

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

PRINTED: 02/18/2022
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
NAME OF PROVIDER OR SUPPLIER LAGUNA HONDA HOSPITAL & REHABILITATION CTR D/P SNF			STREET ADDRESS, CITY, STATE, ZIP CODE 375 LAGUNA HONDA BLVD. SAN FRANCISCO, CA 94116		
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F 000	<p>INITIAL COMMENTS</p> <p>The following reflects the findings of the California Department of Public Health during an abbreviated standard survey.</p> <p>Facility reported incident: CA00744774 Facility reported incident: CA00745390 Facility reported incident: CA00747134 Facility reported incident: CA00746900 Facility reported incident: CA00675386 Facility reported incident: CA00747220.</p> <p>The census at the beginning of the survey was 710. The sample size was 37 residents.</p> <p>The inspection was limited to the specific facility reported incidents investigated and does not represent the findings of a full inspection of the facility.</p> <p>The facility reported incident number CA00747220 was substantiated without regulatory violation.</p> <p>The facility reported incidents numbers CA00744774, CA00745390, CA00747134, CA00746900 and CA00675386 were substantiated with regulatory violations.</p> <p>The highest scope and severity was "H" -F 689 - Substandard Quality of Care (SQC)</p> <p>Representing the Department of Public Health: 40903, Pharmaceutical Consultant 36814, Health Facilities Evaluator Manager 1</p>	F 000			
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE			TITLE		(X6) DATE

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

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F 000	Continued From page 1 40009, Health Facilities Evaluator Nurse 40454, Health Facilities Evaluator Nurse 41545, Health Facilities Evaluator Nurse 45439, Health Facilities Evaluator Nurse	F 000			
F 689 SS=H	Free of Accident Hazards/Supervision/Devices CFR(s): 483.25(d)(1)(2) §483.25(d) Accidents. The facility must ensure that - §483.25(d)(1) The resident environment remains as free of accident hazards as is possible; and §483.25(d)(2) Each resident receives adequate supervision and assistance devices to prevent accidents. This REQUIREMENT is not met as evidenced by: Based on observations, interviews, and record review, the facility failed to ensure safe environment for all residents when the facility did not implement policies and procedures for the following practices: a. Prohibiting use and possession of illicit drugs: Thirteen out of 37 sampled residents (Resident 1, Resident 3, Resident 4, Resident 2, Resident 7, Resident 27, Resident 28, Resident 11, Resident 24, Resident 29, Resident 31, Resident 18, and Resident 32) were tested positive for non-prescribed substances. Use of such substances resulted in outcome as follows: i. Resident 1 and Resident 3 experienced a life-threatening emergency and was hospitalized, ii. Change of level of consciousness (deep sleep, difficulties to arouse, unconsciousness) for Resident 4 and 27, iii. Falls for Residents 2 and 32,	F 689			

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F 689	<p>Continued From page 2</p> <p>iv. Behavior changes for Residents 11, 18, 24, and 29.</p> <p>b. Possession of contrabands (a banned or illegal item), trading illicit substances, and consuming marijuana and alcohol inside the facility: Twenty three of 37 sampled residents (Resident 14, Resident 3, Resident 4, Resident 5, Resident 2, Resident 27, Resident 11, Resident 17, Resident 13, Resident 15, Resident 16, Resident 23, Resident 20, Resident 26, Resident 21, Resident 19, Resident 25, Resident 32, Resident 12, Resident 18, Resident 33, Resident 10, and Resident 24) were found in possession of marijuana (cannabis or "weeds" a plant-based that has mind altering recreational use), syringes, pocket-knife, scissors, smoking paraphernalia (equipment used for a particular activity), and bottles of alcohol. Access to contrabands posed a safety hazard that jeopardize the health and safety of the residents, staff, and visitors.</p> <p>c. Monitoring and implementing care plan for 11 of 37 sampled residents who were identified as safe and unsafe smokers (Resident 2, Resident 27, Resident 17, Resident 34, Resident 18, Resident 20, Resident 26, Resident 14, Resident 25, Resident 24, and Resident 19). Unsafe possession of ignitable items had the potential to cause burn injuries and significant harm to residents, staff, and visitors.</p> <p>d. Storing lighters, combustibles in specific secure place according to policy to prevent misuse and control access.</p> <p>e. Tracking and disposition of confiscated contrabands for 16 of 37 sampled residents</p>	F 689			

