(X3) DATE SURVEY STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION CLIA IDENNTIFICATION À. BUILDING B. WING ____ 04/05/2018 NUMBER 365694 NAME OF PROVIDER OF SUPPLIER STREET ADDRESS, CITY, STATE, ZIP SIGNATURE HEALTHCARE OF CHILLICOTHE 60 MARIETTA ROAD CHILLICOTHE, OH 45601

For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.

SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY (X4) ID PREFIX TAG OR LSC IDENTIFYING INFORMATION

F 0600

Level of harm - Immediate jeopardy

Residents Affected - Few

Protect each resident from all types of abuse such as physical, mental, sexual abuse,

physical punishment, and neglect by anybody.
NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY

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, 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.

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.

The Immediate Jeopardy was removed on 03/30/18 when the facility implemented the following corrective actions:

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 pon initial report of the sexual

including Resident #62, State tested Nursing Assistant (STNA) #9, LPN #95, LPTA #128, SSD #96, Resident #71, LPTA #93, and

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

at 12:00 P.M. including Residents #5, #20, #36, #67, #69, #12, #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

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

On 03/29/18 at 1:30 P.M., 2:13 P.M., and again on 03/30/18 at 0:13 A.M., Scheduled staff inleetings 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, CTNA #107, #109, #107, #109, 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 17:00 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. 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.

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.

FORM CMS-2567(02-99) Event ID: YL1011 Facility ID: 365694 If continuation sheet Previous Versions Obsolete Page 1 of 8

