with a folded piece of paper with a twenty-dollar bill inside. LPTA #93 insisted she keep the money. LPTA #93 had messaged her on 02/28/18 but did not add him until 03/09/18. Resident #71 showed the officer her phone of their discussions and she tried to tell LPTA #93 to slow down before we get caught, because she was worried about his job, she said she lied on 03/10/18 and 03/11/18 so LPTA #93 would leave her alone as the messages appeared they were friends. Resident #71 stated she was not friends with LPTA #93 and did not mean for it</p>		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENTIFICATION NUMBER 365694	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUPPLIER SIGNATURE HEALTHCARE OF CHILLCOTHE		STREET ADDRESS, CITY, STATE, ZIP 60 MARIETTA ROAD CHILLCOTHE, OH 45601	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)		
F 0600 Level of harm - Immediate jeopardy Residents Affected - Few	<p>(continued... from page 2)</p> <p>to sound like they were. She stated LPTA #93 tried to get her to have her brother take her to a restaurant so they could go on a date on Tuesday 03/13/18 to see a movie Fifty Shades of Grey. She further stated she had not reported it until LPTA #93 said he was coming back and she got worried something worse would happen. Resident #62 was contacted and stated she was in the room during the incident. She called LPTA #93 a different name but had seen him often in the facility and he came to do Resident #71's massage. Resident #62 reported LPTA #93 was pressing his body firm against the bed while he was giving the massage, she stated she could not hear everything but saw LPTA #93 massaging lower than her hip area. She stated she saw LPTA #93 kiss Resident #71 and touch her breast. Resident #71 said stop and when he asked her to go to the bathroom with him, Resident #71 refused to go.</p> <p>Review of the LPTA #93's witness statement dated 03/15/18 at 12:15 P.M., revealed LPTA #93 was documented as stating he and Resident #71 hit it off and had a good relationship. The statement further revealed he had given her twenty dollars and she asked him to add her on social media so he did. He said he asked her out to dinner but he was assuming this would be as friends. He stated he commented about doing the massage in the bathroom as a joke. He further stated he had gotten too emotionally involved with Resident #71 and could see that was not a good idea. He denied kissing the resident or touching her in anyway outside of the hip and leg massage.</p> <p>Review the personnel file for LPTA #93 revealed he was hired by the former company on 02/14/14 and the current ownership took over on 08/01/14. He had a bureau of criminal investigation (BCI) and federal bureau of investigation (FBI) completed on 02/07/18 with no concerns. However, there was no evidence of reference checks being completed upon hire. LPTA #93 was terminated on 03/23/18 for violation of the facility Conduct and Behavior policy 2.01.</p> <p>Telephone interview on 03/29/18 at 10:21 A.M., with LPTA #93 revealed he provided therapy services and gave money to Resident #71 out of the goodness of his heart. When questioned about the social media messaging he would not respond and deferred to his Attorney #116. He stated he absolutely, positively had not ever had any sexual contact with Resident #71.</p> <p>Interview on 03/29/18 at 10:56 A.M., Resident #71 revealed she arrived to the facility on [DATE]. On 02/20/18, he reached out to her on Facebook instant messaging, she did not acknowledge him as she did not know who he was. On 03/09/18, he entered the room to give her a massage She stated some of the therapists give a massage so that was not uncommon. Resident #71 stated she let LPTA #93 start and then he started talking about weird things. She stated said she froze because it was similar to experiences she had as a child from five years old to 16 from her biological father. She stated she was instantly scared and was frozen, she was saying no and stop and he was a very big man. She stated Resident #62 was in the room. Resident #71 stated LPTA #93 was massaging and his ungloved finger was massaging her bottom and went into her vagina. She stated LPTA #93 said oops sorry. She stated he held her down and kissed her and that day he made them become friends on Facebook. She did not know what to do, he began messaging her so she thought she would play along, he had mentioned another massage and trying to get her to go into the bathroom but she did not. He came back with a 20 dollar bill, he said he wanted to help her and she deserved the money. She said she was scared because he was scheduled to come back so she reported this to STNA #94. Resident #71 stated the facility called her a liar and was not nice. She felt like she was being interrogated and at the end of the day the facility wanted to talk to her again and said they were the same age and she flirted with him. Resident #71 became tearful during the interview and stated she felt intimidated and scared by LPTA #93 who was a large man and this was why she reported the incident. She stated she felt the facility kept telling her she flirted with him in the messages and it was consensual since they were the same age. Resident #71 stated it was not consensual.</p> <p>Interview on 03/29/18 at 12:35 P.M., Licensed Physical Therapy Assistant (LPTA) #114 stated earlier in the morning of 03/09/18, he was looking for the stimulation machine. He stated he approached Resident #71's room and saw the machine not in use at the foot of the bed. He stated Resident #71 and LPTA #93 were behind the drawn privacy curtain. LPTA #93 was sitting in the middle of the room facing Resident #71 and his back would have been to the roommate side of the room. He did not see Resident #62 but assumed she was in there because she very rarely left her room. He stated they both greeted him and he asked if he could use the machine and LPTA #93 said yes. LPTA #114 stated he was in the room only long enough to roll up the cord and take the machine out of the room. He said after the incident was reported, he began to get several text messages from LPTA #93 asking him to write a witness statement for him. He stated he responded by saying he could not speak about the investigation. LPTA #93 kept texting him maybe three times. LPTA #114 finally called LPTA #93 and told him he did not know what he was going through but did not know how his 15 seconds in the room was going to help him.</p> <p>Interview on 03/29/18 at 12:56 P.M., with Resident #62 (who was assessed as having intact cognition), stated LPTA #93 came in the room to provide therapy massage to Resident #71. She stated LPTA #93 was close to the bed and she could not see his hands but could see his elbows move toward her bottom area. She stated Resident #71 jumped up and this was when LPTA #93 kissed her on the mouth. She also heard LPTA #93 ask Resident #71 to go to the bathroom and she refused and also heard Resident #71 stay stop several times. Resident #62 stated she never reported it because after he left the room, Resident #71 did not say anything about what had happened so she figured it was none of her business.</p> <p>Interview on 03/29/18 at 2:39 P.M., with the Administrator and RCC #92 verified there was an inappropriate relationship with social media messages between Resident #71 and LPTA #93. They completed an SRI but did not substantiate the SRI because they felt Resident #71 and Resident #62 were being manipulative. The Administrator also stated the facility felt like it was a consensual relationship. They verified LPTA #93 should not have sent Resident #71 messages on social media and should not have given her money. The Administrator also verified this interaction was against their policy.