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F 689	<p>Continued From page 3</p> <p>(Resident 17, Resident 35, Resident 36, Resident 37, Resident 13, Resident 15, Resident 23, Resident 19, Resident 11, Resident 25, Resident 12, Resident 4, Resident 10, Resident 21, Resident 34, and Resident 2).</p> <p>This failure had the potential for diversion, misuse or uncontrolled redistribution of confiscated contrabands and further harm to residents, staff, and visitors.</p> <p>The failed practices placed all residents to unsafe living environment and negative health outcomes.</p> <p>Findings:</p> <p>a1. Review of Resident 1's "Code Blue Note" (Code Blue is a health emergency when a resident experienced a medical emergency), dated 7/22/21 at 8:47 PM, indicated, Resident 1 was found unresponsive, slanting in the wheelchair in Resident 2's room. Resident 1 was sent urgently to local hospital for further care.</p> <p>Review of Resident 1's "Drug Test, General Tox" (a urine test for drug screen), dated 7/22/21 at 8:50 PM, indicated the following compounds were detected in the Resident 1's body: Fentanyl (fentanyl a very strong opioid drug with potential for abuse and harm) and amphetamine (a mood elevating substance, used illegally or via prescription as a stimulant).</p> <p>Review of Resident 1's "Drugs of Abuse Screen" (a urine test for illicit substances), dated 7/23/21 00:54 AM, indicated presence of amphetamines, THC or Marijuana active ingredient (a plant-based cannabis that has mind altering recreational use) and benzodiazepines (or "benzo" a drug or substance with anti-anxiety</p>	F 689			

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F 689	<p>Continued From page 4 property).</p> <p>Review of Resident 1's prescribed medication list, titled "Current Scheduled Medications" dated 7/23/21, the prescribed medication list did not include the prescription form of the illicit substances (fentanyl and benzos) found in the Resident 1's urine test.</p> <p>Review of the Resident 1's discharge summary (a medical summary report when released from the hospital), titled "History and Physical" (H&P- a detailed history of medical condition), dated 8/20/21, indicated the urine test was "positive for benzo, amphetamine and fentanyl". The document under "Assessment" section, indicated "Patient was found to have seizures (uncontrolled brain activity that may cause body or brain injury), likely due to fentanyl exposure".</p> <p>According to the National Institute of Drug Abuse (NIDA) accessed on 11/14/21, at https://www.drugabuse.gov/publications/drugfacts/fentanyl, " ...Fentanyl's effects include extreme happiness, drowsiness, nausea, confusion, constipation, sedation, problems breathing, unconsciousness ..."</p> <p>In an interview with Resident 2, in his room on 8/12/21, at 11:41 AM, Resident 2 stated that Resident 1 was in smoking area prior to coming to his room and requested a cigarette then started laughing inappropriately; moments later he was falling from his wheelchair with head down.</p> <p>In an interview with Nurse Manager (NM) 2, in the Pavilion Mezzanine unit, on 9/13/21, at 4 PM, NM 2 stated Resident 2 denied sharing illicit drug with Resident 1 and stated, "you know who the</p>	F 689			

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F 689	<p>Continued From page 5 supplier was."</p> <p>In an interview with Resident 1, in his room, on 9/9/21, at 3:07 PM, accompanied by Patient Care Assistant (PCA) 1 as translator, Resident 1 stated he could not recall when he became unconscious and was transferred to hospital.</p> <p>In an interview with PCA 1 in the Pavilion Mezzanine, on 9/9/21, at 3:29 PM, PCA 1 stated, Resident 1 had to re-start his rehabilitation process from square one upon return from hospital. PCA 1 stated prior to hospitalization Resident 1 was more independent, mobile, and could communicate his needs clearly.</p> <p>a2. Review of Resident 3's "Progress Notes", dated 7/17/21 at 7:12 AM, indicated, Resident 3 was "lethargic and very difficult to arouse. Pt (Resident 3) has h/o IVDU [means has history of intravenous (into the vein) drug use]. Friends visited last week."</p> <p>Review of Resident 3's "Resident Care Team Meeting Note" (a document that mapped specific nursing care and steps to help with resident's medical problems), dated 7/17/21 at 9:50 AM and marked as "Special Review", indicated, "Patient was found hard to arouse and altered mental status. [MD 1] came to see the resident and decided to send her out for follow up and further evaluation ... was accepted in [local hospital emergency room] ..."</p> <p>Review of Resident 3's "Discharge Summary", dated 7/17/21 at 12:00 PM, indicated, "When [Resident 3] admitted to the ED (hospital's Emergency Department) on July 17, the patient was noted to have respiratory failure (breathing</p>	F 689			