STATEMENT OF DEFICIENCIES	(X1) PROVIDER / SUPPLIER	(X2) MULTIPLE CONSTRUCTION A. BUILDING	(X3) DATE SURVEY COMPLETED	
AND PLAN OF	/ CLIA IDENNTIFICATION	B. WING	04/05/2018	
CORRECTION	NUMBER			
NAME OF PROVIDER OF SUI	365694	STREET ADDRESS,	CITY STATE ZID	
SIGNATURE HEALTHCARE		60 MARIETTA ROA CHILLICOTHE, OI	AD	
For information on the nursing	home's plan to correct this deficien	cy, please contact the nursing home or the state survey a	agency.	
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF D OR LSC IDENTIFYING INFORM	EFICIENCIES (EACH DEFICIENCY MUST BE PRE MATION)	CEDED BY FULL REGULATORY	
F 0600	(continued from page 1) Findings include:			
Level of harm - Immediate jeopardy	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			
Residents Affected - Few		. s dated $02/16/18$ to $03/29/18$ revealed no pertinent infor	rmation related to abuse, mood, or	
	behaviors concerns. Review of the computerized plan	of care dated 02/17/18 revealed Resident #71 had impair	red coping related to life style	
	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.	at 2:31 P.M., revealed on 03/14/18 at approximately 12		
	STNA #94 that LPTA #93 had ki asked STNA #94 not to say anyth with Resident #71 and different v giving her a massage, his hands w	ssed her on the mouth and had been messaging back and ing because she did not want LPTA #93 to lose his job. ersions of the incident were obtained with more allegati- ere near her vagina and peri area and when he rolled he en the kiss. The facility reported a therapist had entered	d forth on social media with her. She Multiple interviews were conducted ions. She reported while he was er over he kissed her on the lips.	
	curtain was pulled and LPTA #93 \$20.00 dollars to Resident #71 an messages on her phone of interact messenger revealed LPTA #93 in	was sitting in the room providing therapy services. It we day conversations on social media messenger. Resider ion between Resident #71 and LPTA #93. Information itiated contact with Resident #71 on 02/20/18 at 3:15 P.	vas also revealed LPTĀ #93 had given nt #71 provided visualization of the of the contact on social media 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 conversat 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 I			
	room due to this further allegation	vagina). A head to toe assessment was completed and solution. dated from 02/20/18 at 5:15 P.M., to 03/14/18 at 9:49 A	· .	
	On 03/09/18, LPTA #93 and Resid	Friends and with Resident #71 on 02/20/18. Hent #71 became friends on social media facebook mess At 2:05 P.M., Resident #71 responded back with hi sorr	senger. On 03/09/18 at 12:39 P.M., LPTA	
	massage session. The message als various combinations of keyboard	to had a grin emoticon (defined as a representation of a licharacters and used in electronic communications to co	facial expression, formed by onvey the writer's feelings or	
	Cuz im not sure when I'll be back	A #93 responded back with So glad u liked it. If I have. This message had a sad face emoticon. Resident #71 respect to a winky tongue out emoticon used. Resident #71 respectively.	esponded, Yes, to which LPTA #93	
	temptations. Resident #71 respon-	P.M., LPTA #93 replied with Actually, i'm not gonna p ded back with Lol now ya must behave LPTA #93 replied little more private in there. There was a heart eyes emot	ed, Ill try. I might have to help u go	
	Resident #71 responded, Lol to to you think? Resident #71 responde	ilet is yuk, LPTA #93 replied, Well we might have to g d, I think slow down so we don't get caught. LPTA #93	o in there so u can show me. What do replied, Oh we wouldn't my dear, but	
	then at 4:46 P.M., OMG!!!! Resid	lso the use of a crying emoticon for this message. LPTA lent #71 responded, Lol. LPTA #93 replied, What did u Me. LPTA #93 responded, Ha! Uh Huh!! I bet Resident	think, I know!!!!!, Tease! Ha!	
	emoticon. LPTA #93 replied, I ha emoticon. Resident #71 responde	ve a feeling you & i r gonna get along GREAT! There v I, We shall see, but I think so. LPTA #93 replied, I have	was also the use of the heart eyes e NO doubt!! Resident #71	