</p> <p>An interview was conducted on 03/29/18 at 5:00 P.M., with LPN #95 who interviewed Resident #71 during the investigation into the incident with LPTA #93. LPN #95 stated Resident #71 never once said the contact was consensual. She stated Resident #71 said he had her pants down and he rolled her over and kissed her.</p> <p>Interview on 04/02/18 at 10:53 A.M., with STNA #94 revealed on 03/09/18 she went into Resident #71's room to answer the light. She said on her way out Resident #71 said she wanted to tell her something and she could not tell anyone. STNA #94 said if it was something bad she would have to report it. She then proceeded to tell her LPTA #93 had kissed her and they were messaging back and forth and he wanted to hook up with her. Resident #71 scrolled through her phone and showed her the messages however she did not read them she just saw it was LPTA #93's name and picture. She then reported the situation immediately. STNA #94 also stated she had not known Resident #71 to exhibit manipulative behaviors.</p> <p>Review of the facility Conduct and Behavior policy 2.01 updated 12/01/09 revealed types of conduct and behavior that are considered inappropriate include but are not limited to the follow; sexual or any other type of harassment or unlawful discrimination or any conduct that is determined by the company to be detrimental to the health and welfare, dignity, safety of the residents, visitors, fell ow stakeholders or the company.</p> <p>Review of the policy titled Abuse, Neglect and Misappropriation or Property dated 11/16/17 revealed sexual abuse included sexual harassment, sexual coercion, or sexual assault. Sexual abuse includes, but is not limited to, any physical contact with a resident's body that is not reasonably related to appropriate provision of ordered care or services; sexually oriented comments or jokes.</p> <p>Review of the Stakeholder Handbook (undated) revealed the employee needed to be careful about posting on social media and prevent the misuse of social media. Inappropriate postings including discriminatory remarks, harassment, defamation, bullying and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject staff to disciplinary action up to and including termination. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, [MEDICATION NAME] or touching; insulting or obscene comments or gestures; and other physical, verbal or visual conduct of a sexual nature.</p> <p>This deficiency substantiates allegations contained in Complaint Master Control Number OH 941 and Complaint Number OH 940.</p>		
F 0607 Level of harm - Immediate jeopardy Residents Affected - Few	<p>Develop and implement policies and procedures to prevent abuse, neglect, and theft.</p> <p>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** ></p> <p>Based on medical record review, review of personnel files, review of a facility Self-Reported Incident (SRI), review of local law enforcement report, social media documentation review, review of the facility's abuse policy and procedure, review of the facility's employee handbook, and interviews with staff and residents, the facility failed to implement their abuse policy to ensure residents were free from sexual abuse by a staff member. This resulted in Immediate Jeopardy and</p>		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENTIFICATION NUMBER 365694	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUPPLIER SIGNATURE HEALTHCARE OF CHILLCOTHE		STREET ADDRESS, CITY, STATE, ZIP 60 MARIETTA ROAD CHILLCOTHE, OH 45601	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)		
F 0607 Level of harm - Immediate jeopardy Residents Affected - Few	<p>(continued... from page 3)</p> <p>psychosocial harm for one resident (Resident #71), when Licensed Physical Therapy Assistant (LPTA) #93 kissed Resident #71 during a physical therapy session digitally penetrated her vagina, and exchanged inappropriate messages via a social media messenger that were sexual in nature. This affected one (Resident #71) of four residents reviewed for sexual abuse. The facility census was 91.</p> <p>On 03/29/18 at 4:00 P.M., the Administrator, Director of Nursing (DON) and the Regional Care Consultant (RCC) #92 were notified that Immediate Jeopardy began on 03/09/18 at 9:10 A.M., when LPTA #93 was providing a 50 minute massage therapy session which included kissing the resident on the mouth and the resident reported digital penetrated of her vagina. During the therapy session, Resident #62 overheard Resident #71 telling LPTA #93 to stop and declining his offer to go into the bathroom. At 12:39 P.M., LPTA #93 began messaging Resident #71 via a social media messenger. LPTA #93 sent multiple messages pursuing Resident #71 including when can I see you again, asking her if she would like a more intense massage, and did she want to go to the bathroom with him for more privacy. When recounting the incident, Resident #71 became tearful stating she felt scared and intimidated by LPTA #93 who was a large man.</p> <p>The Immediate Jeopardy was removed on 03/30/18 when the facility implemented the following corrective actions:</p> <ul style="list-style-type: none"> - On 03/14/18 at 12:30 P.M., LPTA #93 was suspended by Rehabilitation Service Manager (RSM) #97. - On 03/14/18 at 12:30 P.M., an investigation was initiated by the Administrator, DON, Licensed Practical Nurse (LPN) #95, Social Service Director (SSD) #96 and RSM #97 upon initial report of the sexual abuse allegation for Resident #71. At 2:30 P.M., the DON submitted an SRI to the State Agency regarding the sexual abuse allegation - On 03/14/18 at 1:00 P.M., LPN #98 assessed Resident #71 for any signs and symptoms of abuse, with no concerns or abnormal results. The physician assistant (PA) #99 was notified of Resident #71's allegation of sexual abuse by LPN #98. - On 03/14/18 at 1:00 P.M., the Administrator, DON, LPN #95, SSD #96 and RSM #97 obtained written written statements including Resident #62, State tested Nursing Assistant (STNA) #9, LPN #95, LPTA #128, SSD #96, Resident #71, LPTA #93, and LPTA #114. - On 03/14/18 at 1:15 P.M., resident interviews were obtained utilizing the investigation questions for resident interview form for alert and oriented residents to include whether or not LPTA #93 provided therapy services to them. These interviews were completed by RNs #101 and #103, and LPN #102. All alert and oriented residents were interviewed by 03/15/18 at 12:00 P.M. including Residents #3, #20, #38, #67, #69, #72, #76, #78, #79, #82, #85 and #90 who received therapy services from LPTA #93. There were no negative findings. - On 03/14/18 at 1:15 P.M., RN #103, LPN #98 and LPN #189 initiated skin checks on all residents residing in the facility. These skin checks were completed on 03/15/18 at 12:00 P.M. No evidence of abuse was identified for any of these residents. - On 03/14/18 at 2:32 P.M., the DON made notification to local law enforcement, the brother of Resident #71, and the Medical Doctor (MD) #100 of the allegation of sexual abuse. - On 03/14/18 at 2:32 P.M., the Abuse policy, Social Media policy and Professional Boundaries from the employee handbook was reviewed per the ad hoc quality assurance and performance improvement (QAPI) meeting by the Interdisciplinary team (IDT) which consisted of MD #100, the DON, the Administrator, LPN #95, RSM #97, RN #197, RN #103, SSD #96 and LPN #102. - On 03/14/18 at 6:36 P.M., Resident #71 was transported to the local hospital for evaluation. - On 03/14/18, 03/15/18 and 03/16/18, SSD #96 assessed Resident #71 for possible psychosocial issues. No negative outcomes were