

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 15G157	X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING _____	X3) DATE SURVEY COMPLETED 02/20/2024
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NAME OF PROVIDER OR SUPPLIER RES CARE COMMUNITY ALTERNATIVES SE IN	STREET ADDRESS, CITY, STATE, ZIP COD 3011 APACHE DR JEFFERSONVILLE, IN 47130
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W 0000 Bldg. 00	<p>This visit was for the investigation of complaints #IN00426048 and #IN00425496.</p> <p>This visit was done in conjunction with the PCR (Post Certification Revisit) to the pre-determined full annual recertification and state licensure survey completed on 12/22/23.</p> <p>Complaint #IN00426048: Federal/state deficiencies related to the allegation(s) are cited at W149, W153, W154, W157, W223 and W240.</p> <p>Complaint #IN00425496: Federal/state deficiencies related to the allegation(s) are cited at W149, W157, W223 and W240.</p> <p>Dates of survey: 2/12/24, 2/13/24, 2/14/24, 2/15/24, 2/16/24, 2/19/24 and 2/20/24.</p> <p>Facility Number: 000693 Provider Number: 15G157 AIMS Number: 100234510</p> <p>These deficiencies also reflect state findings in accordance with 460 IAC 9. Quality Review of this report completed by #15068 on 3/6/24.</p>	W 0000		
W 0149 Bldg. 00	<p>483.420(d)(1) STAFF TREATMENT OF CLIENTS The facility must develop and implement written policies and procedures that prohibit mistreatment, neglect or abuse of the client. Based on record review and interview for 3 of 3 sampled clients (A, B and C), plus 4 additional clients (D, E, F and G), the facility failed to implement its written policy and procedures to</p>	W 0149	The Facility will retrain staff at the site on the Abuse, Neglect and Exploitation Policy and disciplinary action will be given if	03/17/2024

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
Mark Slaughter	AED	03/19/2024

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined other safeguards provide sufficient protection to the patients. (see instructions.) Except for nursing homes, the findings stated above are disclosable 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 disclosed 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.

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	<p>report and investigate an incident of vandalism of a derogatory nature to clients A, B, C, D, E, F and G's home, to ensure staff identified, reported and investigated allegations of verbal abuse and mistreatment of clients A, B, C, D, E, F and G by a facility staff member and to ensure client A's ability to give informed consent, social media and online dating skills were re-assessed to ensure and advocate for her health and safety</p> <p>Findings include:</p> <p>1. QAM (Quality Assurance Manager) was interviewed on 2/12/24 at 2:18 PM. QAM indicated there had been an incident of eggs being thrown at clients A, B, C, D, E, F and G's home. QAM indicated some of the eggs broke and some did not. QAM indicated the eggs that did not break had derogatory and insulting words written on them, but she could not recall the exact words. QAM indicated the agency had recently terminated a staff member. QAM indicated the agency suspected the former staff had thrown the eggs and written the words on the eggs.</p> <p>The facility's BDS (Bureau of Disabilities Services) reports and Investigations were reviewed on 2/12/24 at 3:19 PM. The review indicated the following:</p> <p>-12/4/23 BDS indicated, "Allegations were received of staff yelling at [client D]."</p> <p>And,</p> <p>"The staff member in question was placed on administrative leave pending investigation."</p> <p>Investigation Summary Dated 12/7/23 indicated:</p>		<p>the policy is not followed. Area Supervisor and Direct Support Lead will ensure that the Abuse, Neglect and Exploitation Policy is followed. Monitoring of ANE will done by The Program Manager, Area Supervisor and Direct Support Lead to ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>The Program Manager will ensure the Area Supervisor will retrain staff on the Abuse, Neglect and Exploitation Policy and disciplinary action will be given if the policy is not followed.</p> <p>Area Supervisor and Program Manager will ensure that the Abuse, Neglect and Exploitation Policy is followed through random monitoring.</p> <p>The area supervisor in serviced facility staff on ResCare anonymous compliance line allowing an additional resource for staff to report outside the Administrative chain, and on ResCare's non-retaliation and Zero Violence policy.</p> <p>The Administrator held a team meeting to review "The US (United States) Department of Justice website: https://www.justice.gov/hatecrimes/learn-about-hate-crimes#Crime" to determine course of action involving suspected hate crimes and future reporting.</p>	

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	<p>-"An investigation was initiated when it was reported staff [FS (Former Staff)] went to Apache group home and yelled at staff on duty regarding a personal issue. It was also reported [FS] yelled at and called [client D] stupid."</p> <p>-"[Client D] reported that approximately 2:00 AM on 12/3/23, she and [DSP (Direct Support Professional) #2], were in the living room watching TV. [Client D] stated the sliding glass door opened and [FS] came in the group home. [Client D] reported [FS] began yelling at [DSP #2] regarding a personal matter between the two. [Client D] stated [FS] then began yelling at her, [client D], for not giving [FS's] phone number. [Client D] also stated [FS] called her, [client D], stupid. [Client D] stated [DSP #2] asked [FS] to leave and [FS] left the group home. [Client D] reported [FS] called her repeatedly wanting her to give [DSP #2] messages. [Client D] stated [DSP #2] told [client D] to stop answering her phone. [Client D] stated she then blocked [FS] so she wouldn't get any more calls. [Client D] stated [DSP #2] had called [AS (Area Supervisor)] to report the incident and [client D] and [AS] then texted each other for a few hours because [client D] was scared that [FS] would come back to the group home. [Client D] stated she went into her bedroom and locked her door due to being scared. [Client D] stated she is still scared that [FS] is going to come back to the group home and yell at her some more."</p> <p>-"[DSP #2] reported she was working on 12/3/23 and she and [client D] were in the living room watching TV. [DSP #2] stated at approximately 2:00 AM, the sliding door opened and [FS] came into the group home. [DSP #2] stated [FS] began yelling at her. [DSP #2] stated she and [FS] had personal issues and [FS] was yelling at her about</p>		<p>The DSL complete retraining of "Abuse, Neglect, and Exploitation in Community Living Homes" no later than March 22, 2024.</p> <p>An investigation was conducted on "DSP #1" and termed for violation of ANE.</p> <p>Monitoring of Corrective Action: The Program Manager, Area Supervisor and Residential Manager will ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>Persons Responsible: AED, Quality Assurance Manager, QA Coordinator/QIDP Manager, Program Manager, Area Supervisor, QIDP, Direct Support Lead, and DSP.</p>		

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	<p>those issues. [DSP #2] stated [FS] then began yelling at [client D] for not giving [DSP #2] [FS's] new phone number. [DSP #2 stated [FS] then called [client D] stupid. [DSP #2] reported she asked [FS] to leave the group home. [DSP #2] stated she then called [AS] to report the incident. [DSP #2] reported [client D] was crying and shaking. [DSP #2] stated [client D] told her she was scared that [FS] was going to come back and yell at her again."</p> <p>-"It is substantiated [FS] went to Apache (group home) and yelled at staff regarding a personal matter. It is substantiated [FS] yelled at and called [client D] stupid."</p> <p>Client E was interviewed on 2/13/24 at 12:27 PM. QIDP (Qualified Intellectual Disabilities Professional) and QAM (Quality Assurance Manager) were present throughout the interview with client E. Client E indicated she remembered someone egging her home. Client E stated, "Somebody saying that we are r----- and stuff like that. It could have been somebody in the past that had a grudge against us and (I) know exactly (who) it is but don't want to say the name. That's why they put up the cameras to make sure we are safe." Client E became demonstratively upset (crying, face red, turning towards QIDP). Client E stated she "Did not want to remember that moment" and she was "upset about the eggs." Client E stated, "Felt so scared."</p> <p>QIDP was interviewed on 2/13/24 at 10:22 AM. QIDP indicated client E was having some symptoms of mental health and could be less reliable than at her baseline.</p> <p>Client A was interviewed on 2/13/24 at 10:30 AM. Client A indicated there had been an incident of</p>			

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	<p>eggs being thrown at her home. Client A stated she and client B "woke up and found some eggs" in the front of the home. Client A indicated she did not see or know who had thrown the eggs at her home. Client A indicated some of the eggs had not broken and had words written on them. Client A was not able to recall what the words said. Client A indicated this occurred in January 2024 but did not recall a specific date. QIDP (Qualified Intellectual Disabilities Professional) and QAM (Quality Assurance Manager) were present throughout the interview with client A. QAM indicated the egg incident was not reported to BDS (Bureau of Disabilities Services) or investigated. QAM indicated the facility did not identify a specific client as the target of the eggs or derogatory language written on the eggs. QAM indicated the agency did install a security camera to address further incidents.</p> <p>Client F was interviewed on 2/13/24 at 11:38 AM. Client F indicated there had been an incident of eggs being thrown at her home. Client F stated, "An egg had not so nice words on them. Had (sic) one of words was r-----." Client F stated she saw one egg still intact with the word on it and the other eggs were "broken up all over the house up front." Client F indicated she did not recall a specific date. Client F indicated staff were made aware of the eggs. Client F indicated she did not see or know who had thrown the eggs at the home or had written the word on the intact egg. Client F stated, "Believe, some of us think, it was an old staff that got fired. And other people (have) ideas about it being some kids that did it." Client F stated, "[Client E] was really upset about it. Was concerned."</p> <p>DSP (Direct Support Professional) #2 was interviewed on 2/13/24 at 12:45 PM. DSP #2</p>			

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	<p>indicated she had worked at the group home for over 1 year on varied shifts with clients A, B, C, D, E, F and G. DSP #2 indicated she was not working at the home at the time but was aware of an incident of clients A, B, C, D, E, F and G's home being egged. DSP #2 stated, "When I came in (to work) was told someone had egged the house with hateful words on the eggs. R-----, w-----w----- (derogatory slang) and lazy." DSP #2 stated she did not know who had egged the house and written the derogatory words on the eggs but "one of the old staff called one of the clients w----w----- and assumed it was her."</p> <p>DSP #2 indicated clients A, B, C, D, E, F and G had seen the eggs. DSP #2 stated clients A, B, C, D, E, F and G's "feelings were hurt. They told me that (it) made them sad and (feel) different."</p> <p>DSL (Direct Support Lead) was interviewed on 2/13/24 at 1:07 PM. DSL indicated she was the lead for clients A, B, C, D, E, F and G's home. DSL indicated she had been the lead since October 2023. DSL indicated her role as lead included the supervision and training of staff.</p> <p>DSL stated, "I had come in and saw eggs over the front yard. Girls were hysterical because of the eggs. Some (of the eggs) not broken. Believe some were hard boiled." DSL stated, "Someone wrote on the eggs. R-----. Idiots (and) called them stupid and coke heads." DSL stated clients A, B, C, D, E, F and G "were very upset and (some were) crying."</p> <p>The US (United States) Department of Justice website: https://www.justice.gov/hatecrimes/learn-about-hate-crimes#Crime was reviewed on 2/14/24 at 12:30 PM. The review indicated the following:</p>			