	responded Awe. LPTA #93 respo	replied, I may not want to return u and utilized the hear nded with Every little bit counts and used the heart eyec ank you. LPTA #93 responded, I want to. Plus uve help	d emoticon. Resident #71 responded,	
	You're welcome! LPTA #93 also responded, Such a shame. Dependent talking after the movie Resident #	stated, Doesnt she EVER leave the room?? Ha! Resider ling on our time id like to find a place for me to give u a 71 responded with a thumbs up emoticon. LPTA #93 re	nt #71 replied, NO. NEVER. LPTA #93 a better, more intense massage. Im esponded,Any ideas where we could go?	
	stated, Hi. On 03/10/18 at 1:36 P.M., LPTA	At 6:48 P.M., LPTA #93 responded, I just left. I'll talk #93 responded, R u mad at me? And also used a crying f	face emoticon. At 3:07 P.M., Resident	
	Then won't work for a while. At 3 On 03/11/18 at 11:19 P.M., LPTA	is so messed up. Its like it's being hit by lighting. It ma :18 P.M., LPTA #93 responded, Good! R u interested it #93 responded, U awake?' Resident #71 responded, Ye tt #71 responded, Tired went to brothers. LPTA #93 rep	n this Tuesday? es kinda Where ya work tomm. LPTA #93	
	thing. LPTA #93 responded, How town going to pick up daughter. S	oday. LPTA #93 responded, Oh wish i would known. Re v bout Thursday? Resident #71 responded, Really no bigorry. LPTA #93 responded, No worries. Would u like to LPTA #93 responded Oh no. Any ideas? Resident #71	g deal, my brother is going to be out of o see me again? Resident #71	
	ride from here. LPTA #93 respon up emoticon and I'm falling aslee Emoticons were sent back and for	ded, I know. I wish there was some way i could pick u u o can ya text me on morning. LPTA #93 responded, Yes th for good night.	up. Resident #71 replied with a thumbs s mam. Sweet dreams. Get some rest.	
	working there tomorrow. This wa Review of the local hospital record	493 responded, Hi! How are you today? On 03/14/18 at s the end of the documented conversation. I dated 03/14/18 revealed the resident was seen for poss	sible sexual assault. Resident #71	
	Assault Nurse Examiner (SANE) alleged incident. Adult Protective	I by LPTA #93 on 03/09/18 at the long-term care facility on call reported they would not be collecting evidence of Service (APS) were called and were at the bedside with statement dated 03/14/18 revealed she saw LPTA #93 in	due to the length of time since the h Resident #71.	
	#71. Resident #62 stated LPTA # time.	93 touched Resident #71's breast one time and she saw lart report dated 03/14/18 at 2:32 P.M., revealed Officer	Resident #71 be kissed by him one	
	long-term care facility for a possi began to massage her left hip as s he pulled her pants down around	officer of the sexual assault. The officer spoke to Resident #71 whe laid on her right side. Resident #71 reported LPTA #ner hip to massage the hip area better and then he kept nated LPTA #93 touched her chu-chu and slid what she be	to reported LPTA #93 came in and the state of the state o	
	vagina. Resident #71 stated she in his hands back LPTA #93 apolog he leaned in and kissed her, sticki to roll over. It was documented sh	nmediately pulled away and jerked his hand out of her. ized stating Oh I'm sorry, then he told her to roll to the c ng his tongue in her mouth. Resident #71 said she did n he stated LPTA #93 asked her to go into the bathroom b	She stated when the LPTA #93 pulled other hip and while turning over not know what to do and continued ut Resident #71 refused and he	
	looked at her phone and saw a fri She said shortly after the session, inside. LPTA #93 insisted she kee Resident #71 showed the officer I	at up, he kissed her again and told her to add him on so end request from the LPTA #93 and felt obligated to acc LPTA #93 returned to her room with a folded piece of p pp the money. LPTA #93 had messaged her on 02/28/18 her phone of their discussions and she tried to tell LPTA	cept him as he was staring at her. paper with a twenty-dollar bill 8 but did not add him until 03/09/18. 4 #93 to slow down before we get	
	caught, because she was worried	about his job, she said she lied on 03/10/18 and 03/11/13 re friends. Resident #71 stated she was not friends with	8 so LPTA #93 would leave her alone	