noted. - On 03/14/18 at 3:00 P.M., the minimum data set (MDS) Care Plan Coordinator #197 reviewed Resident #71's plan of care with no updates. - On 03/14/18 at 1:15 P.M., all facility staff re-education began on Abuse, Neglect and Misappropriation policy and procedure, use of Social Media, and Professional Boundaries of conduct. This training was completed by Staff Developer RN #101 and completed on 03/30/18 at 12:00 P.M. - On 03/15/18, the ombudsman was contacted regarding the allegation by the Administrator. - On 03/23/18 at 1:45 P.M., the facility terminated LPTA #93. - On 03/28/18 at 4:00 P.M., a monthly QAPI meeting was held and reviewed completed SRIs and investigations. Those in attendance included the Administrator, DON, Business office Manager (BOM) #172, Admissions #182, Dietary Manager #199, LPN #102, Activity Director #179, SSD #96 and RN #101. - On 03/29/18 at 1:30 P.M., 2:15 P.M., and again on 03/30/18 at 6:15 A.M., scheduled staff meetings were held by the Administrator regarding Abuse Policy and Procedures, Social Media Policy and Procedures and Professional Boundaries. Staff in attendance included STNA #107, #108, #109, #119, #123, #130, #148, #157, #175, #187 and #193, Plant Staff #167, Central Supply #198, RN #101, Activity Director #179, Dietary Manager #199, Laundry Supervisor #223 and Laundry #222. - On 03/29/18 from 4:40 P.M., to 5:30 P.M., interviews with RNs #103 and #101, LPNs #102, #95, #104 and #105, Chaplain #106, STNAs #107, #108, #109 and Certified Occupational therapy assistants (COTA) #110, #111 and #112 and RSM #97 verified they had received education on the abuse policy, social media and professional boundaries. They all were knowledgeable and knew who to report to. - On 03/30/18 at 7:00 A.M., the Administrator updated the Resident Interview Tool with Questions related to Social Media. - On 03/30/18 at 12:25 P.M., LPN #102, Medical Records #181, LPN #95, RN #103 and RN #197 re-interviewed and educated alert and oriented residents on staff member engagement on social media. During the interview/education, one resident (Resident #62) indicated she had friended two LPNs (LPN #98 and LPN #165) on social media to look at photos of their families. She indicated there was no allegation of abuse. Both nurses were provided with coaching and counseling on the social media policy. - Beginning on 03/30/18, the facility will utilize the Resident Interview tool with Questions concerning Abuse and Social Media policy and procedure to conduct random interviews with five residents three times a week for four weeks, random interviews with five residents one time a week for eight weeks to be completed by the Administrator or designee. <p>Although the Immediate Jeopardy was removed, the deficiency remained at Severity Level 2 (no actual harm with potential for more than minimal harm that is not Immediate Jeopardy) as the facility was in the process of implementing their corrective action plan and were monitoring to ensure continued compliance.</p> <p>Findings include:</p> <p>Review of the medical record for Resident #71 revealed an admission date of [DATE]. [DIAGNOSES REDACTED].</p> <p>Review of the admission Minimum Data Set (MDS) assessment, dated 02/23/18, revealed the resident had intact cognition. The resident required limited assistance of one staff for bed mobility, transfers, ambulation. Review of behavior and mood assessment revealed no behaviors.</p> <p>Review of the nurse progress notes dated 02/16/18 to 03/29/18 revealed no pertinent information related to abuse, mood, or behaviors concerns.</p> <p>Review of the computerized plan of care dated 02/17/18 revealed Resident #71 had impaired coping related to life style changes and lack of support system, resident was overly concerned with things at times. Interventions included orient to surroundings, introduce her to other residents, establish trust relationships, allow to discuss feelings of fear and anxiety, discuss loss of independence, offer positive praise for appropriate behavior and provide quality listening</p> <p>Review of the physical therapy (PT) notes dated 03/09/18 revealed LPTA #93 provided therapy services to Resident #71 for a total 50 minute session.</p> <p>Review of the SRI dated 03/14/18 at 2:31 P.M., revealed on 03/14/18 at approximately 12:30 P.M., Resident #71 reported to STNA #94 that LPTA #93 had kissed her on the mouth and had been messaging back and forth on social media with her. She asked STNA #94 not to say anything because she did not want LPTA #93 to lose his job. Multiple interviews were conducted with Resident #71 and different versions of the incident were obtained with more allegations. She reported while he was giving her a massage, his hands were near her vagina and peri area and when he rolled her over he kissed her on the lips. She reported Resident #62 had seen the kiss. The facility reported a therapist had entered the room and saw the privacy curtain was pulled and LPTA #93 was sitting in the room providing therapy services. It was also revealed LPTA #93 had given \$20.00 dollars to Resident #71 and had conversations on social media messenger. Resident #71 provided visualization of the messages on her phone of interaction between Resident #71 and LPTA #93. Information of the contact on social media messenger revealed LPTA #93 initiated contact with Resident #71 on 02/20/18 at 3:15 P.M., and on 03/09/18 at 12:39 P.M., after the said massage session consensual phone messaging began between Resident #71 and LPTA #93. They had conversation on 03/09/18, 03/10/18 and 03/13/18. Resident #71 had not reported it before now because she had not spoken with her brother about it until 03/13/18. Her brother told Resident #71 it was not right and she needed to report it. At 5:45 P.M., Resident</p>		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENTIFICATION NUMBER 365694	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUPPLIER SIGNATURE HEALTHCARE OF CHILLCOTHE		STREET ADDRESS, CITY, STATE, ZIP 60 MARIETTA ROAD CHILLCOTHE, OH 45601	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG F 0607	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)		
<p>Level of harm - Immediate jeopardy</p> <p>Residents Affected - Few</p>	<p>(continued... from page 4)</p> <p>#71 made a gesture with her index finger in an upward motion and when asked what this meant she reported LPTA #93 had his finger in her VJJ (a slang term for vagina). A head to toe assessment was completed and she was sent to the local emergency room due to this further allegation.</p> <p>Review of social media messages dated from 02/20/18 at 5:15 P.M., to 03/14/18 at 9:49 A.M., revealed LPTA #93 initiated contact and requested to become friends and with Resident #71 on 02/20/18.</p> <p>On 03/09/18, LPTA #93 and Resident #71 became friends on social media facebook messenger. On 03/09/18 at 12:39 P.M., LPTA #93 was waving at Resident #71. At 2:05 P.M., Resident #71 responded back with hi sorry I took a nap after my wonderful massage session. The message also had a grin emoticon (defined as a representation of a facial expression, formed by various combinations of keyboard characters and used in electronic communications to convey the writer's feelings or intended tone.) At 2:20 P.M., LPTA #93 responded back with So glad u liked it. If I have time, would u like another one? Cuz im not sure when I'll be back. This message had a sad face emoticon. Resident #71 responded, Yes, to which LPTA #93 replied, Can u behave urself?? With a winky tongue out emoticon used. Resident #71 responded back with yes I believe I can. The question is can you? At 2:23 P.M., LPTA #93 replied with Actually, i'm not gonna promise u at all. Im horrible at temptations. Resident #71 responded back with Lol now ya must behave LPTA #93 replied, Ill try. I might have to help u go into the bathroom. They say it's a little more private in there. There was a heart eyes emoticon used for this message.