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	<p>- "At the federal level, hate crime laws include crimes committed on the basis of the victim's perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.</p> <p>Most state hate crime laws include crimes committed on the basis of race, color, and religion; many also include crimes committed on the basis of sexual orientation, gender, gender identity, and disability."</p> <p>- "The 'crime' in hate crime is often a violent crime, such as assault, murder, arson, vandalism, or threats to commit such crimes."</p> <p>The review indicated a group home was an example of group of people included in hate crime laws. The review indicated vandalism was a crime included in hate crime laws.</p> <p>The facility's BDS (Bureau of Disabilities Services) and Investigations were reviewed on 2/12/24 at 3:19 PM. The review did not indicate documentation of the vandalism with derogatory language regarding clients A, B, C, D, E, F and G's disabilities was reported to BDS, investigated or reported to law enforcement as indicated in the agency's ANE policy.</p> <p>AED (Associate Executive Director) was interviewed on 2/14/24 at 12:50 PM. AED indicated allegations of abuse and suspicion of a crime against a client should be reported to BDS and to local law enforcement. AED indicated he was aware of an incident of the home being egged and derogatory words being written on the eggs. AED did not recall the specific words written on the eggs. AED stated, "I do agree it could be</p>			

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	<p>suspicion of a crime."</p> <p>2. Client A was interviewed on 2/13/24 at 10:30 AM. Client A stated, "[DSP (Direct Support Professional #1) is nice but sometimes [DSP #1] gets loud. Sometimes she's nice. Not allowed to have food or drinks in the van. Feel like she yells at [client E]. Feel bad for [client E]. [Client E] gets upset." Client A indicated client E had cried after being yelled at by DSP #1. QIDP (Qualified Intellectual Disabilities Professional) and QAM were both present with client A during the interview. QIDP and QAM indicated they were not aware of allegations or concerns of verbal abuse regarding DSP #1.</p> <p>Client D was interviewed on 2/13/24 at 12:03 PM. When asked how her staff treated her, client D stated, "Only one have issues with is [DSP #1]. She constantly screams at us. Really loud. Can hear her all the way from the office. Can hear her downstairs. Screams at everybody. Wants everybody to get up. Just loud. Get scared (yelling) triggers me." Client D stated, "[Client A] (is) sensitive too and [client F]."</p> <p>QIDP and QAM were interviewed on 2/13/24 at 12:17 PM. QIDP and QAM indicated during the interviews with clients A and F they had become aware of allegations of verbal abuse by DSP #1. QAM and QIDP indicated DSP #1 was already on suspension regarding other/separate allegations. QAM and QIDP indicated they were not aware of concerns or allegations of verbal abuse regarding DSP #1 prior to the interviews with the clients on 2/13/24.</p> <p>Client E was interviewed on 2/13/24 at 12:27 PM. QIDP and QAM were present throughout the interview with client E. During the interview client</p>			

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	<p>E stated to QIDP, "Heard rumors about a staff that got fired or quit? [DSP #1]?" Client E stated, "I don't miss her. She (was) sometimes a mean person." When asked to clarify why she stated she didn't miss DSP #1, client E stated, "Heck no! Not nice. Wanted to put me down. Wanted me to stay quiet when she was having a bad day. Wanted me- she had a lot of bad days. I try to have positive- she has mood swings so know when to be quiet and know (if) she's okay?"</p> <p>DSP #2 was interviewed on 2/13/24 at 12:45 PM. DSP #2 indicated she had worked at the group home for over 1 year on varied shifts with clients A, B, C, D, E, F and G. DSP #2 indicated she had not witnessed but had been told by clients A, B, C, D, E, F and G they had concerns with DSP #1. DSP #2 stated it was reported to her by the clients DSP #1 "made comments like you girls are nastiest girls I've ever seen. It hurt their feelings. [Client F] and everybody. [Client F] took it the hardest. She's new and not used to [DSP #1]." DSP #2 indicated she had not reported the concerns to her supervisor but had encouraged clients A, B, C, D, E, F and G to report their concerns directly to QIDP. DSP #2 stated, "Everyone knows how [DSP #1] is. She does what she is supposed to do but no filter. Makes the girls feel gross with her comments."</p> <p>DSL (Direct Support Lead) was interviewed on 2/13/24 at 1:07 PM. DSL indicated she was the lead for clients A, B, C, D, E, F and G's home. DSL indicated she had been the lead since October 2023. DSL indicated her role as lead included the supervision and training of staff.</p> <p>DSL indicated she had participated in recent in-services. DSL indicated she was retrained on the ANE policy and had assisted in training</p>			

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	<p>clients A, B, C, D, E, F and G's group home staff regarding the ANE policy. When asked if she had any concerns regarding current staff at the home, DSL stated, "[DSP #1] sometimes she can be aggressive. Very stern and (clients) don't listen when stern. Some have reported [DSP #1] had yelled at them." DSL stated, "[DSP #1] doesn't work well with the girls. Not seen but the girls have told me. Once I was there and heard [DSP #1] state the dishes were not hers and not her house. They (clients) looked scared. Sometimes teary eyed." DSL indicated she had not reported the allegations of DSP #1 yelling at clients A, B, C, D, E, F and G to her supervisor AS (Area Supervisor). DSL later stated, "feel like when I report things to [QIDP and AS] they don't listen. [AS] just tells me to talk to [DSP #1] about it or address the situation. Sometimes (clients) having lying issues. Sometimes she'll, [AS], talk to [DSP #1] too."</p> <p>The facility's BDS (Bureau of Disabilities Services) and Investigations were reviewed on 2/12/24 at 3:19 PM. The review did not indicate documentation of allegations of verbal abuse or mistreatment of clients A, B, C, D, E, F and G regarding DSP #1.</p> <p>The agency's POC (Plan of Correction) documentation was provided by AED on 2/12/24 at 3:35 PM. The POC documents were reviewed upon receipt and included the following:</p> <p>-POC document regarding staff treatment of clients dated (no date) indicated, "The facility will retrain staff at the site on the ANE policy and disciplinary action will be given if the policy is not followed. AS (Area Supervisor) and DSL (Direct Support Lead) will ensure that the ANE policy is followed. Monitoring of ANE will (be) done by the</p>			

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	<p>program manager, AS and DSL to ensure all incidents of possible ANE are reported to the QA (Quality Assurance) department." "Date of Completion: January 19, 2024."</p> <p>-In-Service Sheet dated 1/29/24 indicated, "The staff undersigned have reviewed and understand the proper procedure for: ANE in packet. Reporting. What is it? Warning signs. Test. Signatures." The review indicated DSP #2 and DSL had signed the In-service and participated in the 1/29/24 training.</p> <p>AED (Associate Executive Director) was interviewed on 2/14/24 at 12:50 PM. AED indicated he provided the facility's POC documentation on 2/12/24. AED indicated the documentation included an in-service training completed on 1/29/24 regarding the facility's ANE policy. AED indicated the AS completed the 1/29/24 and the DSL would assist in supervising the staff at the group home with the ANE policy implementation. AED indicated the DSL would report allegations or concerns to the AS, or if needed she should report her allegations or concerns to the QA (Quality Assurance) department. AED indicated the facility's ANE policy prohibited verbal abuse and included yelling and belittling language by staff towards clients.</p> <p>3. Client A was interviewed on 2/13/24 at 10:30 AM. QIDP (Qualified Intellectual Disabilities Professional) and QAM (Quality Assurance Manager) were present throughout the interview with client A.</p> <p>Client A indicated she did not have a guardian. Client A indicated her parents live out of state and she talked to them often.</p>			

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	<p>Client A indicated there had been an incident with a person she met online. Client A did not recall a specific date. Client A indicated she had been dating him online and had not met him in person or at her home. Client A stated, "It was a dating thing. Didn't go too well." Client A stated, "He came to the group home which he shouldn't have. I let the staff know and he came into the house which he shouldn't have. I think staff should have come outside at the time and talked." Client A did not recall the specific staff working at the time of the incident. Client A stated, "We were supposed to go for a walk and he didn't want to go for a walk." QIDP interjected at this point and stated, "Wanted to smooch instead." Client A stated, "It wasn't about getting to know me. Staff wasn't out there. They were in the house. I think they should have been out there and said 'No' and told him to leave and they didn't." Client A indicated intercourse with the man was consensual but regretted the incident.</p> <p>Client A indicated she had a new boyfriend for the past couple of months but did not specify an exact timeframe. Client A indicated she met her current boyfriend online and he had not come to the home or had she met him in person. When asked if she felt safe with her new boyfriend, client A stated, "He keeps repeating himself, keeps saying you need to get out of there." Client A stated, "Wants me to move to Arkansas. Said he cares about me." QIDP interjected and stated, "He's not asked for pictures or anything." QIDP stated, "When [previous staff] worked at the home she coached on not sharing information on line." QIDP indicated on 2/12/14 when she was at the group home with client A she asked her about the information she was sharing online. QIDP indicated client A's personal information was</p>			

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	<p>online and they changed her social media settings to private.</p> <p>Client A finished the interview and exited the room. QIDP and QAM indicated there was not a report to BDS or an investigation regarding the incident. QIDP and QAM indicated the staff had met the guy, she had alone time in her plan and she had completed sex education training prior to the incident. QIDP and QAM indicated client A had not made allegations but regretted the situation afterwards. QIDP and QAM stated according to client A's statements, "she regrets it now. Not that she didn't at the time want to. He blocked her the next day. She was sad and hurt."</p> <p>Client A's advocate was interviewed on 2/16/24 at 9:22 AM. Client A's advocate indicated client A was in the process of moving out of the group home and into a smaller setting. Client A's advocate stated, "Not happy with how groups conduct themselves among peers. [Client A] (was) persuaded very easily."</p> <p>Client A's advocate indicated she was on a multiple dating websites and had met someone online. Client A's advocate indicated the man came to the house and they went outside and had sex in a car. Client A's advocate stated, "That company is there to help guide in situations." Client A's advocate indicated client A was in need of a guardian and they had been attempting to obtain legal counsel to get guardianship of her. Client A's advocate indicated they went online to see what information client A had been sharing on her public pages. Client A's advocate stated, "When (we went) online found that she had numerous websites set up. All incorrect information. What she is doing (they) can find out where she lives and (it's) dangerous not (only) for</p>			

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	<p>herself and (other) clients." Client A's advocate indicated client A was at risk for exploitation. Client A's advocate stated, "She doesn't comprehend. Will give you a look and smile and (you) think she understands and she doesn't." Client A's advocate indicated client A needed training and support to assist her with online dating activity. Client A's advocate indicated they were aware of a person in Arkansas who was attempting to get client A to come to Arkansas. Client A's advocate indicated he had researched the person and learned the person was not being honest about himself. Client A's advocate stated "Trying to get something from her." Client A's advocate indicated client A had not reported any allegations to her regarding the sexual intercourse incident. Client A's advocate indicated client A had expressed pain in her vaginal area after having sex with some bleeding but did not express emotional issues from the incident.</p> <p>QIDP and QAM were interviewed on 2/15/24 at 2:26 PM. QIDP indicated she had completed client A's 5/2/23 CFA (Comprehensive Functional Assessment) after her incident in April 2023.</p> <p>QIDP indicated after the incident client A was reassessed regarding her interest in having sexual relationships and dating. QIDP indicated client A was no longer interested in those relationships but had developed interest again after the 5/2/23 CFA. QIDP stated, "She got her questions answered through experience. Thought someone would be loving towards her. She now knows she wants to be in love before having sex again." QIDP indicated client A's sexual incident was not positive.</p> <p>QIDP indicated client A's CFA included a human sexuality component. QIDP indicated client A's CFA and record did not include an assessment of</p>			