FORM CMS-2567(02-99) Previous Versions Obsolete Event ID: YL1O11 Facility ID: 365694

DEPARTMENT OF HEALTH AND HUMAN SERVICES CENTERS FOR MEDICARE & MEDICAID SERVICES			PRINTED:12/20/2018 FORM APPROVED OMB NO. 0938-0391
STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENNTIFICATION NUMBER 365694	(X2) MULTIPLE CONSTRUCTION A. BUILDING B. WING	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUI SIGNATURE HEALTHCARI		60 MAF	`ADDRESS, CITY, STATE, ZIP IETTA ROAD COTHE, OH 45601
For information on the nursing	nome's plan to correct this deficient	cy, please contact the nursing home or the	state survey agency.
(X4) ID PREFIX TAG	•	EFICIENCIES (EACH DEFICIENCY M	UST BE PRECEDED BY FULL REGULATORY
F 0600	(continued from page 2) to sound like they were. She state	d LPTA #93 tried to get her to have her br	other take her to a restaurant so they could go
Level of harm - Immediate jeopardy	#93 said he was coming back and	she got worried something worse would h	ther stated she had not reported it until LPTA appen. Resident #62 was contacted and stated she was
Residents Affected - Few	in the room during the incident. S do Resident #71's massage. Resid the massage, she stated she could saw LPTA #93 kiss Resident #71 with him, Resident #71 refused to Review of the LPTA #93's witness. Resident #71 hit it off and had a g asked him to add her on social me friends. He stated he commented emotionally involved with Reside her in anyway outside of the hip a Review the personnel file for LPT took over on 08/01/14. He had a 1 on 02/07/18 with no concerns. He terminated on 03/23/18 for violati Telephone interview on 03/23/18 for violati Telephone interview on 03/29/18 Resident #71 out of the goodness deferred to his Attorney #116. He Interview on 03/29/18 at 10:56 A. out to her on Facebook instant me entered the room to give her a ma #71 stated she let LPTA #93 start similar to experiences she had as instantly scared and was frozen, sroom. Resident #71 stated LPTA She stated LPTA #93 said oops se Facebook. She did not know wha massage and trying to get her to g wanted to help her and she deserverported this to STNA #94. Resid interrogated and at the end of the flirted with him. Resident #71 be who was a large man and this was flirted with him. Resident #71 be who was a large man and this was lirted with him in the messages a consensual. Interview on 03/29/18 at 12:35 P.1 03/09/18, he was looking for the in use at the foot of the bed. He si sitting in the middle of the room 1 not see Resident #62 but assumed and he asked if he could use the nroll up the cord and take the mact text messages from LPTA #93 as speak about the investigation. LP he did not know what he was goin Interview on 03/29/18 at 12:35 P.1 03/09/18, he was looking for the in use at the foot of the bed. He si sitting in the middle of the room 1 not see Resident #62 but assumed and he asked if he could use the nroll up the cord and take the mact text messages from LPTA #93 as speak about the investigation. LP he did not know what he was goin the room to provide therapy mands but could see his elbows mand he laterview on 03/29/18 at 12:35	the called LPTA #93 a different name but leant #62 reported LPTA #93 was pressing In to thear everything but saw LPTA #93 mand touch her breast. Resident #71 said stogo. The statement dated 03/15/18 at 12:15 P.M., a cood relationship. The statement further redid so he did. He said he asked her out to about doing the massage in the bathroom at #71 and could see that was not a good in and leg massage. A #93 revealed he was hired by the former out of criminal investigation (BCI) and wever, there was no evidence of reference on of the facility Conduct and Behavior put 10:21 A.M., with LPTA #93 revealed he of his heart. When questioned about the se stated he absolutely, positively had not exp., Resident #71 revealed she arrived to the sagging, she did not acknowledge him as a sagging, she stated some of the therapists givend then he started talking about weird the achild from five years old to 16 from her he was saying no and stop and he was a very 3 was massaging and his ungloved fingorry. She stated he held her down and kisse to do, he began messaging her so she thou into the bathroom but she did not. He caed the money. She said she was scared been the #71 stated the facility called her a liar day the facility wanted to talk to her again ame tearful during the interview and state is why she reported the incident. She stated and it was consensual since they were the set why she reported the incident. She stated and it was consensual since they were the seaning Resident #71 and LPTA #93 were be facility as a stated the facility called her a liar day the facility wanted to talk to her again ame tearful during the interview and state is why she reported the incident. She stated he she was in there because she very rarely lachine and LPTA #93 said yes. LPTA #1 inceout of the room. He said after the incident gradient #71 and LPTA #93 were be achient #71 and LPTA #93 said yes. LPTA #1 inceout of the room. He said after the incident gradient #71 and LPTA #93 she stated Reheard LPTA #93 as Resident #71 to got the s. Resi	and seen him often in the facility and he came to his body firm against the bed while he was giving issaging lower than her hip area. She stated she op and when he asked her to go to the bathroom evealed LPTA #93 was documented as stating he and realed he had given her twenty dollars and she tinner but he was assuming this would be as as a joke. He further stated he had gotten too lea. He denied kissing the resident or touching company on 02/14/14 and the current ownership federal bureau of investigation (FBI) completed checks being completed upon hire. LPTA #93 was slicy 2.01. provided therapy services and gave money to cital media messaging he would not respond and er had any sexual contact with Resident #71. the facility on [DATE]. On 02/20/18, he reached he did not know who he was. On 03/09/18, he e a massage so that was not uncommon. Resident mgs. She stated said she froze because it was biological father. She stated she was ry big man. She stated Resident #62 was in the raws massaging her bottom and went into her vagina. If he had not have a was she was the was beton and went into her vagina. If he had not had a had he made them become friends on ught she would play along, he had mentioned another me back with a 20 dollar bill, he said he rause he was scheduled to come back so she und was not nice. She felt like she was being and said they were the same age and she a she felt the facility kept telling her she mane age. Resident #71's room and saw the machine not hind the drawn privacy curtain. LPTA #93 was vere been to the roommate side of the room. He did eff her room. He stated they both greeted him 4 stated he was in the room only long enough to lent was reported, he began to get several im. He stated he responded by saying he could not s. LPTA #114 finally called LPTA #93 was very been to the room was a solong to help him. It is not a sharing the room had showed her the end of the room and showed her the end of the room and showed her the end of the room and showed her the neand picture. She then repo