</p> <p>Resident #71 responded, Lol to toilet is yuk, LPTA #93 replied, Well we might have to go in there so u can show me. What do you think? Resident #71 responded, I think slow down so we don't get caught. LPTA #93 replied, Oh we wouldn't my dear, but if that's what u want. There was also the use of a crying emoticon for this message. LPTA #93 sent emoticons of a flower then at 4:46 P.M., OMG!!!! Resident #71 responded, Lol. LPTA #93 replied, What did u think, I know!!!!, Tease! Ha! Resident #71 responded, No Not Me. LPTA #93 responded, Ha! Uh Huh!! I bet Resident #71 responded, with a wink face emoticon. LPTA #93 replied, I have a feeling you & i r gonna get along GREAT! There was also the use of the heart eyes emoticon. Resident #71 responded, We shall see, but I think so. LPTA #93 replied, I have NO doubt!! Resident #71 responded, Awe sweet. LPTA #93 replied, I may not want to return u and utilized the heart eye emoticon. Resident #71 responded Awe. LPTA #93 responded with Every little bit counts and used the heart eyed emoticon. Resident #71 responded, Awe you don't have to do that Thank you. LPTA #93 responded, I want to. Plus uve helped so many people over the years. You're welcome! LPTA #93 also stated, Doesnt she EVER leave the room?? Ha! Resident #71 replied, NO. NEVER. LPTA #93 responded, Such a shame. Depending on our time id like to find a place for me to give u a better, more intense massage. Im talking after the movie Resident #71 responded with a thumbs up emoticon. LPTA #93 responded, Any ideas where we could go? How does Tuesday sound to you? At 6:48 P.M., LPTA #93 responded, I just left. I'll talk to u later. At 11:20 P.M., LPTA #93 stated, Hi.</p> <p>On 03/10/18 at 1:36 P.M., LPTA #93 responded, R u mad at me? And also used a crying face emoticon. At 3:07 P.M., Resident #71 responded, No hun my phone is so messed up. Its like it's being hit by lighting. It makes strange noise and goes blank. Then won't work for a while. At 3:18 P.M., LPTA #93 responded, Good! R u interested in this Tuesday?</p> <p>On 03/11/18 at 11:19 P.M., LPTA #93 responded, U awake? Resident #71 responded, Yes kinda Where ya work tomm. LPTA #93 replied, Im off tomorrow. Resident #71 responded, Tired went to brothers. LPTA #93 replied, When r u going to brothers Resident #71 responded, I went today. LPTA #93 responded, Oh wish i would know. Resident #71 responded, We had a family thing. LPTA #93 responded, How bout Thursday? Resident #71 responded, Really no big deal, my brother is going to be out of town going to pick up daughter. Sorry. LPTA #93 responded, No worries. Would u like to see me again? Resident #71 responded, Yes. Not here though. LPTA #93 responded Oh no. Any ideas? Resident #71 responded, Hard when I have to depend on ride from here. LPTA #93 responded, I know. I wish there was some way i could pick u up. Resident #71 replied with a thumbs up emoticon and I'm falling asleep can ya text me on morning. LPTA #93 responded, Yes mam. Sweet dreams. Get some rest. Emoticons were sent back and forth for good night.</p> <p>On 03/13/18 at 3:50 P.M., LPTA #93 responded, Hi! How are you today? On 03/14/18 at 9:49 A.M., LPTA #93 responded, I'm working there tomorrow. This was the end of the documented conversation.</p> <p>Review of the local hospital record dated 03/14/18 revealed the resident was seen for possible sexual assault. Resident #71 stated she was digitally penetrated by LPTA #93 on 03/09/18 at the long-term care facility where she resided. The Sexual Assault Nurse Examiner (SANE) on call reported they would not be collecting evidence due to the length of time since the alleged incident. Adult Protective Service (APS) were called and were at the bedside with Resident #71.</p> <p>Review of Resident #62's witness statement dated 03/14/18 revealed she saw LPTA #93 in the room giving a massage to Resident #71. Resident #62 stated LPTA #93 touched Resident #71's breast one time and she saw Resident #71 be kissed by him one time.</p> <p>Review of the local law enforcement report dated 03/14/18 at 2:32 P.M., revealed Officer #113 was dispatched to the long-term care facility for a possible sexual assault. The officer spoke to Resident #71 who reported LPTA #93 came in and began to massage her left hip as she laid on her right side. Resident #71 reported LPTA #93's body was very close to hers, he pulled her pants down around her hip to massage the hip area better and then he kept moving his hands closer to the inside thigh. Resident #71 then stated LPTA #93 touched her chu-chu and slid what she believed was his finger inside of her vagina. Resident #71 stated she immediately pulled away and jerked his hand out of her. She stated when the LPTA #93 pulled his hands back LPTA #93 apologized stating Oh I'm sorry, then he told her to roll to the other hip and while turning over he leaned in and kissed her, sticking his tongue in her mouth. Resident #71 said she did not know what to do and continued to roll over. It was documented she stated LPTA #93 asked her to go into the bathroom but Resident #71 refused and he finished the massage. When she sat up, he kissed her again and told her to add him on social media. Resident #71 said she looked at her phone and saw a friend request from the LPTA #93 and felt obligated to accept him as he was staring at her. She said shortly after the session, LPTA #93 returned to her room with a folded piece of paper with a twenty-dollar bill inside. LPTA #93 insisted she keep the money. LPTA #93 had messaged her on 02/28/18 but did not add him until 03/09/18. Resident #71 showed the officer her phone of their discussions and she tried to tell LPTA #93 to slow down before we get caught, because she was worried about his job, she said she lied on 03/10/18 and 03/11/18 so LPTA #93 would leave her alone as the messages appeared they were friends. Resident #71 stated she was not friends with LPTA #93 and did not mean for it to sound like they were. She stated LPTA #93 tried to get her to have her brother take her to a restaurant so they could go on a date on Tuesday 03/13/18 to see a movie Fifty Shades of Grey. She further stated she had not reported it until LPTA #93 said he was coming back and she got worried something worse would happen. Resident #62 was contacted and stated she was in the room during the incident. She called LPTA #93 a different name but had seen him often in the facility and he came to do Resident #71's massage. Resident #62 reported LPTA #93 was pressing his body firm against the bed while he was giving the massage, she stated she could not hear everything but saw LPTA #93 massaging lower than her hip area. She stated she saw LPTA #93 kiss Resident #71 and touch her breast. Resident #71 said stop and when he asked her to go to the bathroom with him, Resident #71 refused to go.</p> <p>Review of the LPTA #93's witness statement dated 03/15/18 at 12:15 P.M., revealed LPTA #93 was documented as stating he and Resident #71 hit it off and had a good relationship. The statement further revealed he had given her twenty dollars and she asked him to add her on social media so he did. He said he asked her out to dinner but he was assuming this would be as friends. He stated he commented about doing the massage in the bathroom as a joke. He further stated he had gotten too emotionally involved with Resident #71 and could see that was not a good idea. He denied kissing the resident or touching her in anyway outside of the hip and leg massage.