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	<p>client A's ability to utilize social media, online dating or ability to provide informed consent.</p> <p>DSP #2 was interviewed on 2/13/24 at 12:45 PM. DSP #2 indicated a person had come to the house and she was told by client A they had consensual sex. DSP #2 indicated client A could have been uncomfortable during the incident as it was her first time. DSP #2 stated, "She could have got talked into it. Later on we found out some stuff about the guy. He was bad. Met on [social media] and online dating." DSP #2 indicated all of the clients at the home participate in social media and online dating. DSP #2 indicated the staff coach the girls on personal information but there were no formal trainings or objectives.</p> <p>DSL was interviewed on 2/13/24 at 1:07 PM. DSL indicated she was not working at the home at the time of client A's online dating incident. DSL indicated she had heard about the incident and was not aware of allegations. DSL indicated client A was coached on not giving out personal information but there were no formal goals or training objectives to teach her social media or online dating skills. DSL indicated client A was encouraged to get to know people she met online before setting up a meeting. DSL indicated client A was coached regarding scammers. DSL stated, "Some army guy is trying to scam her. Tells [client A] that if she wants to be his girlfriend she would have to pay \$200.00 for a boyfriend certificate to get access to the military base he is stationed at."</p> <p>Client A's record was reviewed on 2/13/24 at 2:23 PM. Client A's daily shift notes dated 2/13/23 through 2/13/24 indicated the following: -3/18/23: talking to new boyfriend. -3/19/23: broke up with new boyfriend. -3/28/23, "Not acting herself since lost her</p>			

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	<p>virginity." -3/29/23: "Talking to multiple men. Not acting herself." -4/20/23: "Went on date with boyfriend."</p> <p>Client A's ISP (Individual Support Plan) dated 4/20/22 indicated the following</p> <p>"[Client A] moved into placement from her parent's home. She had good mobility and understands the importance of good hygiene but needs to be reminded. She needs verbal prompts to complete ADL (activities of daily living) skills. She has worked in the community in the past but is interested in a community job."</p> <p>-The IDT (Interdisciplinary team) recommends that she have supervision while participating in community activities due to her current diagnosis for health and safety issues. [Client A] requires some structure for leisure time activities."</p> <p>"Peer interactions can be sometimes difficult. She can be bullied easily."</p> <p>-"Individual will be restricted to the areas of the building and grounds supervised by staff. Client can have 4 hours alone time (unsupervised) daily. This will be as requested by the client. At home alone time should not occur after 8 PM. Individual will be supervised during activities within the community."</p> <p>Client A's IDT (Interdisciplinary Team) note dated 3/20/23 indicated the following:</p> <p>"[QIDP] became aware of an incident where [client A] had been talking to a man on the Internet. He came to the home and [client A] hung outside in the driveway with him. They had sexual</p>			

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	<p>intercourse as reported by [client A]. [Client A] was embarrassed to tell staff but stated that she was not hurt and was wanting to have sex. [Client A] has alone time. She was on the property. She had sex therapy with [agency]. She consented to the activity as stated. [Nurse] spoke to [client A] and [client A] admitted that they did not use protection. An appointment was made with PCP (Primary Care Physician)/Gynecologist to have blood tests and check her. She said when this happened she had been a virgin and just wanted to know what it was like. [Client A] indicated it was not what she thought it should be like. She said she doesn't want to do (it) again. We discussed about the need for being careful. He could have been dangerous. [QIDP] had looked on social media and the sex offender registry with no concerns."</p> <p>The review indicated client A was not assessed as being able to give informed consent, was not assessed regarding her Internet, social media or online dating skills for her safety and continued to be at risk for exploitation after the 3/20/23 incident. Client A was not receiving training or supports to increase her social, dating or online skills to support her independence or health and safety.</p> <p>QIDP and QAM indicated client A was emancipated, had alone time and had received sexual education training prior to the incident. QIDP and QAM indicated staff appropriately supervised client A at the time of the incident.</p> <p>The facility's policy and procedures were reviewed on 2/12/24 at 3:36 PM. The facility's Reporting and Investigation Abuse, Neglect, Exploitation, Mistreatment or a violation of individual's rights policy dated 11/10/23 indicated the following:</p>			

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	<p>- "ResCare staff actively advocate for the rights an safety of all individuals. All allegations or occurrences of abuse, neglect, exploitation, mistreatment, or violation of an Individual's right shall be reported to the appropriate authorities through the appropriate supervisory channels and will be thoroughly investigated under the policies of ResCare, local, state and federal guidelines."</p> <p>- "ResCare strictly prohibits abuse, neglect, exploitation, mistreatment or violation of an individual's rights.</p> <p>- "These include and are defined as any of the following: ..., verbal abuse including screaming, swearing, name-calling, belittling, damaging an individual's self-respect or dignity...."</p> <p>- "In accordance with 460 IAC, ResCare will also report any incidents falling in the category of unusual occurrences...."</p> <p>- "All employees receive training upon hire regarding definitions/causes of different types of how to identify and how to report abuse, neglect, exploitation, mistreatment or violation of an individual's rights as well as what to expect from an investigation. All employees receive this training upon hire and annually thereafter."</p> <p>- "2. Any ResCare staff person who suspects an individual is the victim of abuse, neglect, exploitation or mistreatment of an individual should immediately notify the program manager. If the Program Manager is unavailable, the chain of command is as follows: Program Director, Executive Director. This step should be done within 24 hours. The program manager and/or designees will then notify the executive director of</p>			

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W 0153 Bldg. 00	<p>the ANE (abuse neglect exploitation) allegation."</p> <p>"3. The program manager, or designee will report the suspected abuse, neglect, exploitation, mistreatment or violation of individual's rights within 24 hours of the initial report to as well as the applicable contacts below, which may include: Local law enforcement authority (as applicable)..., Bureau of Developmental Disabilities Services Coordinator...."</p> <p>"4. Any staff person who is suspected of abuse, neglect, exploitation, mistreatment or violation of an individual's rights toward an individual will be immediately suspended until the allegation can be fully investigated.</p> <p>This federal tag relates to complaints #IN00426048 and #IN00425496.</p> <p>9-3-2(a)</p> <p>483.420(d)(2)</p> <p>STAFF TREATMENT OF CLIENTS</p> <p>The facility must ensure that all allegations of mistreatment, neglect or abuse, as well as injuries of unknown source, are reported immediately to the administrator or to other officials in accordance with State law through established procedures.</p> <p>Based on record review and interview for 3 of 3 sampled clients (A, B and C), plus 4 additional clients (D, E, F and G), the facility failed to report an incident of vandalism of a derogatory nature and allegations of staff verbal abuse of clients A, B, C, D, E, F and G to BDS (Bureau of Disabilities Services) within 24 hours of knowledge.</p> <p>Findings include:</p>	W 0153	<p>The facility must ensure that all allegations of mistreatment, neglect or abuse, as well as injuries of unknown source, are reported immediately to the administrator or to other officials in accordance with State law through established procedures.</p> <p>The Area Supervisor will train all Facility Staff on the BDDS</p>	03/17/2024

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	<p>1. QAM (Quality Assurance Manager) was interviewed on 2/12/24 at 2:18 PM. QAM indicated there had been an incident of eggs being thrown at clients A, B, C, D, E, F and G's home. QAM indicated some of the eggs broke and some did not. QAM indicated the eggs that did not break had derogatory and insulting words written on them, but she could not recall the exact words. QAM indicated the agency had recently terminated a staff member. QAM indicated the agency suspected the former staff had thrown the eggs and written the words on the eggs.</p> <p>The facility's BDS (Bureau of Disabilities Services) reports and Investigations were reviewed on 2/12/24 at 3:19 PM. The review indicated the following:</p> <p>-12/4/23 BDS indicated, "Allegations were received of staff yelling at [client D]."</p> <p>And,</p> <p>"The staff member in question was placed on administrative leave pending investigation."</p> <p>Investigation Summary Dated 12/7/23 indicated:</p> <p>-"An investigation was initiated when it was reported staff [FS (Former Staff)] went to Apache group home and yelled at staff on duty regarding a personal issue. It was also reported [FS] yelled at and called [client D] stupid."</p> <p>-"[Client D] reported that approximately 2:00 AM on 12/3/23, she and [DSP (Direct Support Professional) #2], were in the living room watching TV. [Client D] stated the sliding glass door opened and [FS] came in the group home. [Client D] reported [FS] began yelling at [DSP #2]</p>		<p>Reporting Standard.</p> <p>The Facility will retrain staff at the site on the Abuse, Neglect and Exploitation Policy and disciplinary action will be given if the policy is not followed. Area Supervisor and Direct Support Lead will ensure that the Abuse, Neglect and Exploitation Policy is followed. Monitoring of ANE will done by The Program Manager, Area Supervisor and Direct Support Lead to ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>The Program Manager will ensure the Area Supervisor will retrain staff on the Abuse, Neglect and Exploitation Policy and disciplinary action will be given if the policy is not followed.</p> <p>Area Supervisor and Program Manager will ensure that the Abuse, Neglect and Exploitation Policy is followed through random monitoring.</p> <p>The area supervisor in serviced facility staff on ResCare anonymous compliance line allowing an additional resource for staff to report outside the administrative chain, and on ResCare's non-retaliation and Zero Violence policy</p> <p>The area supervisor in serviced facility staff on ResCare anonymous compliance line allowing an additional resource for staff to report outside the</p>	

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	<p>regarding a personal matter between the two. [Client D] stated [FS] then began yelling at her, [client D], for not giving [FS's] phone number. [Client D] also stated [FS] called her, [client D], stupid. [Client D] stated [DSP #2] asked [FS] to leave and [FS] left the group home. [Client D] reported [FS] called her repeatedly wanting her to give [DSP #2] messages. [Client D] stated [DSP #2] told [client D] to stop answering her phone. [Client D] stated she then blocked [FS] so she wouldn't get any more calls. [Client D] stated [DSP #2] had called [AS (Area Supervisor)] to report the incident and [client D] and [AS] then texted each other for a few hours because [client D] was scared that [FS] would come back to the group home. [Client D] stated she went into her bedroom and locked her door due to being scared. [Client D] stated she is still scared that [FS] is going to come back to the group home and yell at her some more."</p> <p>-"[DSP #2] reported she was working on 12/3/23 and she and [client D] were in the living room watching TV. [DSP #2] stated at approximately 2:00 AM, the sliding door opened and [FS] came into the group home. [DSP #2] stated [FS] began yelling at her. [DSP #2] stated she and [FS] had personal issues and [FS] was yelling at her about those issues. [DSP #2] stated [FS] then began yelling at [client D] for not giving [DSP #2] [FS's] new phone number. [DSP #2] stated [FS] then called [client D] stupid. [DSP #2] reported she asked [FS] to leave the group home. [DSP #2] stated she then called [AS] to report the incident. [DSP #2] reported [client D] was crying and shaking. [DSP #2] stated [client D] told her she was scared that [FS] was going to come back and yell at her again."</p> <p>-"It is substantiated [FS] went to Apache (group</p>		<p>administrative chain, and on ResCare's non-retaliation and Zero Violence policy.</p> <p>The Area Supervisor will conduct 3 random weekly drop-in observations to ensure all ANE is reported and verify staff are fully aware of the process and reporting is done as required.</p> <p>The QIDP will conduct 1 random weekly drop-in observations to ensure all ANE is reported and verify staff are fully aware of the process and reporting is done as required.</p> <p>Monitoring of Corrective Action: The Program Manager, Area Supervisor and Residential Manager will ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>Persons Responsible: AED, Quality Assurance Manager, QA Coordinator/QIDP Manager, Program Manager, Area Supervisor, QIDP, Direct Support Lead, and DSP.</p>	