oriented comments or jokes.
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 This deficiency substantiates allegations contained in Complaint Master Control Number OH 941 and Complaint Number OH 940.

F 0607

Level of harm - Immediate jeopardy

Residents Affected - Few

Develop and implement policies and procedures to prevent abuse, neglect, and theft.

NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY >

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

FORM CMS-2567(02-99) Previous Versions Obsolete

(X3) DATE SURVEY STATEMENT OF (X1) PROVIDER / SUPPLIER (X2) MULTIPLE CONSTRUCTION COMPLETED DEFICIENCIES AND PLAN OF CORRECTION CLIA
IDENNTIFICATION
NUMBER À. BUILDING B. WING ____ 04/05/2018 365694 NAME OF PROVIDER OF SUPPLIER STREET ADDRESS, CITY, STATE, ZIP SIGNATURE HEALTHCARE OF CHILLICOTHE 60 MARIETTA ROAD CHILLICOTHE, OH 45601 For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency. SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY (X4) ID PREFIX TAG F 0607 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 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.

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.

The Immediate Jeopardy was removed on 03/30/18 when the facility implemented the following corrective actions:

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 for Resident #71. At 2:30 P.M., the DON submitted an SRI to the State Agency regarding the sexual abuse allegation for Resident #71. At 2:30 P.M., the DON, 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, Level of harm - Immediate jeopardy Residents Affected - Few 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. 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 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 ombudant was contacted regarding the allegation by the Administrator. 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. had received education on the abuse policy, social media and processoral reculations and processoral reculations and processoral reculations and processoral reculations are social media.

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 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.

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. 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 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 and LPTA #93. They had conversation after the said massage session consensual phone messaging began between Resident #71 and LPTA #93. They had conversation 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

FORM CMS-2567(02-99) Event ID: YL1O11 Facility ID: 365694 If continuation sheet Previous Versions Obsolete Page 4 of 8

X3) DATE SURVEY STATEMENT OF (X1) PROVIDER / SUPPLIER (X2) MULTIPLE CONSTRUCTION COMPLETED DEFICIENCIES AND PLAN OF CORRECTION CLIA
IDENNTIFICATION
NUMBER À. BUILDING B. WING ____ 04/05/2018 365694 NAME OF PROVIDER OF SUPPLIER STREET ADDRESS, CITY, STATE, ZIP SIGNATURE HEALTHCARE OF CHILLICOTHE 60 MARIETTA ROAD CHILLICOTHE, OH 45601 For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency. SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY (X4) ID PREFIX TAG F 0607 #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 Level of harm - Immediate finger in her VJJ (a slang term for vagina). A head to toe assessment was completed and sne 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 I. 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 jeopardy Residents Affected - Few various combinations of keyboard characters and used in electronic communications to convey the writer's feelings of? 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 2:3 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. 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 sweet 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 responded with Every little bit counts and used the heart eyed emoticon. Resident #71 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 mov 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 On 05/10/18 at 1:30 F.M., LPTA #95 responded, R u mad at me? And also used a crying face emoticon. At 3:07 F.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 known. 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 timing. LFTA #93 responded, How both Hutsday? Restrict #71 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 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 Resident #/1 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 refused to go. saw LPTA #93 kiss Resident #71 and touch net oftensis. Resident #71 said stop and when he asked her to go to the bathfoolin with him, Resident #71 refused to go.

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.

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.

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. 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 s with him, Resident #71 refused to go.