</p> <p>Review the personnel file for LPTA #93 revealed he was hired by the former company on 02/14/14 and the current ownership took over on 08/01/14. He had a bureau of criminal investigation (BCI) and federal bureau of investigation (FBI) completed on 02/07/18 with no concerns. However, there was no evidence of reference checks being completed upon hire. LPTA #93 was terminated on 03/23/18 for violation of the facility Conduct and Behavior policy 2.01.</p> <p>Telephone interview on 03/29/18 at 10:21 A.M., with LPTA #93 revealed he provided therapy services and gave money to Resident #71 out of the goodness of his heart. When questioned about the social media messaging he would not respond and deferred to his Attorney #116. He stated he absolutely, positively had not ever had any sexual contact with Resident #71.</p> <p>Interview on 03/29/18 at 10:56 A.M., Resident #71 revealed she arrived to the facility on [DATE]. On 02/20/18, he reached out to her on Facebook instant messaging, she did not acknowledge him as she did not know who he was. On 03/09/18, he entered the room to give her a massage She stated some of the therapists give a massage so that was not uncommon. Resident #71 stated she let LPTA #93 start and then he started talking about weird things. She stated said she froze because it was similar to experiences she had as a child from five years old to 16 from her biological father. She stated she was</p>		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENTIFICATION NUMBER 365694	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUPPLIER SIGNATURE HEALTHCARE OF CHILLCOTHE		STREET ADDRESS, CITY, STATE, ZIP 60 MARIETTA ROAD CHILLCOTHE, OH 45601	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)		
F 0607 Level of harm - Immediate jeopardy Residents Affected - Few	<p>(continued... from page 5)</p> <p>instantly scared and was frozen, she was saying no and stop and he was a very big man. She stated Resident #62 was in the room. Resident #71 stated LPTA #93 was massaging and his ungloved finger was massaging her bottom and went into her vagina. She stated LPTA #93 said oops sorry. She stated he held her down and kissed her and that day he made them become friends on Facebook. She did not know what to do, he began messaging her so she thought she would play along, he had mentioned another massage and trying to get her to go into the bathroom but she did not. He came back with a 20 dollar bill, he said he wanted to help her and she deserved the money. She said she was scared because he was scheduled to come back so she reported this to STNA #94. Resident #71 stated the facility called her a liar and was not nice. She felt like she was being interrogated and at the end of the day the facility wanted to talk to her again and said they were the same age and she flirted with him. Resident #71 became tearful during the interview and stated she felt intimidated and scared by LPTA #93 who was a large man and this was why she reported the incident. She stated she felt the facility kept telling her she flirted with him in the messages and it was consensual since they were the same age. Resident #71 stated it was not consensual.</p> <p>Interview on 03/29/18 at 12:35 P.M., Licensed Physical Therapy Assistant (LPTA) #114 stated earlier in the morning of 03/09/18, he was looking for the stimulation machine. He stated he approached Resident #71's room and saw the machine not in use at the foot of the bed. He stated Resident #71 and LPTA #93 were behind the drawn privacy curtain. LPTA #93 was sitting in the middle of the room facing Resident #71 and his back would have been to the roommate side of the room. He did not see Resident #62 but assumed she was in there because she very rarely left her room. He stated they both greeted him and he asked if he could use the machine and LPTA #93 said yes. LPTA #114 stated he was in the room only long enough to roll up the cord and take the machine out of the room. He said after the incident was reported, he began to get several text messages from LPTA #93 asking him to write a witness statement for him. He stated he responded by saying he could not speak about the investigation. LPTA #93 kept texting him maybe three times. LPTA #114 finally called LPTA #93 and told him he did not know what he was going through but did not know how his 15 seconds in the room was going to help him.</p> <p>Interview on 03/29/18 at 12:56 P.M., with Resident #62 (who was assessed as having intact cognition), stated LPTA #93 came in the room to provide therapy massage to Resident #71. She stated LPTA #93 was close to the bed and she could not see his hands but could see his elbows move toward her bottom area. She stated Resident #71 jumped up and this was when LPTA #93 kissed her on the mouth. She also heard LPTA #93 ask Resident #71 to go to the bathroom and she refused and also heard Resident #71 stay stop several times. Resident #62 stated she never reported it because after he left the room, Resident #71 did not say anything about what had happened so she figured it was none of her business.</p> <p>Interview on 03/29/18 at 2:39 P.M., with the Administrator and RCC #92 verified there was an inappropriate relationship with social media messages between Resident #71 and LPTA #93. They completed an SRI but did not substantiate the SRI because they felt Resident #71 and Resident #62 were being manipulative. The Administrator also stated the facility felt like it was a consensual relationship. They verified LPTA #93 should not have sent Resident #71 messages on social media and should not have given her money. The Administrator also verified this interaction was against their policy.</p> <p>An interview was conducted on 03/29/18 at 5:00 P.M., with LPN #95 who interviewed Resident #71 during the investigation into the incident with LPTA #93. LPN #95 stated Resident #71 never once said the contact was consensual. She stated Resident #71 said he had her pants down and he rolled her over and kissed her.</p> <p>Interview on 04/02/18 at 10:53 A.M., with STNA #94 revealed on 03/09/18 she went into Resident #71's room to answer the light. She said on her way out Resident #71 said she wanted to tell her something and she could not tell anyone. STNA #94 said if it was something bad she would have to report it. She then proceeded to tell her LPTA #93 had kissed her and they were messaging back and forth and he wanted to hook up with her. Resident #71 scrolled through her phone and showed her the messages however she did not read them she just saw it was LPTA #93's name and picture. She then reported the situation immediately. STNA #94 also stated she had not known Resident #71 to exhibit manipulative behaviors.</p> <p>Review of the facility Conduct and Behavior policy 2.01 updated 12/01/09 revealed types of conduct and behavior that are considered inappropriate include but are not limited to the follow; sexual or any other type of harassment or unlawful discrimination or any conduct that is determined by the company to be detrimental to the health and welfare, dignity, safety of the residents, visitors, fellow stakeholders or the company.</p> <p>Review of the policy titled Abuse, Neglect and Misappropriation or Property dated 11/16/17 revealed sexual abuse included sexual harassment, sexual coercion, or sexual assault. Sexual abuse includes, but is not limited to, any physical contact with a resident's body that is not reasonably related to appropriate provision of ordered care or services; sexually oriented comments or jokes.</p> <p>Review of the Stakeholder Handbook (undated) revealed the employee needed to be careful about posting on social media and prevent the misuse of social media. Inappropriate postings including discriminatory remarks, harassment, defamation, bullying and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject staff to disciplinary action up to and including termination. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, [MEDICATION NAME] or touching; insulting or obscene comments or gestures; and other physical, verbal or visual conduct of a sexual nature.</p> <p>This deficiency substantiates Complaint Master Control Number OH 941 and Complaint Number OH 940.</p>		