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	<p>home) and yelled at staff regarding a personal matter. It is substantiated [FS] yelled at and called [client D] stupid."</p> <p>Client E was interviewed on 2/13/24 at 12:27 PM. QIDP (Qualified Intellectual Disabilities Professional) and QAM (Quality Assurance Manager) were present throughout the interview with client E. Client E indicated she remembered someone egging her home. Client E stated, "Somebody saying that we are r----- and stuff like that. It could have been somebody in the past that had a grudge against us and (I) know exactly (who) it is but don't want to say the name. That's why they put up the cameras to make sure we are safe." Client E became demonstratively upset (crying, face red, turning towards QIDP). Client E stated she "Did not want to remember that moment" and she was "upset about the eggs." Client E stated, "Felt so scared."</p> <p>QIDP was interviewed on 2/13/24 at 10:22 AM. QIDP indicated client E was having some symptoms of mental health and could be less reliable than at her baseline.</p> <p>Client A was interviewed on 2/13/24 at 10:30 AM. Client A indicated there had been an incident of eggs being thrown at her home. Client A stated she and client B "woke up and found some eggs" in the front of the home. Client A indicated she did not see or know who had thrown the eggs at her home. Client A indicated some of the eggs had not broken and had words written on them. Client A was not able to recall what the words said. Client A indicated this occurred in January 2024 but did not recall a specific date. QIDP (Qualified Intellectual Disabilities Professional) and QAM (Quality Assurance Manager) were present throughout the interview with client A. QAM</p>			

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	<p>indicated the egg incident was not reported to BDS (Bureau of Disabilities Services) or investigated. QAM indicated the facility did not identify a specific client as the target of the eggs or derogatory language written on the eggs. QAM indicated the agency did install a security camera to address further incidents.</p> <p>Client F was interviewed on 2/13/24 at 11:38 AM. Client F indicated there had been an incident of eggs being thrown at her home. Client F stated, "An egg had not so nice words on them. Had (sic) one of words was r-----." Client F stated she saw one egg still intact with the word on it and the other eggs were "broken up all over the house up front." Client F indicated she did not recall a specific date. Client F indicated staff were made aware of the eggs. Client F indicated she did not see or know who had thrown the eggs at the home or had written the word on the intact egg. Client F stated, "Believe, some of us think, it was an old staff that got fired. And other people (have) ideas about it being some kids that did it." Client F stated, "[Client E] was really upset about it. Was concerned."</p> <p>DSP (Direct Support Professional) #2 was interviewed on 2/13/24 at 12:45 PM. DSP #2 indicated she had worked at the group home for over 1 year on varied shifts with clients A, B, C, D, E, F and G. DSP #2 indicated she was not working at the home at the time but was aware of an incident of clients A, B, C, D, E, F and G's home being egged. DSP #2 stated, "When I came in (to work) was told someone had egged the house with hateful words on the eggs. R-----, w-----w----- and lazy." DSP #2 stated she did not know who had egged the house and written the derogatory words on the eggs but "one of the old staff called one of the clients w-----w----- and assumed it was</p>			

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	<p>her."</p> <p>DSP #2 indicated clients A, B, C, D, E, F and G had seen the eggs. DSP #2 stated clients A, B, C, D, E, F and G's "feelings were hurt. They told me that (it) made them sad and (feel) different."</p> <p>DSL (Direct Support Lead) was interviewed on 2/13/24 at 1:07 PM. DSL indicated she was the lead for clients A, B, C, D, E, F and G's home. DSL indicated she had been the lead since October 2023. DSL indicated her role as lead included the supervision and training of staff.</p> <p>DSL stated, "I had come in and saw eggs over the front yard. Girls were hysterical because of the eggs. Some (of the eggs) not broken. Believe some were hard boiled." DSL stated, "Someone wrote on the eggs. [R-----]. Idiots (and) called them stupid and coke heads." DSL stated clients A, B, C, D, E, F and G "were very upset and (some were) crying."</p> <p>The US (United States) Department of Justice website: https://www.justice.gov/hatecrimes/learn-about-hate-crimes#Crime was reviewed on 2/14/24 at 12:30 PM. The review indicated the following:</p> <p>-"At the federal level, hate crime laws include crimes committed on the basis of the victim's perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.</p> <p>Most state hate crime laws include crimes committed on the basis of race, color, and religion; many also include crimes committed on the basis of sexual orientation, gender, gender identity, and disability."</p>			

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	<p>-"The 'crime' in hate crime is often a violent crime, such as assault, murder, arson, vandalism, or threats to commit such crimes."</p> <p>The review indicated a group home was an example of group of people included in hate crime laws. The review indicated vandalism was a crime included in hate crime laws.</p> <p>The facility's BDS (Bureau of Disabilities Services) and Investigations were reviewed on 2/12/24 at 3:19 PM. The review did not indicate documentation of the vandalism with derogatory language regarding clients A, B, C, D, E, F and G's disabilities was reported to BDS, investigated or reported to law enforcement as indicated in the agency's ANE policy.</p> <p>AED (Associate Executive Director) was interviewed on 2/14/24 at 12:50 PM. AED indicated allegations of abuse and suspicion of a crime against a client should be reported to BDS and to local law enforcement. AED indicated he was aware of an incident of the home being egged and derogatory words being written on the eggs. AED did not recall the specific words written on the eggs. AED stated, "I do agree it could be suspicion of a crime."</p> <p>2. Client A was interviewed on 2/13/24 at 10:30 AM. Client A stated, "[DSP (Direct Support Professional #1) is nice but sometimes [DSP #1] gets loud. Sometimes she's nice. Not allowed to have food or drinks in the van. Feel like she yells at [client E]. Feel bad for [client E]. [Client E] gets upset." Client A indicated client E had cried after being yelled at by DSP #1. QIDP (Qualified Intellectual Disabilities Professional) and QAM were both present with client A during the</p>			

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	<p>interview. QIDP and QAM indicated they were not aware of allegations or concerns of verbal abuse regarding DSP #1.</p> <p>Client D was interviewed on 2/13/24 at 12:03 PM. When asked how her staff treated her, client D stated, "Only one have issues with is [DSP #1]. She constantly screams at us. Really loud. Can hear her all the way from the office. Can hear her downstairs. Screams at everybody. Wants everybody to get up. Just loud. Get scared (yelling) triggers me." Client D stated, "[Client A] (is) sensitive too and [client F]."</p> <p>QIDP and QAM were interviewed on 2/13/24 at 12:17 PM. QIDP and QAM indicated during the interviews with clients A and F they had become aware of allegations of verbal abuse by DSP #1. QAM and QIDP indicated DSP #1 was already on suspension regarding other/separate allegations. QAM and QIDP indicated they were not aware of concerns or allegations of verbal abuse regarding DSP #1 prior to the interviews with the clients on 2/13/24.</p> <p>Client E was interviewed on 2/13/24 at 12:27 PM. QIDP and QAM were present throughout the interview with client E. During the interview client E stated to QIDP, "Heard rumors about a staff that got fired or quit? [DSP #1]?" Client E stated, "I don't miss her. She (was) sometimes a mean person." When asked to clarify why she stated she didn't miss DSP #1, client E stated, "Heck no! Not nice. Wanted to put me down. Wanted me to stay quiet when she was having a bad day. Wanted me- she had a lot of bad days. I try to have positive- she has mood swings so know when to be quiet and know (if) she's okay?"</p> <p>DSP #2 was interviewed on 2/13/24 at 12:45 PM.</p>			

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	<p>DSP #2 indicated she had worked at the group home for over 1 year on varied shifts with clients A, B, C, D, E, F and G. DSP #2 indicated she had not witnessed but had been told by clients A, B, C, D, E, F and G they had concerns with DSP #1. DSP #2 stated it was reported to her by the clients DSP #1 "made comments like you girls are nastiest girls I've ever seen. It hurt their feelings. [Client F] and everybody. [Client F] took it the hardest. She's new and not used to [DSP #1]." DSP #2 indicated she had not reported the concerns to her supervisor but had encouraged clients A, B, C, D, E, F and G to report their concerns directly to QIDP. DSP #2 stated, "Everyone knows how [DSP #1] is. She does what she is supposed to do but no filter. Makes the girls feel gross with her comments."</p> <p>DSL (Direct Support Lead) was interviewed on 2/13/24 at 1:07 PM. DSL indicated she was the lead for clients A, B, C, D, E, F and G's home. DSL indicated she had been the lead since October 2023. DSL indicated her role as lead included the supervision and training of staff.</p> <p>DSL indicated she had participated in recent in-services. DSL indicated she was retrained on the ANE policy and had assisted in training clients A, B, C, D, E, F and G's group home staff regarding the ANE policy. When asked if she had any concerns regarding current staff at the home, DSL stated, "[DSP #1] sometimes she can be aggressive. Very stern and (clients) don't listen when stern. Some have reported [DSP #1] had yelled at them." DSL stated, "[DSP #1] doesn't work well with the girls. Not seen but the girls have told me. Once I was there and heard [DSP #1] state the dishes were not hers and not her house. They (clients) looked scared. Sometimes teary eyed." DSL indicated she had not reported</p>			

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	<p>the allegations of DSP #1 yelling at clients A, B, C, D, E, F and G to her supervisor AS (Area Supervisor). DSL later stated, "feel like when I report things to [QIDP and AS] they don't listen. [AS] just tells me to talk to [DSP #1] about it or address the situation. Sometimes (clients) having lying issues. Sometimes she'll, [AS], talk to [DSP #1] too."</p> <p>The facility's BDS (Bureau of Disabilities Services) and Investigations were reviewed on 2/12/24 at 3:19 PM. The review did not indicate documentation of allegations of verbal abuse or mistreatment of clients A, B, C, D, E, F and G regarding DSP #1.</p> <p>The agency's POC (Plan of Correction) documentation was provided by AED on 2/12/24 at 3:35 PM. The POC documents were reviewed upon receipt and included the following:</p> <p>-POC document regarding staff treatment of clients dated (no date) indicated, "The facility will retrain staff at the site on the ANE policy and disciplinary action will be given if the policy is not followed. AS (Area Supervisor) and DSL (Direct Support Lead) will ensure that the ANE policy is followed. Monitoring of ANE will (be) done by the program manager, AS and DSL to ensure all incidents of possible ANE are reported to the QA (Quality Assurance) department." "Date of Completion: January 19, 2024."</p> <p>-In-Service Sheet dated 1/29/24 indicated, "The staff undersigned have reviewed and understand the proper procedure for: ANE in packet. Reporting. What is it? Warning signs. Test. Signatures." The review indicated DSP #2 and DSL had signed the In-service and participated in the 1/29/24 training.</p>			

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W 0154 Bldg. 00	<p>AED (Associate Executive Director) was interviewed on 2/14/24 at 12:50 PM. AED indicated he provided the facility's POC documentation on 2/12/24. AED indicated the documentation included an in-service training completed on 1/29/24 regarding the facility's ANE policy. AED indicated the AS completed the 1/29/24 and the DSL would assist in supervising the staff at the group home with the ANE policy implementation. AED indicated the DSL would report allegations or concerns to the AS, or if needed she should report her allegations or concerns to the QA (Quality Assurance) department. AED indicated the facility's ANE policy prohibited verbal abuse and included yelling and belittling language by staff towards clients.</p> <p>This federal tag relates to complaint #IN00426048.</p> <p>9-3-2(a)</p> <p>483.420(d)(3) STAFF TREATMENT OF CLIENTS The facility must have evidence that all alleged violations are thoroughly investigated. Based on record review and interview for 3 of 3 sampled clients (A, B and C), plus 4 additional clients (D, E, F and G), the facility failed to complete an investigation regarding an incident of vandalism of a derogatory nature to clients A, B, C, D, E, F and G's home.</p> <p>Findings include:</p> <p>QAM (Quality Assurance Manager) was interviewed on 2/12/24 at 2:18 PM. QAM indicated there had been an incident of eggs being thrown at clients A, B, C, D, E, F and G's home. QAM</p>	W 0154	<p>The facility must ensure that all allegations of mistreatment, neglect or abuse, as well as injuries of unknown source, are reported immediately to the administrator or to other officials in accordance with State law through established procedures.</p> <p>The Area Supervisor will train all Facility Staff on the BDDS Reporting Standard.</p> <p>The Facility will retrain staff at the site on the Abuse, Neglect</p>	03/17/2024