FORM CMS-2567(02-99) Event ID: YL1011
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PRINTED:12/20/2018

CENTERS FOR MEDICARE &	& MEDICAID SERVICES			FORM APPROVED OMB NO. 0938-0391
STATEMENT OF DEFICIENCIES AND PLAN OF	(X1) PROVIDER / SUPPLIER / CLIA IDENNTIFICATION	(X2) MULTIPLE CONSTRUCTA. BUILDING B. WING	ΓΙΟΝ	(X3) DATE SURVEY COMPLETED 04/05/2018
CORRECTION	NUMBER 365694			
NAME OF PROVIDER OF SUI			STREET ADDRESS, CITY, STA	L ATE, ZIP
SIGNATURE HEALTHCARI	E OF CHILLICOTHE		60 MARIETTA ROAD CHILLICOTHE, OH 45601	
For information on the nursing	home's plan to correct this deficien	cy, please contact the nursing hor	ne or the state survey agency.	
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF D OR LSC IDENTIFYING INFORM		ENCY MUST BE PRECEDED B	full regulatory
F 0607	(continued from page 5)	he was saving no and stop and he	was a very hig man. She stated R	esident #62 was in the
Level of harm - Immediate jeopardy	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			
Residents Affected - Few	massage and trying to get her to g wanted to help her and she deserv reported this to STNA #94. Resid interrogated and at the end of the flirted with him. Resident #71 bet who was a large man and this was flirted with him in the messages a consensual. Interview on 03/29/18 at 12:35 P.I 03/09/18, he was looking for the in use at the foot of the bed. He st sitting in the middle of the room 1 not see Resident #62 but assumed and he asked if he could use the nroll up the cord and take the mach text messages from LPTA #93 as speak about the investigation. LP he did not know what he was goil Interview on 03/29/18 at 12:56 P.I in the room to provide therapy mands but could see his elbows m kissed her on the mouth. She also Resident #71 stay stop several tin #71 did not say anything about w Interview on 03/29/18 at 2:39 P.M social media messages between R they felt Resident #71 and Reside was a consensual relationship. Th not have given her money. The A An interview was conducted on 05 the incident with LPTA #93. LPN said he had her pants down and h Interview on 04/02/18 at 10:53 A. light. She said on her way out Resaid if it was something bad she were messaging back and forth ar messages however she did not rea immediately. STNA #94 also stat Review of the facility Conduct an considered inappropriate include discrimination or any conduct tha safety of the residents, visitors, fe Review of the policy titled Abuse, sexual harassment, sexual coercic with a resident's body that is not oriented comments or jokes. Review of the Stakeholder Handb prevent the misuse of social medi bullying and threats of violence o to disciplinary action up to and in behaviors and may involve indivinclude but are not limited to: unvinclude but are not limited to: un	go into the bathroom but she did noted the money. She said she was shent #71 stated the facility called I day the facility wanted to talk to came tearful during the interview so why she reported the incident. Sund it was consensual since they was why she reported the incident. Sund it was consensual since they was well as the stated of the stated he stat	not. He came back with a 20 dollar scared because he was scheduled the ra liar and was not nice. She fel her again and said they were the sand stated she felt intimidated and the stated she felt intimidated and the stated she felt the facility kept were the same age. Resident #71 stated earlie approached Resident #71's room 3 were behind the drawn privacy could have been to the roommate y rarely left her room. He stated the LPTA #114 stated he was in the roten the terms. LPTA #114 stated he respond hree times. LPTA #114 finally calls its 5 seconds in the room was gassessed as having intact cognition d LPTA #33 was close to the bed a stated Resident #71 jumped up and 10 go to the bathroom and she ror reported it because after he left that was none of her business. C #92 verified there was an inapp of completed an SRI but did not sult have sent Resident #71 messages eraction was against their policy. 95 who interviewed Resident #71 nnce said the contact was consensum 03/09/18 she went into Resident #71 nnce said the contact was consensum 03/09/18 she went into Resident #71 here said the contact was consensum 03/09/18 she went into Resident #71 nnce said the contact was consensum 04/01/01 prevealed types of conduct sexual or any other type of harassi obe detrimental to the health and type of the property dated 11/16/17 revealed a includes, but is not limited to, an provision of ordered care or service.	bill, he said he o come back so she t like she was being ame age and she I scared by LPTA #93 tetling her she ated it was not r in the morning of and saw the machine not urtain. LPTA #93 was side of the room. He did ney both greeted him nom only long enough to gan to get several led by saying he could not led LPTA #93 and told him joing to help him. a), stated LPTA #93 came and she could not see his did this was when LPTA #93 efused and also heard he room, Resident ropriate relationship with stantiate the SRI because facility felt like it on social media and should during the investigation into al. She stated Resident #71 TI's room to answer the ell anyone. STNA #94 d kissed her and they r phone and showed her the reported the situation ors. and behavior that are ment or unlawful welfare, dignity, I sexual abuse included y physical contact res; sexually sting on social media and ment, defamation, d may subject staff title and not so subtle uces, these behaviors may und innuendo; verbal
	sexual nature. This deficiency substantiates Com		ents or gestures; and other physical H 941 and Complaint Number OF	
F 0835	Administer the facility in a man	ner that enables it to use its res	ources effectively and	
Level of harm - Minimal harm or potential for actual harm Residents Affected - Few	review of the facility's employee	review of personnel files, review of ial media documentation review, handbook, and interviews with st		t (SRI), review of ey and procedure, I to substantiate an
Acsidents Affected - 1 CW	completed. This affected one (Re: Findings included: Review of the medical record for t Review of the admission Minimum	sident #71) of five residents revie the Resident #71 revealed an adm in Data Set (MDS) assessment, da see of one staff for bed mobility, tr	ewed for abuse. The facility census hission date of [DATE]. [DIAGNO ated 02/23/18, revealed the residen ransfers, ambulation. Review of be	s was 91. OSES REDACTED]. It had intact cognition. The chavior and mood
	or behaviors concerns. Review of the computerized plan of changes and lack of support syste	of care dated 02/17/18 revealed R		related to life style is 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 the 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 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