F 0835 Level of harm - Minimal harm or potential for actual harm Residents Affected - Few	<p>Administer the facility in a manner that enables it to use its resources effectively and efficiently.</p> <p>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** ></p> <p>Based on medical record review, review of personnel files, review of a facility Self-Reported Incident (SRI), review of local law enforcement report, social media documentation review, review of the facility's abuse policy and procedure, review of the facility's employee handbook, and interviews with staff and residents, the facility failed to substantiate an allegation of sexual abuse with verified witness statements and failed to ensure pre-employment screening for staff was completed. This affected one (Resident #71) of five residents reviewed for abuse. The facility census was 91.</p> <p>Findings included:</p> <p>Review of the medical record for the Resident #71 revealed an admission date of [DATE]. [DIAGNOSES REDACTED].</p> <p>Review of the admission Minimum Data Set (MDS) assessment, dated 02/23/18, revealed the resident had intact cognition. The resident required limited assistance of one staff for bed mobility, transfers, ambulation. Review of behavior and mood assessment revealed no behaviors.</p> <p>Review of the nurse progress notes dated from 02/16/18 to 03/29/18 revealed no pertinent information related to abuse, mood, or behaviors concerns.</p> <p>Review of the computerized plan of care dated 02/17/18 revealed Resident #71 had impaired coping related to life style changes and lack of support system, resident was overly concerned with things at times. Interventions included orient to surroundings, introduce her to other residents, establish trust relationships, allow to discuss feelings of fear and anxiety, discuss loss of independence, offer positive praise for appropriate behavior and provide quality listening</p> <p>Review of the physical therapy (PT) notes dated 03/09/18 revealed the LPTA #93 provided therapy services to Resident #71 for a total 50-minute session.</p> <p>Review of the SRI # dated 03/14/18 at 2:31 P.M., revealed on 03/14/18 at approximately 12:30 P.M., Resident #71 reported to STNA #94 that LPTA #93 had kissed her in the mouth and had been messaging back and forth on social media with her. She asked STNA #94 not to say anything because she did not want LPTA #93 to lose his job. Multiple interviews were conducted with Resident #71 and different versions of the incident were obtained with more allegations. She reported while he was giving her a massage, his hands were near her vagina and peri area and when he rolled her over he kissed her on the lips. She reported Resident #62 had seen the kiss. The facility reported a therapist had entered the room and saw the privacy curtain was pulled and LPTA #93 was sitting in the room providing therapy services. It was also revealed LPTA #93 had given Resident #71 \$20.00 dollars and had conversations on social media messenger. Resident #71 provided visualization of the messages on her phone of interaction between Resident #71 and LPTA #93. Information of the contact on social media</p>		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENTIFICATION NUMBER 365694	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUPPLIER SIGNATURE HEALTHCARE OF CHILLCOTHE		STREET ADDRESS, CITY, STATE, ZIP 60 MARIETTA ROAD CHILLCOTHE, OH 45601	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG F 0835	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)		
<p>Level of harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>(continued... from page 6)</p> <p>messenger revealed LPTA #93 initiated contact with Resident #71 on 02/20/18 at 3:15 P.M., and on 03/09/18 at 12:39 P.M., after the said message session consensual phone messaging began between Resident #71 and LPTA #93. They had conversation on 03/09/18, 03/10/18 and 03/13/18. Resident #71 had not reported it before now because she had not spoken with her brother about it until 03/13/18. Her brother told Resident #71 it was not right and she needed to report it. At 5:45 P.M., Resident #71 made a gesture with her index finger in an upward motion and when asked what this meant she reported LPTA #93 had his finger in her VJJ (a slang term for vagina). A head to toe assessment was completed and she was sent to the local emergency room due to this further allegation. It was further documented Resident #71 showed no signs of emotional or physical distress, she was calm, pleasant and exhibited no anxiety.</p> <p>Review of social media messages dated from 02/20/18 at 5:15 P.M., to 03/14/18 at 9:49 A.M., revealed LPTA #93 initiated contact and requested to become friends and with Resident #71 on 02/20/18.</p> <p>On 03/09/18, LPTA #93 and Resident #71 became friends on social media facebook messenger. On 03/09/18 at 12:39 P.M., LPTA #93 was waving at Resident #71. At 2:05 P.M., Resident #71 responded back with hi sorry I took a nap after my wonderful massage session. The message also had a grin emoticon (defined as a representation of a facial expression, formed by various combinations of keyboard characters and used in electronic communications to convey the writer's feelings or intended tone.) At 2:20 P.M., LPTA #93 responded back with So glad u liked it. If I have time, would u like another one? Cuz im not sure when I'll be back. This message had a sad face emoticon. Resident #71 responded, Yes, to which LPTA #93 replied, Can u behave urself?? With a winky tongue out emoticon used. Resident #71 responded back with yes I believe I can. The question is can you? At 2:23 P.M., LPTA #93 replied with Actually, i'm not gonna promise u at all. Im horrible at temptations. Resident #71 responded back with Lol now ya must behave LPTA #93 replied, Ill try. I might have to help u go into the bathroom. They say it's a little more private in there. There was a heart eyes emoticon used for this message.</p> <p>Resident #71 responded, Lol to toilet is yuk, LPTA #93 replied, Well we might have to go in there so u can show me. What do you think? Resident #71 responded, I think slow down so we don't get caught. LPTA #93 replied, Oh we wouldn't my dear, but if that's what u want. There was also the use of a crying emoticon for this message. LPTA #93 sent emoticons of a flower then at 4:46 P.M., OMG!!!! Resident #71 responded, Lol. LPTA #93 replied, What did u think, I know!!!!, Tease! Ha! Resident #71 responded, No Not Me. LPTA #93 responded, Ha! Uh Huh!!! I bet Resident #71 responded, with a wink face emoticon. LPTA #93 replied, I have a feeling you & i r gonna get along GREAT! There was also the use of the heart eyes emoticon. Resident #71 responded, We shall see, but I think so. LPTA #93 replied, I have NO doubt!! Resident #71 responded, Awe sweet. LPTA #93 replied, I may not want to return u and utilized the heart eye emoticon. Resident #71 responded Awe. LPTA #93 responded with Every little bit counts and used the heart eyed emoticon. Resident #71 responded, Awe you don't have to do that Thank you, LPTA #93 responded, I want to. Plus uve helped so many people over the years. You're welcome! LPTA #93 also stated, Doesnt she EVER leave the room?? Ha! Resident #71 replied, NO. NEVER. LPTA #93 responded, Such a shame. Depending on our time id like to find a place for me to give u a better, more intense massage. Im talking after the movie Resident #71 responded with a thumbs up emoticon. LPTA #93 responded, Any ideas where we could go? How does Tuesday sound to you? At 6:48 P.M., LPTA #93 responded, I just left. I'll talk to u later. At 11:20 P.M., LPTA #93 stated, Hi.