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	<p>indicated some of the eggs broke and some did not. QAM indicated the eggs that did not break had derogatory and insulting words written on them, but she could not recall the exact words. QAM indicated the agency had recently terminated a staff member. QAM indicated the agency suspected the former staff had thrown the eggs and written the words on the eggs.</p> <p>The facility's BDS (Bureau of Disabilities Services) reports and Investigations were reviewed on 2/12/24 at 3:19 PM. The review indicated the following:</p> <p>-12/4/23 BDS indicated, "Allegations were received of staff yelling at [client D]."</p> <p>And,</p> <p>"The staff member in question was placed on administrative leave pending investigation."</p> <p>Investigation Summary Dated 12/7/23 indicated:</p> <p>-"An investigation was initiated when it was reported staff [FS (Former Staff)] went to Apache group home and yelled at staff on duty regarding a personal issue. It was also reported [FS] yelled at and called [client D] stupid."</p> <p>-"[Client D] reported that approximately 2:00 AM on 12/3/23, she and [DSP (Direct Support Professional) #2], were in the living room watching TV. [Client D] stated the sliding glass door opened and [FS] came in the group home. [Client D] reported [FS] began yelling at [DSP #2] regarding a personal matter between the two. [Client D] stated [FS] then began yelling at her, [client D], for not giving [FS's] phone number. [Client D] also stated [FS] called her, [client D],</p>		<p>and Exploitation Policy and disciplinary action will be given if the policy is not followed. Area Supervisor and Direct Support Lead will ensure that the Abuse, Neglect and Exploitation Policy is followed. Monitoring of ANE will done by The Program Manager, Area Supervisor and Direct Support Lead to ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>The Program Manager will ensure the Area Supervisor will retrain staff on the Abuse, Neglect and Exploitation Policy and disciplinary action will be given if the policy is not followed.</p> <p>Area Supervisor and Program Manager will ensure that the Abuse, Neglect and Exploitation Policy is followed through random monitoring.</p> <p>The area supervisor in serviced facility staff on ResCare anonymous compliance line allowing an additional resource for staff to report outside the administrative chain, and on ResCare's non-retaliation and Zero Violence policy</p> <p>The area supervisor in serviced facility staff on ResCare anonymous compliance line allowing an additional resource for staff to report outside the administrative chain, and on ResCare's non-retaliation and Zero Violence policy.</p>	

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	<p>stupid. [Client D] stated [DSP #2] asked [FS] to leave and [FS] left the group home. [Client D] reported [FS] called her repeatedly wanting her to give [DSP #2] messages. [Client D] stated [DSP #2] told [client D] to stop answering her phone. [Client D] stated she then blocked [FS] so she wouldn't get any more calls. [Client D] stated [DSP #2] had called [AS (Area Supervisor)] to report the incident and [client D] and [AS] then texted each other for a few hours because [client D] was scared that [FS] would come back to the group home. [Client D] stated she went into her bedroom and locked her door due to being scared. [Client D] stated she is still scared that [FS] is going to come back to the group home and yell at her some more."</p> <p>-"[DSP #2] reported she was working on 12/3/23 and she and [client D] were in the living room watching TV. [DSP #2] stated at approximately 2:00 AM, the sliding door opened and [FS] came into the group home. [DSP #2] stated [FS] began yelling at her. [DSP #2] stated she and [FS] had personal issues and [FS] was yelling at her about those issues. [DSP #2] stated [FS] then began yelling at [client D] for not giving [DSP #2] [FS's] new phone number. [DSP #2] stated [FS] then called [client D] stupid. [DSP #2] reported she asked [FS] to leave the group home. [DSP #2] stated she then called [AS] to report the incident. [DSP #2] reported [client D] was crying and shaking. [DSP #2] stated [client D] told her she was scared that [FS] was going to come back and yell at her again."</p> <p>-"It is substantiated [FS] went to Apache (group home) and yelled at staff regarding a personal matter. It is substantiated [FS] yelled at and called [client D] stupid."</p>		<p>The Administrator held a team meeting to review "The US (United States) Department of Justice website: https://www.justice.gov/hatecrimes/learn-about-hate-crimes#Crime" to determine course of action involving suspected hate crimes and future reporting.</p> <p>The Area Supervisor will conduct 3 random weekly drop-in observations to ensure all ANE is reported and verify staff are fully aware of the process and reporting is done as required.</p> <p>The QIDP will conduct 1 random weekly drop-in observations to ensure all ANE is reported and verify staff are fully aware of the process and reporting is done as required.</p> <p>Monitoring of Corrective Action: The Program Manager, Area Supervisor and Residential Manager will ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>Persons Responsible: AED, Quality Assurance Manager, QA Coordinator/QIDP Manager, Program Manager, Area Supervisor, QIDP, Direct Support Lead, and DSP.</p>	

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	<p>Client E was interviewed on 2/13/24 at 12:27 PM. QIDP (Qualified Intellectual Disabilities Professional) and QAM (Quality Assurance Manager) were present throughout the interview with client E. Client E indicated she remembered someone egging her home. Client E stated, "Somebody saying that we are r----- and stuff like that. It could have been somebody in the past that had a grudge against us and (I) know exactly (who) it is but don't want to say the name. That's why they put up the cameras to make sure we are safe." Client E became demonstratively upset (crying, face red, turning towards QIDP). Client E stated she "Did not want to remember that moment" and she was "upset about the eggs." Client E stated, "Felt so scared."</p> <p>QIDP was interviewed on 2/13/24 at 10:22 AM. QIDP indicated client E was having some symptoms of mental health and could be less reliable than at her baseline.</p> <p>Client A was interviewed on 2/13/24 at 10:30 AM. Client A indicated there had been an incident of eggs being thrown at her home. Client A stated she and client B "woke up and found some eggs" in the front of the home. Client A indicated she did not see or know who had thrown the eggs at her home. Client A indicated some of the eggs had not broken and had words written on them. Client A was not able to recall what the words said. Client A indicated this occurred in January 2024 but did not recall a specific date. QIDP (Qualified Intellectual Disabilities Professional) and QAM (Quality Assurance Manager) were present throughout the interview with client A. QAM indicated the egg incident was not reported to BDS (Bureau of Disabilities Services) or investigated. QAM indicated the facility did not identify a specific client as the target of the eggs</p>			

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	<p>or derogatory language written on the eggs. QAM indicated the agency did install a security camera to address further incidents.</p> <p>Client F was interviewed on 2/13/24 at 11:38 AM. Client F indicated there had been an incident of eggs being thrown at her home. Client F stated, "An egg had not so nice words on them. Had (sic) one of words was r-----." Client F stated she saw one egg still intact with the word on it and the other eggs were "broken up all over the house up front." Client F indicated she did not recall a specific date. Client F indicated staff were made aware of the eggs. Client F indicated she did not see or know who had thrown the eggs at the home or had written the word on the intact egg. Client F stated, "Believe, some of us think, it was an old staff that got fired. And other people (have) ideas about it being some kids that did it." Client F stated, "[Client E] was really upset about it. Was concerned."</p> <p>DSP (Direct Support Professional) #2 was interviewed on 2/13/24 at 12:45 PM. DSP #2 indicated she had worked at the group home for over 1 year on varied shifts with clients A, B, C, D, E, F and G. DSP #2 indicated she was not working at the home at the time but was aware of an incident of clients A, B, C, D, E, F and G's home being egged. DSP #2 stated, "When I came in (to work) was told someone had egged the house with hateful words on the eggs. [R-----], w-----w--- -- and lazy." DSP #2 stated she did not know who had egged the house and written the derogatory words on the eggs but "one of the old staff called one of the clients w-----w----- and assumed it was her."</p> <p>DSP #2 indicated clients A, B, C, D, E, F and G had seen the eggs. DSP #2 stated clients A, B, C, D, E,</p>			

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	<p>F and G's "feelings were hurt. They told me that (it) made them sad and (feel) different."</p> <p>DSL (Direct Support Lead) was interviewed on 2/13/24 at 1:07 PM. DSL indicated she was the lead for clients A, B, C, D, E, F and G's home. DSL indicated she had been the lead since October 2023. DSL indicated her role as lead included the supervision and training of staff.</p> <p>DSL stated, "I had come in and saw eggs over the front yard. Girls were hysterical because of the eggs. Some (of the eggs) not broken. Believe some were hard boiled." DSL stated, "Someone wrote on the eggs. [R-----]. Idiots (and) called them stupid and coke heads." DSL stated clients A, B, C, D, E, F and G "were very upset and (some were) crying."</p> <p>The US (United States) Department of Justice website: https://www.justice.gov/hatecrimes/learn-about-hate-crimes#Crime was reviewed on 2/14/24 at 12:30 PM. The review indicated the following:</p> <p>-"At the federal level, hate crime laws include crimes committed on the basis of the victim's perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.</p> <p>Most state hate crime laws include crimes committed on the basis of race, color, and religion; many also include crimes committed on the basis of sexual orientation, gender, gender identity, and disability."</p> <p>-"The "crime" in hate crime is often a violent crime, such as assault, murder, arson, vandalism, or threats to commit such crimes."</p>			

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W 0157 Bldg. 00	<p>The review indicated a group home was an example of group of people included in hate crime laws. The review indicated vandalism was a crime included in hate crime laws.</p> <p>The facility's BDS (Bureau of Disabilities Services) and Investigations were reviewed on 2/12/24 at 3:19 PM. The review did not indicate documentation of the vandalism with derogatory language regarding clients A, B, C, D, E, F and G's disabilities was reported to BDS, investigated or reported to law enforcement as indicated in the agency's ANE policy.</p> <p>AED (Associate Executive Director) was interviewed on 2/14/24 at 12:50 PM. AED indicated allegations of abuse and suspicion of a crime against a client should be reported to BDS and to local law enforcement. AED indicated he was aware of an incident of the home being egged and derogatory words being written on the eggs. AED did not recall the specific words written on the eggs. AED stated, "I do agree it could be suspicion of a crime."</p> <p>This federal tag relates to complaint #IN00426048.</p> <p>9-3-2(a)</p> <p>483.420(d)(4)</p> <p>STAFF TREATMENT OF CLIENTS</p> <p>If the alleged violation is verified, appropriate corrective action must be taken.</p> <p>Based on record review and interview for 3 of 3 sampled clients (A, B and C), plus 4 additional clients (D, E, F and G), the facility failed to develop and implement effective corrective measures to prevent recurrence regarding staff's competency to identify and report allegations of</p>	W 0157	The facility must ensure that all allegations of mistreatment, neglect or abuse, as well as injuries of unknown source, are reported immediately to the administrator or to other officials in	03/17/2024