FORM CMS-2567(02-99) Previous Versions Obsolete

CENTERS FOR MEDICARE			PRINTED:12/20/2018 FORM APPROVED OMB NO. 0938-0391
STATEMENT OF	(X1) PROVIDER / SUPPLIER	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY
DEFICIENCIES AND PLAN OF	/ CLIA IDENNTIFICATION	A. BUILDING B. WING	COMPLETED
CORRECTION	NUMBER	B. WING	04/05/2018
	365694		
NAME OF PROVIDER OF SU	JPPLIER	STREET ADDRE	SS, CITY, STATE, ZIP
SIGNATURE HEALTHCAR	E OF CHILLICOTHE	60 MARIETTA F CHILLICOTHE.	
For information on the nursing	home's plan to correct this deficien	cy, please contact the nursing home or the state surve	
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF I OR LSC IDENTIFYING INFOR	DEFICIENCIES (EACH DEFICIENCY MUST BE F MATION)	PRECEDED BY FULL REGULATORY
F 0835	(continued from page 6)		
Level of harm - Minimal harm or potential for actual harm	after the said massage session cor 03/09/18, 03/10/18 and 03/13/18. about it until 03/13/18. Her broth	uitiated contact with Resident #71 on 02/20/18 at 3:15 nsensual phone messaging began between Resident #. Resident #71 had not reported it before now because or told Resident #71 it was not right and she needed to x finger in an upward motion and when asked what the state of th	†71 and LPTA #93. They had conversation on e she had not spoken with her brother to report it. At 5:45 P.M., Resident
Residents Affected - Few	finger in her VJJ (a slang term fo room due to this further allegatio distress, she was calm, pleasant a Review of social media messages contact and requested to become On 03/09/18, LPTA #93 and Resi #93 was waving at Resident #71. massage session. The message al various combinations of keyboar intended tone.) At 2:20 P.M., LP Cuz im not sure when I'll be back replied, Can u behave urself?? W The question is can you? At 2:23 temptations. Resident #71 respond into the bathroom. They say it's a Resident #71 responded, Lol to tryou think? Resident #71 responded if that's what u want. There was a then at 4:46 P.M., OMG!!!! Resi Resident #71 responded Mo No Not emoticon. LPTA #93 replied, I hemoticon. Resident #71 responder responded, Awe sweet. LPTA #93 responded, Awe sweet. LPTA #93 responded Awe. LPTA #93 responded Awe. LPTA #93 responded Awe should be responded. Such a shame. Depen talking after the movie Resident #1 tenovice Resident #10 responder Resident #10 responded.	r vagina). A head to toe assessment was completed a n. It was further documented Resident #71 showed n	nd she was sent to the local emergency o signs of emotional or physical 19 A.M., revealed LPTA #93 initiated messenger. On 03/09/18 at 12:39 P.M., LPTA sorry I took a nap after my wonderful f a facial expression, formed by oconvey the writer's feelings or eave time, would u like another one? It responded, Yes, to which LPTA #93 responded back with yes I believe I can. It is promise u at all. Im horrible at eplied, Ill try. I might have to help u go motion used for this message. It is go in there so u can show me. What do #93 replied, Oh we wouldn't my dear, but PTA #93 sent emoticons of a flower d u think, I know!!!!!, Tease! Ha! lent #71 responded, with a wink face ere was also the use of the heart eyes nave NO doubt!! Resident #71 heart eye emoticon. Resident #71 responded, eleped so many people over the years. ident #71 replied, NO. NEVER. LPTA #93 et a better, more intense massage. Im 3 responded,Any ideas where we could go?
	#71 responded, No hun my phone Then won't work for a while. At 1. On 03/11/18 at 11:19 P.M., LPTA replied, Im off tomorrow. Reside Resident #71 responded, I went thing. LPTA #93 responded, H or town going to Lexington to pick #71 responded, Yes. Not here the depend on ride from here. LPTA with a thumbs up emoticon and I some rest. Emoticons were sent to On 03/13/18 at 3:50 P.M., LPTA working there tomorrow. This wa Review of the local hospital recorstated she was digitally penetrate Assault Nurse Examiner (SANE) alleged incident. Adult Protective Review of Resident #62's witness #71. Resident #62 stated LPTA #time. Review of the local law enforcem	#93 responded, Hi! How are you today? On 03/14/18 as the end of the documented conversation. d dated 03/14/18 revealed the resident was seen for p d by LPTA #93 on 03/09/18 at the long-term care faction call reported they would not be collecting evidently experience (APS) were called and were at the bedsident statement dated 03/14/18 revealed she saw LPTA #93 touched Resident #71's breast one time and she satent report dated 03/14/18 at 2:32 P.M., revealed Offi	makes strange noise and goes blank. ed in this Tuesday? Yes kinda Where ya work tomm. LPTA #93 replied, When r u going to brothers Resident #71 responded, We had a family obeing deal, my brother is going to be out is. Would u like to see me again? Resident ent #71 responded, Hard when I have to could pick u up. Resident #71 replied 1993 responded, Yes mam. Sweet dreams. Get is at 9:49 A.M., LPTA #93 responded, I'm possible sexual assault. Resident #71 cility where she resided. The Sexual is due to the length of time since the with Resident #71. 23 in the room giving a massage to Resident aw Resident #71 be kissed by him one incer #113 was dispatched to the
	began to massage her left hip as she pulled her pants down around inside thigh. Resident #71 then st vagina. Resident #71 stated she in his hands back LPTA #93 apolog he leaned in and kissed her, stick to roll over. It was documented sifnished the massage. When she looked at her phone and saw a fri She said shortly after the session, inside. LPTA #93 insisted she ke Resident #71 showed the officer caught, because she was worried as the messages appeared they we to sound like they were. She state on a date on Tuesday 03/13/18 to #93 said he was coming back and	ble sexual assault. The officer spoke to Resident #71 she laid on her right side. Resident #71 reported LPT. she laid on her right side. Resident #71 reported LPT. she laid on her right side. Resident #71 reported LPT. she laid to massage the hip area better and then he ke lated LPTA #93 touched her chu-chu and slid what slimmediately pulled away and jerked his hand out of hized stating Oh I'm sorry, then he told her to roll to the laid stating of his more, which was satisfied to her mouth. Resident #71 said she die stated LPTA #93 asked her to go into the bathroor sat up, he kissed her again and told her to add him on end request from the LPTA #93 and felt obligated to LPTA #93 returned to her room with a folded piece ep the money. LPTA #93 had messaged her on 02/28 her phone of their discussions and she tried to tell LP about his job, she said she lied on 03/10/18 and 03/1 ere friends. Resident #71 stated she was not friends ved LPTA #93 tried to get her to have her brother take as see a movie Fifty Shades of Grey. She further stated he got worried something worse would happen. Re	A #93's body was very close to hers, pt moving his hands closer to the he believed was his finger inside of her ter. She stated when the LPTA #93 pulled he other hip and while turning over id not know what to do and continued m but Resident #71 refused and he is ocial media. Resident #71 said she accept him as he was staring at her. of paper with a twenty-dollar bill 8/18 but did not add him until 03/09/18. YTA #93 to slow down before we get 1/18 so LPTA #93 would leave her alone with LPTA #93 and did not mean for it her to a restaurant so they could go I she had not reported it until LPTA sident #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.