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F 689	<p>Continued From page 6</p> <p>problem)... most likely from opiate (substances used for pain relief) use, and patient required emergent intubation (put on a breathing machine to help her breath) ... patient did have a Utox [urine testing for illicit substances or prescription drugs in the body] which was positive for amphetamines, methamphetamines [or known as "Meth" a dangerous street drug that one can smoke, snort, swallow, or inject], and fentanyl."</p> <p>According to the National Institute of Drug Abuse (NIDA) accessed on 11/14/21, at https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts#methamphetamine, the following are possible health effects of methamphetamine: increased wakefulness and physical activity; decreased appetite; increased breathing, heart rate, blood pressure, temperature; irregular heartbeat; anxiety; confusion; insomnia; mood problems; violent behavior, paranoia; hallucinations, delusions; weight loss, severe dental problems ("meth mouth"); and intense itching leading to skin sores from scratching.</p> <p>Review of Resident 3's "Toxicology Screen, Urine Test" (urine test for drugs), dated 7/17/21, the test results confirmed presence of amphetamines, methamphetamines, and fentanyl in Resident 3's body upon admission to the hospital.</p> <p>Review of Resident 3's "Medication Administration Record" (or MAR- a drug chart and a report that serves as a legal record of the drugs administered to a resident at a facility) last updated on 7/17/21, indicated Resident 3 was not on any prescription form of drugs found in the urine testing.</p>	F 689			

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F 689	<p>Continued From page 7</p> <p>Review of Resident 3's "History and Physical" (H&P- a detailed history of medical condition), dated 5/4/21, indicated Resident 3 "reports current drug use. Drugs: Amphetamines and Marijuana (a mind alerting substance in the form of dried leaves)." The document further indicated "will refer to Behavioral Medicine (a type of mental health specialty) for assessment related to h/o (history of) substance use."</p> <p>Review of Resident 3's Care Plan (document that mapped specific nursing care and steps to help with resident's medical problems) titled "Nursing Monthly Summary Form" dated 7/7/21, the Care Plan did not show any nursing intervention or planning to address history of illicit drug abuse.</p> <p>In an interview with NM 2, in the Pavilion Mezzanine unit, on 8/5/21 at 2:30 PM, NM 2 stated Resident 3 was noted to be sluggish and sleepy despite withholding the prescribed opioid pain medications in the early morning hours of 7/17/21. NM 2 stated, Resident 3 had refused urine test for ruling out illicit drug use in previous weeks. NM 2 further stated Resident 3 had one male visitor on 7/9/21 and days after that nursing staff noticed behavior changes including refusing to go to bed, hallucinating (perception of something not present) as if the bed was on fire or scratching her face harshly.</p> <p>In an interview with NM 2 in the Pavilion Mezzanine unit, on 8/5/21 at 4:07 PM, NM 2 stated seven days after Resident 3 was discharged from the facility, Resident 3's personal belonging had to be gathered for storage. A bag was found that contained syringes, needles, tiny Ziploc bags containing white powdery substances, small cotton balls and big syringes</p>	F 689			

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F 689	<p>Continued From page 8</p> <p>that contained a clear liquid. NM 2 stated the items were photographed and given to sheriff on site. NM 2 stated the facility did not have any resources to test the recovered white substances.</p> <p>In an interview with Licensed Social Worker (LCSW) 1, in the Pavilion Mezzanine unit, on 8/12/21, at 11:45 AM, LCSW 1 stated, she suspected a recent male visitor may have brought the illicit substances for Resident 3 to use in the facility.</p> <p>In an interview via telephone with Resident 3, who was still in the hospital, on 8/12/21 at 1:17 PM, Resident 3 stated that her ex-husband visited her in the nursing home facility once. Resident 3 acknowledged that she had some illicit drug on her when she resided at the nursing facility and she snorted (inhaled through the nose) the powder at times.</p> <p>In an interview with RN 6, in the Pavilion Mezzanine unit, on 9/23/21 at 2:27 PM, RN 6 recalled caring for Resident 3 during the daytime work shifts. RN 6 stated, Resident 3 was in bed most of the time and was not socializing with other residents. RN 6 recalled a report finding a syringe in Resident 3's room.</p> <p>Review of facility's Adverse Drug Reporting (or ADR, a harmful or unpleasant reaction, resulting from the use of a product, which predicts hazard from future use) titled "Suspected Adverse Drug Reaction: Substance Use", dated 7/17/21, the ADR described the event as "major" and noted "Patient was found in altered mental status and hard to arouse"; "Resident was transferred to [local hospital] for further evaluation. Utox (Urine test for drugs) on 7/17/21 was positive for</p>	F 689			