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	<p>staff verbal abuse regarding clients A, B, C, D, E, F and G and to ensure client A's ability to give informed consent, social media and online dating skills were re-assessed to ensure and advocate for her health and safety.</p> <p>Findings include:</p> <p>1. Client A was interviewed on 2/13/24 at 10:30 AM. Client A stated, "[DSP (Direct Support Professional #1) is nice but sometimes [DSP #1] gets loud. Sometimes she's nice. Not allowed to have food or drinks in the van. Feel like she yells at [client E]. Feel bad for [client E]. [Client E] gets upset." Client A indicated client E had cried after being yelled at by DSP #1. QIDP (Qualified Intellectual Disabilities Professional) and QAM were both present with client A during the interview. QIDP and QAM indicated they were not aware of allegations or concerns of verbal abuse regarding DSP #1.</p> <p>Client D was interviewed on 2/13/24 at 12:03 PM. When asked how her staff treated her, client D stated, "Only one have issues with is [DSP #1]. She constantly screams at us. Really loud. Can hear her all the way from the office. Can hear her downstairs. Screams at everybody. Wants everybody to get up. Just loud. Get scared (yelling) triggers me." Client D stated, "[Client A] (is) sensitive too and [client F]."</p> <p>QIDP and QAM were interviewed on 2/13/24 at 12:17 PM. QIDP and QAM indicated during the interviews with clients A and F they had become aware of allegations of verbal abuse by DSP #1. QAM and QIDP indicated DSP #1 was already on suspension regarding other/separate allegations. QAM and QIDP indicated they were not aware of concerns or allegations of verbal abuse regarding</p>		<p>accordance with State law through established procedures.</p> <p>The Area Supervisor will train all Facility Staff on the BDDS Reporting Standard.</p> <p>The Facility will retrain staff at the site on the Abuse, Neglect and Exploitation Policy and disciplinary action will be given if the policy is not followed. Area Supervisor and Direct Support Lead will ensure that the Abuse, Neglect and Exploitation Policy is followed. Monitoring of ANE will done by The Program Manager, Area Supervisor and Direct Support Lead to ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>The Program Manager will ensure the Area Supervisor will retrain staff on the Abuse, Neglect and Exploitation Policy and disciplinary action will be given if the policy is not followed.</p> <p>Area Supervisor and Program Manager will ensure that the Abuse, Neglect and Exploitation Policy is followed through random monitoring.</p> <p>The area supervisor in serviced facility staff on ResCare anonymous compliance line allowing an additional resource for staff to report outside the administrative chain, and on ResCare's non-retaliation and Zero Violence policy</p> <p>The area supervisor in</p>	

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	<p>DSP #1 prior to the interviews with the clients on 2/13/24.</p> <p>Client E was interviewed on 2/13/24 at 12:27 PM. QIDP and QAM were present throughout the interview with client E. During the interview client E stated to QIDP, "Heard rumors about a staff that got fired or quit? [DSP #1]?" Client E stated, "I don't miss her. She (was) sometimes a mean person." When asked to clarify why she stated she didn't miss DSP #1, client E stated, "Heck no! Not nice. Wanted to put me down. Wanted me to stay quiet when she was having a bad day. Wanted me- she had a lot of bad days. I try to have positive- she has mood swings so know when to be quiet and know (if) she's okay?"</p> <p>DSP #2 was interviewed on 2/13/24 at 12:45 PM. DSP #2 indicated she had worked at the group home for over 1 year on varied shifts with clients A, B, C, D, E, F and G. DSP #2 indicated she had not witnessed but had been told by clients A, B, C, D, E, F and G they had concerns with DSP #1. DSP #2 stated it was reported to her by the clients DSP #1 "made comments like you girls are nastiest girls I've ever seen. It hurt their feelings. [Client F] and everybody. [Client F] took it the hardest. She's new and not used to [DSP #1]." DSP #2 indicated she had not reported the concerns to her supervisor but had encouraged clients A, B, C, D, E, F and G to report their concerns directly to QIDP. DSP #2 stated, "Everyone knows how [DSP #1] is. She does what she is supposed to do but no filter. Makes the girls feel gross with her comments."</p> <p>DSL (Direct Support Lead) was interviewed on 2/13/24 at 1:07 PM. DSL indicated she was the lead for clients A, B, C, D, E, F and G's home. DSL indicated she had been the lead since October</p>		<p>serviced facility staff on ResCare anonymous compliance line allowing an additional resource for staff to report outside the administrative chain, and on ResCare's non-retaliation and Zero Violence policy.</p> <p>The Area Supervisor will conduct 3 random weekly drop-in observations to ensure all ANE is reported and verify staff are fully aware of the process and reporting is done as required.</p> <p>The QIDP will conduct 1 random weekly drop-in observations to ensure all ANE is reported and verify staff are fully aware of the process and reporting is done as required.</p> <p>The QIDP set up training for sexual education, and online safety and develop an assessment for online safety for clients in the facility.</p> <p>Monitoring of Corrective Action: The Program Manager, Area Supervisor and Residential Manager will ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>Persons Responsible: AED, Quality Assurance Manager, QA Coordinator/QIDP Manager, Program Manager, Area Supervisor, QIDP, Direct Support Lead, and DSP.</p>		

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	<p>2023. DSL indicated her role as lead included the supervision and training of staff.</p> <p>DSL indicated she had participated in recent in-services. DSL indicated she was retrained on the ANE policy and had assisted in training clients A, B, C, D, E, F and G's group home staff regarding the ANE policy. When asked if she had any concerns regarding current staff at the home, DSL stated, "[DSP #1] sometimes she can be aggressive. Very stern and (clients) don't listen when stern. Some have reported [DSP #1] had yelled at them." DSL stated, "[DSP #1] doesn't work well with the girls. Not seen but the girls have told me. Once I was there and heard [DSP #1] state the dishes were not hers and not her house. They (clients) looked scared. Sometimes teary eyed." DSL indicated she had not reported the allegations of DSP #1 yelling at clients A, B, C, D, E, F and G to her supervisor AS (Area Supervisor). DSL later stated, "feel like when I report things to [QIDP and AS] they don't listen. [AS] just tells me to talk to [DSP #1] about it or address the situation. Sometimes (clients) having lying issues. Sometimes she'll, [AS], talk to [DSP #1] too."</p> <p>The facility's BDS (Bureau of Disabilities Services) and Investigations were reviewed on 2/12/24 at 3:19 PM. The review did not indicate documentation of allegations of verbal abuse or mistreatment of clients A, B, C, D, E, F and G regarding DSP #1.</p> <p>The agency's POC (Plan of Correction) documentation was provided by AED on 2/12/24 at 3:35 PM. The POC documents were reviewed upon receipt and included the following:</p> <p>-POC document regarding staff treatment of</p>				

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	<p>clients dated (no date) indicated, "The facility will retrain staff at the site on the ANE policy and disciplinary action will be given if the policy is not followed. AS (Area Supervisor) and DSL (Direct Support Lead) will ensure that the ANE policy is followed. Monitoring of ANE will (be) done by the program manager, AS and DSL to ensure all incidents of possible ANE are reported to the QA (Quality Assurance) department." "Date of Completion: January 19, 2024."</p> <p>-In-Service Sheet dated 1/29/24 indicated, "The staff undersigned have reviewed and understand the proper procedure for: ANE in packet. Reporting. What is it? Warning signs. Test. Signatures." The review indicated DSP #2 and DSL had signed the In-service and participated in the 1/29/24 training.</p> <p>AED (Associate Executive Director) was interviewed on 2/14/24 at 12:50 PM. AED indicated he provided the facility's POC documentation on 2/12/24. AED indicated the documentation included an in-service training completed on 1/29/24 regarding the facility's ANE policy. AED indicated the AS completed the 1/29/24 and the DSL would assist in supervising the staff at the group home with the ANE policy implementation. AED indicated the DSL would report allegations or concerns to the AS, or if needed she should report her allegations or concerns to the QA (Quality Assurance) department. AED indicated the facility's ANE policy prohibited verbal abuse and included yelling and belittling language by staff towards clients.</p> <p>2. Client A was interviewed on 2/13/24 at 10:30 AM. QIDP (Qualified Intellectual Disabilities Professional) and QAM (Quality Assurance</p>			

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	<p>Manager) were present throughout the interview with client A.</p> <p>Client A indicated she did not have a guardian. Client A indicated her parents live out of state and she talked to them often.</p> <p>Client A indicated there had been an incident with a person she met online. Client A did not recall a specific date. Client A indicated she had been dating him online and had not met him in person or at her home. Client A stated, "It was a dating thing. Didn't go too well." Client A stated, "He came to the group home which he shouldn't have. I let the staff know and he came into the house which he shouldn't have. I think staff should have come outside at the time and talked." Client A did not recall the specific staff working at the time of the incident. Client A stated, "We were supposed to go for a walk and he didn't want to go for a walk." QIDP interjected at this point and stated, "Wanted to smooch instead." Client A stated, "It wasn't about getting to know me. Staff wasn't out there. They were in the house. I think they should have been out there and said 'No' and told him to leave and they didn't." Client A indicated intercourse with the man was consensual but regretted the incident.</p> <p>Client A indicated she had a new boyfriend for the past couple of months but did not specify an exact timeframe. Client A indicated she met her current boyfriend online and he had not come to the home or had she met him in person. When asked if she felt safe with her new boyfriend, client A stated, "He keeps repeating himself, keeps saying you need to get out of there." Client A stated, "Wants me to move to Arkansas. Said he cares about me." QIDP interjected and stated, "He's not asked for pictures or anything." QIDP</p>			

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	<p>stated, "When [previous staff] worked at the home she coached on not sharing information on line." QIDP indicated on 2/12/14 when she was at the group home with client A she asked her about the information she was sharing online. QIDP indicated client A's personal information was online and they changed her social media settings to private.</p> <p>Client A finished the interview and exited the room. QIDP and QAM indicated there was not a report to BDS or an investigation regarding the incident. QIDP and QAM indicated the staff had met the guy, she had alone time in her plan and she had completed sex education training prior to the incident. QIDP and QAM indicated client A had not made allegations but regretted the situation afterwards. QIDP and QAM stated according to client A's statements, "she regrets it now. Not that she didn't at the time want to. He blocked her the next day. She was sad and hurt."</p> <p>Client A's advocate was interviewed on 2/16/24 at 9:22 AM. Client A's advocate indicated client A was in the process of moving out of the group home and into a smaller setting. Client A's advocate stated, "Not happy with how groups conduct themselves among peers. [Client A] (was) persuaded very easily."</p> <p>Client A's advocate indicated she was on a multiple dating websites and had met someone online. Client A's advocate indicated the man came to the house and they went outside and had sex in a car. Client A's advocate stated, "That company is there to help guide in situations." Client A's advocate indicated client A was in need of a guardian and they had been attempting to obtain legal counsel to get guardianship of her. Client A's advocate indicated they went online to</p>			

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	<p>see what information client A had been sharing on her public pages. Client A's advocate stated, "When (we went) online found that she had numerous websites set up. All incorrect information. What she is doing (they) can find out where she lives and (it's) dangerous not (only) for herself and (other) clients." Client A's advocate indicated client A was at risk for exploitation. Client A's advocate stated, "She doesn't comprehend. Will give you a look and smile and (you) think she understands and she doesn't." Client A's advocate indicated client A needed training and support to assist her with online dating activity. Client A's advocate indicated they were aware of a person in Arkansas who was attempting to get client A to come to Arkansas. Client A's advocate indicated he had researched the person and learned the person was not being honest about himself. Client A's advocate stated "Trying to get something from her." Client A's advocate indicated client A had not reported any allegations to her regarding the sexual intercourse incident. Client A's advocate indicated client A had expressed pain in her vaginal area after having sex with some bleeding but did not express emotional issues from the incident.</p> <p>QIDP and QAM were interviewed on 2/15/24 at 2:26 PM. QIDP indicated she had completed client A's 5/2/23 CFA (Comprehensive Functional Assessment) after her incident in April 2023.</p> <p>QIDP indicated after the incident client A was reassessed regarding her interest in having sexual relationships and dating. QIDP indicated client A was no longer interested in those relationships but had developed interest again after the 5/2/23 CFA. QIDP stated, "She got her questions answered through experience. Thought someone would be loving towards her. She now knows she</p>			