</p> <p>On 03/10/18 at 1:36 P.M., LPTA #93 responded, R u mad at me? And also used a crying face emoticon. At 3:07 P.M., Resident #71 responded, No hun my phone is so messed up. Its like it's being hit by lightning. It makes strange noise and goes blank. Then won't work for a while. At 3:18 P.M., LPTA #93 responded, Good! R u interested in this Tuesday?</p> <p>On 03/11/18 at 11:19 P.M., LPTA #93 responded, U awake? Resident #71 responded, Yes kinda Where ya work tomm. LPTA #93 replied, Im off tomorrow. Resident #71 responded, Tired went to brothers. LPTA #93 replied, When r u going to brothers Resident #71 responded, I went today. LPTA #93 responded, Oh wish i would know. Resident #71 responded, We had a family thing. LPTA #93 responded, H ow bout Thursday? Resident #71 responded, Really no big deal, my brother is going to be out town going to Lexington to pick up daughter. Sorry. LPTA #93 responded, No worries. Would u like to see me again? Resident #71 responded, Yes. Not here though. LPTA #93 responded Oh no. Any ideas? Resident #71 responded, Hard when I have to depend on ride from here. LPTA #93 responded, I know. I wish there was some way i could pick u up. Resident #71 replied with a thumbs up emoticon and I'm falling asleep can ya text me on morning. LPTA #93 responded, Yes mam. Sweet dreams. Get some rest. Emoticons were sent back and forth for good night.</p> <p>On 03/13/18 at 3:50 P.M., LPTA #93 responded, Hi! How are you today? On 03/14/18 at 9:49 A.M., LPTA #93 responded, I'm working there tomorrow. This was the end of the documented conversation.</p> <p>Review of the local hospital record dated 03/14/18 revealed the resident was seen for possible sexual assault. Resident #71 stated she was digitally penetrated by LPTA #93 on 03/09/18 at the long-term care facility where she resided. The Sexual Assault Nurse Examiner (SANE) on call reported they would not be collecting evidence due to the length of time since the alleged incident. Adult Protective Service (APS) were called and were at the bedside with Resident #71.</p> <p>Review of Resident #62's witness statement dated 03/14/18 revealed she saw LPTA #93 in the room giving a massage to Resident #71. Resident #62 stated LPTA #93 touched Resident #71's breast one time and she saw Resident #71 be kissed by him one time.</p> <p>Review of the local law enforcement report dated 03/14/18 at 2:32 P.M., revealed Officer #113 was dispatched to the long-term care facility for a possible sexual assault. The officer spoke to Resident #71 who reported LPTA #93 came in and began to massage her left hip as she laid on her right side. Resident #71 reported LPTA #93's body was very close to hers, he pulled her pants down around her hip to massage the hip area better and then he kept moving his hands closer to the inside thigh. Resident #71 then stated LPTA #93 touched her chu-chu and slid what she believed was his finger inside of her vagina. Resident #71 stated she immediately pulled away and jerked his hand out of her. She stated when the LPTA #93 pulled his hands back LPTA #93 apologized stating Oh I'm sorry, then he told her to roll to the other hip and while turning over he leaned in and kissed her, sticking his tongue in her mouth. Resident #71 said she did not know what to do and continued to roll over. It was documented she stated LPTA #93 asked her to go into the bathroom but Resident #71 refused and he finished the massage. When she sat up, he kissed her again and told her to add him on social media. Resident #71 said she looked at her phone and saw a friend request from the LPTA #93 and felt obligated to accept him as he was staring at her. She said shortly after the session, LPTA #93 returned to her room with a folded piece of paper with a twenty-dollar bill inside. LPTA #93 insisted she keep the money. LPTA #93 had messaged her on 02/28/18 but did not add him until 03/09/18. Resident #71 showed the officer her phone of their discussions and she tried to tell LPTA #93 to slow down before we get caught, because she was worried about his job, she said she lied on 03/10/18 and 03/11/18 so LPTA #93 would leave her alone as the messages appeared they were friends. Resident #71 stated she was not friends with LPTA #93 and did not mean for it to sound like they were. She stated LPTA #93 tried to get her to have her brother take her to a restaurant so they could go on a date on Tuesday 03/13/18 to see a movie Fifty Shades of Grey. She further stated she had not reported it until LPTA #93 said he was coming back and she got worried something worse would happen. Resident #62 was contacted and stated she was in the room during the incident. She called LPTA #93 a different name but had seen him often in the facility and he came to do Resident #71's massage. Resident #62 reported LPTA #93 was pressing his body firm against the bed while he was giving the massage, she stated she could not hear everything but saw LPTA #93 massaging lower than her hip area. She stated she saw LPTA #93 kiss Resident #71 and touch her breast. Resident #71 said stop and when he asked her to go to the bathroom with him, Resident #71 refused to go.</p> <p>Review of the LPTA #93's witness statement dated 03/15/18 at 12:15 P.M., revealed LPTA #93 was documented as stating he and Resident #71 hit it off and had a good relationship. The statement further revealed he had given her twenty dollars and she asked him to add her on social media so he did. He said he asked her out to dinner but he was assuming this would be as friends. He stated he commented about doing the massage in the bathroom as a joke. He further stated he had gotten too emotionally involved with Resident #71 and could see that was not a good idea. He denied kissing the resident or touching her in anyway outside of the hip and leg massage.</p> <p>Review the personnel file for LPTA #93 revealed he was hired by the former company on 02/14/14 and the current ownership took over on 08/01/14. He had a bureau of criminal investigation (BCI) and federal bureau of investigation (FBI) completed on 02/07/18 with no concerns. However, there was no evidence of reference checks being completed upon hire. LPTA #93 was terminated on 03/23/18 for violation of the facility Conduct and Behavior policy 2.01.</p> <p>Interview on 03/29/18 at 9:27 A.M., with the Administrator, the Director of Nursing (DON) and Regional Care Consultant (RCC) #92 stated they terminated LPTA #93 due to professional misconduct and social media violations. They confirmed the behavior was inappropriate but they said they felt it was a consensual relationship between the resident and the staff member and</p>		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENTIFICATION NUMBER 365694	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUPPLIER SIGNATURE HEALTHCARE OF CHILLCOTHE		STREET ADDRESS, CITY, STATE, ZIP 60 MARIETTA ROAD CHILLCOTHE, OH 45601	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG F 0835	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)		