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F 689	<p>Continued From page 9 amphetamine and fentanyl..."</p> <p>a3. Review of Resident 4's "Progress Notes", dated 7/31/21 at 9:50 PM, indicated, "(Resident 4) reported having ingested a "cupful of edibles (means illicit substance laced snacks)." Resident is sleepy and lethargic. Sent to ... [a local hospital emergency room] for evaluation."</p> <p>Review of Resident 4's "Comprehensive Urine Drug test", dated 8/3/21 and 8/6/21, the record on both dates indicated presence of a non-prescribed substances called "THC" (active form of marijuana- mood altering substance) and methamphetamine (or "Meth" a mind alerting substance) respectively.</p> <p>Review of Resident 4's "Nursing Notes", dated 8/6/21 at 10:38 AM, indicated another resident "gave her (Resident 4) crystal meth (illicit drug) which was placed in a pipe and she took "one hit" (means snorted or inhaled the substance)."</p> <p>Review of Resident 4's "Care Plan Details" dated 8/27/21 at 1:26 PM, indicated a goal of "none or minimizing use of nonprescribed substances" for Resident 4. The document further noted the following: "2/26/20: Resident had an empty 50 ml ("ml" was a unit of measure) bottle of (alcoholic beverage) and half of a marijuana joint in her laundry." "5/16/21: Male Resident reported that she bought \$70 worth of cannabis from him." "7/18/21: Resident reportedly rolling marijuana joint in the Great Room."</p> <p>In an interview with RN 8, who frequently cared for Resident 4, on 9/9/21, at 12:11 PM, RN 8 stated Resident 4 had an ongoing nausea issues</p>	F 689			

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F 689	<p>Continued From page 10 and acted out irrationally when she was suspected of illicit drug use.</p> <p>In a telephone interview with Resident 4's Conservator (someone who assumed legal guardianship over an adult), on 9/27/21, at 10 AM, the Conservator stated she had concerns with ongoing issues related to availability of illicit drugs in the facility. Conservator added, she had noticed Resident 4's behavior changed with substance use.</p> <p>a4. Review of Resident 27's "Nursing Note", dated 8/16/21, at 8:04 AM, indicated, "...saw a pipe and a lighter on top of his (Resident 27) chest all soaked with liquid (from the pipe)". RN 11 note further indicated Resident 27 was in state of deep sleep and mumbling speech during the morning care.</p> <p>Review of Resident 27's "Progress Notes: Psychiatrist", dated 8/25/21, indicated, "...per PCP (Primary Care Physician), patient noted to have AMS (Altered Mental Status, when resident is not mentally alert) ... and found to have pipe. Utox found to be positive for ...methamphetamine..."</p> <p>a5. Review of Resident 2's "Toxicology Screen, Urine" dated 1/18/21, indicated fentanyl as a substance present in the body via the urine test.</p> <p>Review of Resident 2's "Medication Administration Record" (MAR- a drug chart and a report that serves as a legal record of the drugs administered to a resident) for prescribed medication list did not show Resident 2 was</p>	F 689			

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F 689	<p>Continued From page 11</p> <p>prescribed any form of the fentanyl for pain management in the past 10 months (December 2020 through September 2021).</p> <p>Review of the Resident 2's "Care Plan: Opioid Use Disorder", dated 6/2/21, indicated, Resident 2 received a "7-11" (Seven-Eleven, the name of a food store) food delivery bag that contained rolled aluminum foils along with four small Ziploc bags with white rock like substances.</p> <p>Review of Resident 2's "Progress Notes", dated 6/14/21, at 4:24 PM, indicated, "...Per staff, patient has had recent incidents of ordering food delivery, but packages found to have unknown contraband (a banned or illegal item) ... Client did not consent to urine toxicology ... Patient acknowledges attempting to use what he believed is fentanyl but could not use it "because they (hospital) take it away..."</p> <p>Review of Resident 2's "Progress Note", dated 6/23/21, at 1:25 PM, indicated, "...continue to have issues being found with contraband" ..." acknowledges cravings for opioids (fentanyl) ...Not interested in changing use patterns or seeking help ..."</p> <p>In an interview with Resident 2, in his room, on 8/12/21, at 11:03 AM, Resident 2 stated he had done drugs like "crystal Meth and heroin" (illicit drugs) recently. Resident 2 did not disclose how the illicit drugs was acquired.</p> <p>In an interview with Licensed Vocational Nurse (LVN) 2, in the Pavilion Mezzanine unit, on 9/13/21, at 2:02 PM, LVN 2 stated he had seen lighter, burned aluminum foil and brown plastic straws (paraphernalia used to smoke heroin) in</p>	F 689			