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	<p>wants to be in love before having sex again." QIDP indicated client A's sexual incident was not positive. QIDP indicated client A's CFA included a human sexuality component. QIDP indicated client A's CFA and record did not include an assessment of client A's ability to utilize social media, online dating or ability to provide informed consent.</p> <p>DSP #2 was interviewed on 2/13/24 at 12:45 PM. DSP #2 indicated a person had come to the house and she was told by client A they had consensual sex. DSP #2 indicated client A could have been uncomfortable during the incident as it was her first time. DSP #2 stated, "She could have got talked into it. Later on we found out some stuff about the guy. He was bad. Met on [social media] and online dating." DSP #2 indicated all of the clients at the home participate in social media and online dating. DSP #2 indicated the staff coach the girls on personal information but there were no formal trainings or objectives.</p> <p>DSL was interviewed on 2/13/24 at 1:07 PM. DSL indicated she was not working at the home at the time of client A's online dating incident. DSL indicated she had heard about the incident and was not aware of allegations. DSL indicated client A was coached on not giving out personal information but there were no formal goals or training objectives to teach her social media or online dating skills. DSL indicated client A was encouraged to get to know people she met online before setting up a meeting. DSL indicated client A was coached regarding scammers. DSL stated, "Some army guy is trying to scam her. Tells [client A] that if she wants to be his girlfriend she would have to pay \$200.00 for a boyfriend certificate to get access to the military base he is stationed at."</p>			

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	<p>Client A's record was reviewed on 2/13/24 at 2:23 PM. Client A's daily shift notes dated 2/13/23 through 2/13/24 indicated the following:</p> <ul style="list-style-type: none"> -3/18/23: talking to new boyfriend. -3/19/23: broke up with new boyfriend. -3/28/23, "Not acting herself since lost her virginity." -3/29/23: "Talking to multiple men. Not acting herself." -4/20/23: "Went on date with boyfriend." <p>Client A's ISP (Individual Support Plan) dated 4/20/22 indicated the following</p> <p>"[Client A] moved into placement from her parent's home. She had good mobility and understands the importance of good hygiene but needs to be reminded. She needs verbal prompts to complete ADL (activities of daily living) skills. She has worked in the community in the past but is interested in a community job."</p> <p>-The IDT (Interdisciplinary team) recommends that she have supervision while participating in community activities due to her current diagnosis for health and safety issues. [Client A] requires some structure for leisure time activities."</p> <p>"Peer interactions can be sometimes difficult. She can be bullied easily."</p> <p>-"Individual will be restricted to the areas of the building and grounds supervised by staff. Client can have 4 hours alone time (unsupervised) daily. This will be as requested by the client. At home alone time should not occur after 8 PM. Individual will be supervised during activities within the community."</p> <p>Client A's IDT (Interdisciplinary Team) note dated</p>			

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	<p>3/20/23 indicated the following:</p> <p>"[QIDP] became aware of an incident where [client A] had been talking to a man on the Internet. He came to the home and [client A] hung outside in the driveway with him. They had sexual intercourse as reported by [client A]. [Client A] was embarrassed to tell staff but stated that she was not hurt and was wanting to have sex. [Client A] has alone time. She was on the property. She had sex therapy with [agency]. She consented to the activity as stated. [Nurse] spoke to [client A] and [client A] admitted that they did not use protection. An appointment was made with PCP (Primary Care Physician)/Gynecologist to have blood tests and check her. She said when this happened she had been a virgin and just wanted to know what it was like. [Client A] indicated it was not what she thought it should be like. She said she doesn't want to do (it) again. We discussed about the need for being careful. He could have been dangerous. [QIDP] had looked on social media and the sex offender registry with no concerns."</p> <p>The review indicated client A was not assessed as being able to give informed consent, was not assessed regarding her Internet, social media or online dating skills for her safety and continued to be at risk for exploitation after the 3/20/23 incident. Client A was not receiving training or supports to increase her social, dating or online skills to support her independence or health and safety.</p> <p>QIDP and QAM indicated client A was emancipated, had alone time and had received sexual education training prior to the incident. QIDP and QAM indicated staff appropriately supervised client A at the time of the incident.</p>			

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W 0223 Bldg. 00	<p>This federal tag relates to complaints #IN00426048 and #IN00425496.</p> <p>9-3-2(a)</p> <p>483.440(c)(3)(v) INDIVIDUAL PROGRAM PLAN</p> <p>The comprehensive functional assessment must include social development. Based on record review and interview for 1 of 3 sampled clients (A), the facility failed to assess client A's skills and abilities for the use of social media and/or online dating to determine her level of independence and risk for health, safety and welfare.</p> <p>Finding includes:</p> <p>Confidential Interview (CI #1) was asked about client A's support and services. CI #1 stated, "From my understanding, they had a house manager who is no longer there. She was convincing them (clients) to make online dating profiles. She (client A) began talking with him (online acquaintance) and he came to the home. They initially were going for a walk, and she ended up in his car and she was, I don't know if assaulted or the R (raped) word ...". CI #1 was asked about client A's abilities to make decisions and protect herself. CI #1 stated, "I don't know if she could make decisions on an adult level. I think she could be easily manipulated ...".</p> <p>Confidential Interview (CI #2) was asked about client A's support and services. CI #2 stated, "There have been things that have happened ...". CI #2 stated in regard to client A "is easily manipulated". CI #2 indicated client A had used social media and an online dating service and stated, "Apparently she was on a dating service ..."</p>	W 0223	<p>The Facility will ensure the comprehensive functional assessment includes social development, skills and abilities for the use of social media and/or online dating to determine clients independence and risk for health, safety and welfare.</p> <p>The QIDP will develop Comprehensive Functional Assessments to include assess skills and abilities for protecting identity and/or personal information while using social media, assess skills and abilities for decision making, manipulation, and/or exploitation while interacting through social media to ensure health, safety and welfare.</p> <p>The QIPD contracted Kathy Baldwin a certified Sexuality Educator with the American Association of Sexuality Educators, Counselors and Therapists MSW, CSE, CC to provide training for clients in the facility.</p> <p>If recommendation are made ISP will be updated based on recommendations of the ISP.</p>	03/18/2024

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	<p>a person came to the house and they had sex in his car". CI #2 indicated there were concerns in regard to staffing supports to ensure client A's safety. CI #2 was asked if client A required staff assistance with training to ensure her safety. CI #2 stated, "Yes, absolutely". CI #2 indicated client A had a second experience with a different online acquaintance and stated, "he wanted [client A] to move ...".</p> <p>On 2/14/24 at 11:19 AM, a focused review of client A's record was conducted. The review indicated the following:</p> <p>-Individual Support Plan (ISP) dated 10/14/23 indicated, "Challenging Behaviors:... Peer interactions can be sometimes difficult. She can be bullied easily...</p> <p>Priority Objectives: Safety and communication skills (no written goal was indicated in the ISP)...</p> <p>Right to be modified: Freedom of Movement, Manner in which the right will be modified: Individual (client A) will be restricted to the areas of the building and grounds supervised by staff. Client can have 4 hours alone time (unsupervised) daily. This will be as requested by the client. At home alone time should not occur after 8pm. Individual will be supervised during activities within the community. Client can have 2 hours alone time (unsupervised) in the community daily..."</p> <p>-Interdisciplinary Team Meeting (IDT) dated 3/20/23 indicated, "Purpose of Meeting: Recent Incident. Meeting Minutes: QIDP (Qualified Intellectual Disabilities Professional) became aware of incident where [client A] and been talking to a man on the internet. He came to the</p>		<p>The QIDP will retrain staff in the Facility on updated plans are necessary.</p> <p>Monitoring of Corrective Action: The Program Manager, Area Supervisor and Residential Manager will ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>Persons Responsible: AED, Quality Assurance Manager, QA Coordinator/QIDP Manager, Program Manager, Area Supervisor, QIDP, Direct Support Lead, and DSP.</p>	

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	<p>house and [client A] hung outside in the driveway with him. They had sexual intercourse as reported by [client A]. [Client A] was embarrassed to tell staff but stated that she was not hurt and was wanting to have sex. [Client A] has alone time. She was on the property. She had sex therapy with [website address]. She consented to the activity as stated. [Nurse] spoke to [client A] and [client A] admitted that they did not use protection. An appt (appointment) was made with PCP/gyno (primary care physician/gynecologist) to have blood test (pregnancy) and check her. She (client A) said when this happened, she had been a virgin and just wanted to know what it was like. [Client A] indicated it was not what she thought it should be like. She said she does not want to do it again. We discussed about (sic) the need for being careful. He could have been dangerous. QIDP had looked on [social media name] and the sex offender registry with no concerns".</p> <p>On 2/14/24 at 1:53 PM, the Qualified Intellectual Disabilities Professional (QIDP) and Quality Assurance Manager (QAM) were interviewed. The QIDP and QAM were asked about client A's in-person interaction with an online acquaintance who came to her home to visit. The QIDP and QAM indicated client A's online visitor had come to the home to meet client A, this was their first meeting in-person and was around 7 PM to 8 PM in the evening. The QIDP was asked if the client, staff and/or any other provider contacts had met with this online acquaintance prior to client A being left alone with him when he came to visit. The QIDP indicated this was the first-time client A and any staff member had met with her online acquaintance.</p> <p>The QIDP and QAM were asked what the planned activity for their initial meeting together in-person</p>			

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	<p>was supposed to be. The QIDP and QAM indicated client A had intended to have sex with him, that she was an emancipated adult and had previously gone through sex education courses. The QIDP indicated the initial interaction with the online acquaintance was he came to the entryway of the home, talked with the staff about going on a walk, but client A's visitor declined going on a walk so the two visited outside in the back courtyard behind the home near the driveway. The QIDP indicated staff went outside with client A and her visitor initially in the courtyard but left them to provide privacy for their visit. The QIDP and QAM indicated this turned into an incident of client A having sexual intercourse with the visitor while outside of the home. The QIDP indicated client A later felt embarrassed, wished it had not occurred and stated, "It was not what she thought it would be".</p> <p>The QIDP and QAM were asked about precautions of meeting an online acquaintance for the first time for her health, safety and welfare. The QIDP stated, "Ideally, I would want someone to come over to meet her and the staff and have dinner or something like that". The QAM stated, "We don't disagree on how to meet for the first time and their rights versus their safety when it comes to that kind of thing".</p> <p>On 2/15/24 at 1:52 PM, a focused review of client A's record was conducted. The review indicated the following:</p> <p>-Comprehensive Functional Assessment (CFA) dated 5/2/23 did not indicate questions to assess skills and abilities of client A for the use of social media. Client A's CFA did not indicate questions to assess skills and abilities for protecting her identity and/or personal information while using</p>			