<p>Level of harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>(continued... from page 7) that this was why they did not substantiate the SRI.</p> <p>Telephone interview on 03/29/18 at 10:21 A.M., with LPTA #93 revealed he provided therapy services and gave money to Resident #71 out of the goodness of his heart. When questioned about the social media messaging he would not respond and deferred to his Attorney #116. He stated he absolutely, positively had not ever had any sexual contact with Resident #71.</p> <p>Interview on 03/29/18 at 10:56 A.M., Resident #71 revealed she arrived to the facility on [DATE]. On 02/20/18, he reached out to her on Facebook instant messaging, she did not acknowledge him as she did not know who he was. On 03/09/18, he entered the room to give her a massage. She stated some of the therapists give a massage so that was not uncommon. Resident #71 stated she let LPTA #93 start and then he started talking about weird things. She stated said she froze because it was similar to experiences she had as a child from five years old to 16 from her biological father. She stated she was instantly scared and was frozen, she was saying no and stop and he was a very big man. She stated Resident #62 was in the room. Resident #71 stated LPTA #93 was massaging and his ungloved finger was massaging her bottom and went into her vagina. She stated LPTA #93 said oops sorry. She stated he held her down and kissed her and that day he made them become friends on Facebook. She did not know what to do, he began messaging her so she thought she would play along, he had mentioned another massage and trying to get her to go into the bathroom but she did not. He came back with a 20-dollar bill, he said he wanted to help her and she deserved the money. She said she was scared because he was scheduled to come back so she reported this to STNA #94. Resident #71 stated the facility called her a liar and was not nice. She felt like she was being interrogated and at the end of the day the facility wanted to talk to her again and said they were the same age and she flirted with him. Resident #71 became tearful during the interview and stated she felt intimidated and scared by LPTA #93 who was a large man and this was why she reported the incident. She stated she felt the facility kept telling her she flirted with him in the messages and it was consensual since they were the same age. Resident #71 stated it was not consensual.</p> <p>Interview on 03/29/18 at 12:35 P.M., Licensed Physical Therapy Assistant (LPTA) #114 stated earlier in the morning of 03/09/18, he was looking for the stimulation machine. He stated he approached Resident #71's room and saw the machine not in use at the foot of the bed. He stated Resident #71 and LPTA #93 were behind the drawn privacy curtain. LPTA #93 was sitting in the middle of the room facing Resident #71 and his back would have been to the roommate side of the room. He did not see Resident #62 but assumed she was in there because she very rarely left her room. He stated they both greeted him and he asked if he could use the machine and LPTA #93 said yes. LPTA #114 stated he was in the room only long enough to rolled up the cord and take the machine out of the room. He said after the incident was reported, he began to get several text messages from LPTA #93 asking him to write a witness statement for him. He stated he responded by saying he could not speak about the investigation. LPTA #93 kept texting him maybe three times. LPTA #114 finally called LPTA #93 and told him he did not know what he was going through but did not know how his 15 seconds in the room was going to help him.</p> <p>Interview on 03/29/18 at 12:56 P.M., with Resident #62 (who was assessed as having intact cognition), stated LPTA #93 came in the room to provide therapy massage to Resident #71. She stated LPTA #93 was close to the bed and she could not see his hands but could see his elbows move toward her bottom area. She stated Resident #71 jumped up and this was when LPTA #93 kissed her on the mouth. She also heard LPTA #93 ask Resident #71 to go to the bathroom and she refused and also heard Resident #71 stay stop several times. Resident #62 stated she never reported it because after he left the room, Resident #71 did not say anything about what had happened so she figured it was none of her business.</p> <p>Interview on 03/29/18 at 2:39 P.M., with the Administrator and RCC #92 verified there was an inappropriate relationship with social media messages between Resident #71 and LPTA #93. They completed an SRI but did not substantiate the SRI because they felt Resident #71 and Resident #62 were being manipulative. The Administrator also stated the facility felt like it was a consensual relationship. They verified LPTA #93 should not have sent Resident #71 messages on social media and should not have given her money. The Administrator also verified this interaction was against their policy. They verified LPTA #93 should not have sent her messages on social media and should not have given her money and she knew what she did as an employee was wrong.</p> <p>Interview on 03/29/18 at 5:00 P.M., with LPN #95 interviewed the resident #71 during the investigation into the incident with LPTA #93. LPN #95 stated Resident #71 never once said the contact was consensual. She stated Resident #71 said he had her pants down and he rolled her over and kissed her.</p> <p>Interview on 04/02/18 at 10:53 A.M., with STNA #94 revealed on 03/09/18 she went into Resident #71's room to answer the light. She said on her way out Resident #71 said she wanted to tell her something and she could not tell anyone. STNA #94 said if it was something bad she would have to report it. She then proceeded to tell her LPTA #93 had kissed her and they were messaging back and forth and he wanted to hook up with her. Resident #71 scrolled through her phone and showed her the messages however she did not read them she just saw it was LPTA #93's name and picture. She then reported the situation immediately. STNA #94 also stated she had not known Resident #71 to exhibit manipulative behaviors.</p> <p>Interview on 04/02/18 at 12:29 P.M., the Administrator confirmed reference checks were not completed for LPTA #93 prior to his hiring.</p> <p>Review of the facility Conduct and Behavior policy 2.01 updated 12/01/09 revealed types of conduct and behavior that are considered inappropriate include but are not limited to the follow: sexual or any other type of harassment or unlawful discrimination or any conduct that is determined by the company to be detrimental to the health and welfare, dignity, safety of the residents, visitors, fellow stakeholders or the company.</p> <p>Review of the policy titled Abuse, Neglect and Misappropriation or Property dated 11/16/17 revealed sexual abuse included sexual harassment, sexual coercion, or sexual assault. Sexual abuse includes, but is not limited to, any physical contact with a resident's body that is not reasonably related to appropriate provision of ordered care or services; sexually oriented comments or jokes.</p> <p>Review of the Stakeholder Handbook (undated) revealed the employee needed to be careful about posting on social media and prevent the misuse of social media. Inappropriate postings including discriminatory remarks, harassment, defamation, bullying and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject staff to disciplinary action up to and including termination. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering; [MEDICATION NAME] or touching; insulting or obscene comments or gestures; and other physical, verbal or visual conduct of a sexual nature.</p> <p>This deficiency substantiates allegations contained in Complaint Master Control Number OH 941 and Complaint Number OH 940.</p>		