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 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. 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.

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

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CLIVIERS I OR MEDICINE C	e WEDICAID SERVICES		OMB NO. 0938-0391
STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENNTIFICATION NUMBER	(X2) MULTIPLE CONSTRUCTION A. BUILDING B. WING	(X3) DATE SURVEY COMPLETED 04/05/2018
NAME OF PROVIDER OF SUI	365694	CTDEET A	DDRESS, CITY, STATE, ZIP
SIGNATURE HEALTHCARE		60 MARIE	TTA ROAD OTHE, OH 45601
For information on the nursing	nome's plan to correct this deficien	cy, please contact the nursing home or the stat	e survey agency.
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF D OR LSC IDENTIFYING INFORM		Γ BE PRECEDED BY FULL REGULATORY
F 0835	(continued from page 7) that this was why they did not sul	actantiate the SDI	
Level of harm - Minimal harm or potential for actual harm Residents Affected - Few	Telephone interview on 03/29/18 Resident #71 out of the goodness deferred to his Attorney #116. He Interview on 03/29/18 at 10:56 A. out to her on Facebook instant me entered the room to give her a ma #71 stated she let LPTA #93 start	at 10:21 A.M., with LPTA #93 revealed he pr of his heart. When questioned about the social stated he absolutely, positively had not ever l M., Resident #71 revealed she arrived to the f assaging, she did not acknowledge him as she	I media messaging he would not respond and nad any sexual contact with Resident #71. acility on [DATE]. On 02/20/18, he reached did not know who he was. On 03/09/18, he massage so that was not uncommon. Resident s. She stated said she froze because it was
	instantly scared and was frozen, s room. Resident #71 stated LPTA #93 said oops se Facebook. She did not know wha massage and trying to get her to g wanted to help her and she deserveported this to STNA #94. Residinterrogated and at the end of the flirted with him. Resident #71 bewho was a large man and this was flirted with him in the messages a	he was saying no and stop and he was a very #93 was massaging and his ungloved finger worry. She stated he held her down and kissed h	big man. She stated Resident #62 was in the ras massaging her bottom and went into her vagina. Her and that day he made them become friends on the she would play along, he had mentioned another back with a 20-dollar bill, he said he se he was scheduled to come back so she was not nice. She felt like she was being a said they were the same age and she her felt intimidated and scared by LPTA #93 of the facility kept telling her she
	03/09/18, he was looking for the in use at the foot of the bed. He si stitting in the middle of the room 1 not see Resident #62 but assumed and he asked if he could use the rolled up the cord and take the metat messages from LPTA #93 as speak about the investigation. LP he did not know what he was goi Interview on 03/29/18 at 12:56 P.J in the room to provide therapy me hands but could see his elbows me kissed her on the mouth. She also Resident #71 stay stop several tin #71 did not say anything about w Interview on 03/29/18 at 2:39 P.M social media messages between R they felt Resident #71 and Reside was a consensual relationship. The not have given her money. The A	ated Resident #71 and LPTA #93 were behind acing Resident #71 and his back would have she was in there because she very rarely left nachine and LPTA #93 said yes. LPTA #114 schine out of the room. He said after the inciding him to write a witness statement for him. If A #93 kept texting him maybe three times. I ag through but did not know how his 15 second, with Resident #62 (who was assessed as hissage to Resident #71. She stated LPTA #93 ove toward her bottom area. She stated LPTA #93 ove toward her bottom area. She stated Resident and LPTA #93 ask Resident #71 to go to the heat had happened so she figured it was none of the she will be she had happened so she figured it was none of the she will be she had happened so she figured it was none of the she will be she had happened so she figured it was none of the she will be she had happened so she figured it was none of the will be she will be she had had happened so she figured it was none of the will be she will	Resident #71's room and saw the machine not if the drawn privacy curtain. LPTA #93 was been to the roommate side of the room. He did her room. He stated they both greeted him stated he was in the room only long enough to ent was reported, he began to get several. He stated he responded by saying he could not .PTA #114 finally called LPTA #93 and told him ds in the room was going to help him. aving intact cognition), stated LPTA #93 came was close to the bed and she could not see his ent #71 jumped up and this was when LPTA #93 e bathroom and she refused and also heard because after he left the room, Resident f her business. See the was an inappropriate relationship with an SRI but did not substantiate the SRI because strator also stated the facility felt like it esident #71 messages on social media and should against their policy. They verified LPTA #93
	Interview on 03/29/18 at 5:00 P.M with LPTA #93. LPN #95 stated her pants down and he rolled her Interview on 04/02/18 at 10:53 A. light. She said on her way out Re said if it was something bad she v were messaging back and forth at messages however she did not retimmediately. STNA #94 also stat Interview on 04/02/18 at 12:29 P.J his hiring. Review of the facility Conduct an considered inappropriate include discrimination or any conduct the safety of the residents, visitors, fe Review of the policy titled Abuse, sexual harassment, sexual coercie with a resident's body that is not roriented comments or jokes. Review of the Stakeholder Handb	over and kissed her. M., with STNA #94 revealed on 03/09/18 she sident #71 said she wanted to tell her somethin yould have to report it. She then proceeded to do he wanted to hook up with her. Resident #74 dithem she just saw it was LPTA #93's name ed she had not known Resident #71 to exhibit M., the Administrator confirmed reference che at Behavior policy 2.01 updated 12/01/09 reve but are not limited to the follow; sexual or any tis determined by the company to be detriment of the wastakeholders or the company. Neglect and Misappropriation or Property days, or sexual assault. Sexual abuse includes, by easonably related to appropriate provision of book (undated) revealed the employee needed to	went into Resident #71's room to answer the ng and she could not tell anyone. STNA #94 tell her LPTA #93 had kissed her and they 1 scrolled through her phone and showed her the and picture. She then reported the situation manipulative behaviors. scks were not completed for LPTA #93 prior to alled types of conduct and behavior that are to other type of harassment or unlawful ntal to the health and welfare, dignity, ted 11/16/17 revealed sexual abuse included at is not limited to, any physical contact ordered care or services; sexually o be careful about posting on social media and
	bullying and threats of violence o to disciplinary action up to and in behaviors and may involve indivi include but are not limited to: unvabuse of a sexual nature; commer [MEDICATION NAME] or toucl sexual nature.	vanted sexual advances or requests for sexual stary about an individual's body, sexual prowening; insulting or obscene comments or gestur	ill not be tolerated and may subject staff nclude a range of subtle and not so subtle ing on the circumstances, these behaviors may favors; sexual jokes and innuendo; verbal

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