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	<p>social media. Client A's CFA did not indicate questions to assess skills and abilities for decision making, manipulation, and/or exploitation while interacting through social media to ensure health, safety and welfare.</p> <p>-No informed consent was available for review.</p> <p>On 2/15/24 at 2:27 PM, the QIDP and QAM were interviewed. The QIDP was asked about her level of awareness of client A's use of social media to converse with an online acquaintance with a plan to meet in person and if staff had communicated to make her aware when the online acquaintance arrived at the home. The QIDP stated, "I think I got a text later in the night. I did not know until after it happened". The QIDP was asked when client A began using social media. The QIDP stated, "She came in (admission) with a boyfriend from [city]. I know online dating, her parents confirmed she had not done online dating. She had [social media name]". The QIDP was asked if the client's social media account was how client A communicated and developed a relationship with her online acquaintance that came to the home. The QIDP stated, "I don't know if it was online dating. I know she friended him on [social media account]. I don't know other than what [client A] told me". The QIDP was asked what client A had told her. The QIDP stated, "She said it was online dating. I asked about what she put on her page, did you lie? She said no. I don't know if they were talking for 3 days, 10 days or 1 day". The QIDP indicated an interdisciplinary team meeting concerning client A's interest with social media and/or online dating had not occurred prior to meeting her online acquaintance at the home. The QIDP was asked if client A's CFA included questioning to assess client A's skills and abilities for the use of social media and protecting her</p>			

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W 0240 Bldg. 00	<p>health, safety and welfare. The QIDP indicated she did not believe the assessment tool included assessing a person's skills and abilities for the use of social media. The QIDP and QAM indicated further review of client A's CFA was required to determine if social media was an area assessed for client A's skills and abilities. At 2:43 PM, the QAM provided further follow up and stated, "The assessment does not have social media".</p> <p>This federal tag relates to complaints #IN00425496 and #IN00426048.</p> <p>9-3-4(a)</p> <p>483.440(c)(6)(i) INDIVIDUAL PROGRAM PLAN</p> <p>The individual program plan must describe relevant interventions to support the individual toward independence.</p> <p>Based on record review and interview for 1 of 3 sampled clients (A), the facility failed to develop strategies for the implementation of client A's program plan for the restricted area of freedom of movement and the use of her alone time to promote her health, safety, and welfare while using social media and/or interactions with online acquaintances.</p> <p>Findings include:</p> <p>Confidential Interview (CI #1) was asked about client A's support and services. CI #1 stated, "From my understanding, they had a house manager who is no longer there. She was convincing them (clients) to make online dating profiles. She (client A) began talking with him (online acquaintance) and he came to the home. They initially were going for a walk, and she ended up in his car and she was, I don't know if</p>	W 0240	<p>The Facility will ensure the individual program plan describes relevant interventions to support the individual toward independence.</p> <p>The QIDP will develop Comprehensive Functional Assessments to include assess skills and abilities for protecting identity and/or personal information while using social media, assess skills and abilities for decision making, manipulation, and/or exploitation while interacting through social media to ensure health, safety and welfare.</p> <p>The QIPD contracted Kathy Baldwin a certified Sexuality Educator with the American Association of Sexuality</p>	03/17/2024

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	<p>assaulted or the R (raped) word ...". CI #1 was asked about client A's abilities to make decisions and protect herself. CI #1 stated, "I don't know if she could make decisions on an adult level. I think she could be easily manipulated...".</p> <p>Confidential Interview (CI #2) was asked about client A's support and services. CI #2 stated, "There have been things that have happened...". CI #2 stated in regard to client A "is easily manipulated". CI #2 indicated client A had used social media and an online dating service and stated, "Apparently she was on a dating service... a person came to the house and they had sex in his car". CI #2 indicated there were concerns in regard to staffing support to ensure client A's safety. CI #2 was asked if client A required staff assistance with training to ensure her safety. CI #2 stated, "Yes, absolutely". CI #2 indicated client A had a second experience with a different online acquaintance and stated, "he wanted [client A] to move...".</p> <p>On 2/14/24 at 11:19 AM, a focused review of client A record was conducted. The review indicated the following:</p> <p>-Individual Support Plan (ISP) dated 10/14/23 indicated, "Name: [Client A]. Date of Birth: [age 30+]...</p> <p>Individual Profile: [Client A] moved into placement from her parent's home. She has good mobility and understands the importance of good hygiene but needs reminded. She needs verbal prompts to complete ADL (adult daily living) living skills...</p> <p>Discharge Plan: The interdisciplinary team recommends that she have supervision while</p>		<p>Educators, Counselors and Therapists MSW, CSE, CC to provide training for clients in the facility.</p> <p>If recommendation are made ISP will be updated based on recommendations of the ISP to address restricted area of freedom of movement and the use of her alone time to promote her health, safety, and welfare while using social media and/or interactions with online acquaintances.</p> <p>The QIDP will retrain staff in the Facility on updated plans are necessary.</p> <p>Monitoring of Corrective Action: The Program Manager, Area Supervisor and Residential Manager will ensure all incidents of possible abuse, neglect and exploitation are reported to the QA department.</p> <p>Persons Responsible: AED, Quality Assurance Manager, QA Coordinator/QIDP Manager, Program Manager, Area Supervisor, QIDP, Direct Support Lead, and DSP.</p>	

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	<p>participating in community activities, due to her current diagnosis for health and safety issues. [Client A] requires some structure for leisure time activities. The interdisciplinary team has reviewed the comprehensive assessments and determined that at this time, due to the level of needs and training required and her inability to transfer some skills to other environments or settings is in need of continued placement and active treatment services.</p> <p>Challenging Behaviors: ... Peer interactions can be sometimes difficult. She can be bullied easily...</p> <p>Priority Objectives: Safety and communication skills (no written goal indicated in the ISP)...</p> <p>Right to be modified: Freedom of Movement, Manner in which the right will be modified: Individual (client A) will be restricted to the areas of the building and grounds supervised by staff. Client can have 4 hours alone time (unsupervised) daily. This will be as requested by the client. At home alone time should not occur after 8pm. Individual will be supervised during activities within the community. Client can have 2 hours alone time (unsupervised) in the community daily..."</p> <p>-Interdisciplinary Team Meeting (IDT) dated 3/20/23 indicated, "Purpose of Meeting: Recent Incident. Meeting Minutes: QIDP (Qualified Intellectual Disabilities Professional) became aware of incident where [client A] and been talking to a man on the internet. He came to the house and [client A] hung outside in the driveway with him. They had sexual intercourse as reported by [client A]. [Client A] was embarrassed to tell staff, but stated that she was not hurt and was wanting to have sex. [Client A] has alone time.</p>			

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	<p>She was on the property. She had sex therapy with [website address]. She consented to the activity as stated. [Nurse] spoke to [client A] and [client A] admitted that they did not use protection. An appt (appointment) was made with PCP/gyno (primary care physician/gynecologist) to have blood test and check her. She (client A) said when this happened she had been a virgin and just wanted to know what it was like. [Client A] indicated it was not what she thought it should be like. She said she does not want to do it again. We discussed about (sic) the need for being careful. He could have been dangerous. QIDP had looked on [social media name] and the sex offender registry with no concerns".</p> <p>On 2/14/24 at 1:53 PM, the Qualified Intellectual Disabilities Professional (QIDP) and Quality Assurance Manager (QAM) were interviewed. The QIDP and QAM were asked about client A's in-person interaction with an online acquaintance who came to her home to visit. The QIDP and QAM indicated client A's online visitor had come to the home to meet client A, this was their first meeting in-person and was around 7 PM to 8 PM in the evening. The QIDP was asked if the client, staff and/or any other provider contacts had met with this online acquaintance prior to leaving client A alone with him when he came to visit. The QIDP indicated this was the first-time client A and any staff member had met with her online acquaintance who had come to visit with her. The QIDP and QAM were asked what the planned activity for their initial meeting together in-person was. The QIDP and QAM indicated client A had intended to have sex with him, that she was an emancipated adult and had previously gone through sex education courses. The QIDP indicated the initial interaction with the online acquaintance was he came to the entryway, talked</p>			

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	<p>with the staff about going on a walk, but client A's visitor did not want to go on this walk so the two visited outside in the back courtyard behind the home and near the driveway. The QIDP indicated staff went outside with client A and her visitor initially to the courtyard but left them to provide privacy for their visit. The QIDP and QAM indicated this turned into an incident of client A having sexual intercourse with the visitor while outside the home. The QIDP indicated client A later felt embarrassed and wished it had not occurred and stated, "It was not what she thought it would be". The QIDP and QAM were asked about precautions of meeting an online acquaintance for the first time and being isolated and left alone to manipulation. The QIDP stated, "Ideally, I would want someone to come over to meet her and the staff and have dinner or something like that". The QAM stated, "We don't disagree on how to meet for the first time and their rights versus their safety when it comes to that kind of thing".</p> <p>The QIDP was asked about the IDT note from 3/20/23 indicating a dangerous situation and in what way was it dangerous for client A to be left alone with this online acquaintance for their initial meeting in person. The QIDP stated, "It was potentially dangerous if the person she brought to the home was a sex offender. Even if not, with anyone". The QIDP was asked why client A had been sent for medical follow up. The QIDP stated, "Because of the situation. She (Nurse) wanted to make sure she (client A) had been tested for std's (sexually transmitted diseases), that she had not been hurt and the results of blood test (pregnancy) to make sure she was ok". The QIDP was asked about client A's program plans being revised and/or updated to protect her health, safety and welfare. The QIDP stated, "In regard to</p>			

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NAME OF PROVIDER OR SUPPLIER RES CARE COMMUNITY ALTERNATIVES SE IN	STREET ADDRESS, CITY, STATE, ZIP CODE 3011 APACHE DR JEFFERSONVILLE, IN 47130
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	<p>this instance, nothing has changed in her plans or otherwise. We've talked about people on the internet. I've talked about information on [social media account] and about her personal information and took it off. I've offered more sex education, she declined. I don't think it could be a goal. She has wholeheartedly indicated she has no desire to repeat it". The QIDP was asked at the time of the incident, was the implementation of alone time promoting her health, safety and welfare. The QIDP stated, "She has maintained it (alone time). She does not go anywhere. She goes to [city] to see her parents. If she goes anywhere else, they want to where she is going". The QIDP was asked to confirm client A's program plan for promoting her health, safety and welfare concerning implementation of her alone time had not been revised concerning the use of social media for the development of relationships and meeting online acquaintances. The QIDP stated, "No, she does not have a BSP (Behavior Support Plan), just an ISP".</p> <p>On 2/15/24 at 1:52 PM, a focused review of client A's record was conducted. The review indicated client A's Comprehensive Functional Assessment (CFA) 5/2/23 did not indicate questions to assess her skills and abilities for the use of social media.</p> <p>-No informed consent was available for review.</p> <p>In review of client A's program plan, client A's ISP indicated restricted areas under the freedom of movement section as client A required staff supervision while in the building and on the grounds. Client A's restriction continued and indicated 4 hours of alone time unsupervised could be requested by client A but not past 8 PM. This restriction was indicated from an interview as a precaution to ensure client A's health, safety,</p>			

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

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	<p>and welfare. Client A's ISP indicated she had difficulties with peer interactions and could easily be bullied and required assistance with daily living skills. Through interviews, client A was described as a person who would require staff support and assistance to complete daily living skills. Client A's program plan did not indicate strategies to ensure client A's alone time, social media use and/or how interactions with online acquaintances would promote and ensure her health, safety, and welfare.</p> <p>This federal tag relates to complaints #IN00425496 and #IN00426048.</p> <p>9-3-4(a)</p>			