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F 689	<p>Continued From page 12</p> <p>Resident 2's room on multiple occasions.</p> <p>In an interview with RN 4 in the Pavilion Mezzanine unit, on 9/13/21, at 2:35 PM, RN 4 stated that she cared for Resident 2 frequently and had been involved with clinical searches in the unit. RN 4 stated that "we found burned straw on top of his bedside table".</p> <p>In another interview with NM 2, in the Pavilion Mezzanine unit, on 9/13/21, at 4 PM, NM 2 stated Resident 2 denied sharing illicit drug with Resident 1, when Resident 1 was found unconscious in Resident 2's room. NM 2 added, they had no resources to test or identify the items or residues found in Resident 2's room. NM 2 acknowledged the burned foil or brown straws could indicate igniter use and may pose fire hazard inside a resident's room.</p> <p>a6. Review of Resident 32's "Resident Care Team Meeting Note" dated 9/15/21, at 11 AM, indicated, "...Resident fell twice on 9/9/21 and that is when the alcohol was discovered...Urine toxicology test was conducted on 9/10/21 and methadone was detected. Resident is not on methadone..."</p> <p>Review of Resident 32's Physician's Progress Note, dated 9/15/21, at 10:25 AM, indicated, "Last weekend (Resident 32) had two falls - luckily he was not badly hurt...He specifically denied getting hold of any extracurricular drugs, aside from 'the booze', from (name redacted) or from anyone else..." Further review of the progress notes under A/P (Assessment and Planning) indicated, "1. Substance use...I am not sure what to say about the methadone - I guess we just watch him closely after visits with (name redacted) ..."</p>	F 689			

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F 689	Continued From page 13 a7. Review of Resident 11's "Progress Note", dated 1/6/21, indicated the nursing staff found unknown substance, which Resident 11 stated to be heroin (illicit substance). The PD 1 progress note stated the urine test for drug showed presence of morphine (opioid pain medication) which is a byproduct of heroin in the body. The PD 1 progress notes further indicated resident's "behavior would be classified as a 'unhealthy practice' ... has been referred to counseling". Review of Resident 11's "Toxicology Screen: Urine", dated 1/4/21, 3/8/21, 3/22/21, and 8/27/21, indicated presence of non-prescribed opioid substances like morphine (opioid pain medication). Additionally, the record on 5/17/21 indicated presence of another non-prescribed substance called EDDP (which was a byproduct of methadone, an opioid medication). a8. Review of Resident 18's "Toxicology screen, urine" dated 3/15/21, 5/5/21, 6/18/21, indicated, presence of non-prescribed substance called amphetamine in the resident's urine test. Review of Resident 18's "Nursing Notes" dated 3/30/21, at 3:13 PM, indicated, "Resident with bizarre behavior throughout morning. Observed to be sitting on the edge of the bed without pants and making on and off giggling and moaning sounds...Notified RCT of positive meth (Methamphetamine) results from utox screen this morning..." Review of Resident 18's Care Plan for "Resident uses nonprescribed substance" with start date of 12/17/19, indicated the following description: 3/30/21: Resident with positive urine toxicology	F 689			

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

PRINTED: 02/18/2022
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 689	<p>Continued From page 14</p> <p>screen result. Resident with pressured speech, increased irritability, rocking in chair.</p> <p>5/5/21: Resident with positive urine toxicology screen after ordered on 5/4/21 due to hyperverbal and hyperactive.</p> <p>6/19/21: Resident with positive urine toxicology screen after ordered on 6/17/21 due to behavioral changes..."Preliminary Positive...90% of preliminary positive for amphetamines are confirmed positive for amphetamines, methamphetamine, MDMA (ecstasy) or MDA."</p> <p>8/5/21: Resident trades marijuana with another resident in the unit.</p> <p>a9. Review of Resident 24's urine toxicology, dated 7/7/21 and 7/22/21, indicated, presence of non-prescribed substance called amphetamine in the resident's urine test.</p> <p>Review of Resident 24's Psychiatrist Note, dated 8/21/21, indicated, "...7/28/21 ...Notified by team of recent urine toxicology positive for methamphetamine twice in July. Has had some short- term increased paranoia about PCP/verbally abusive towards PCP and endorsed delusional statements... Possible that brief increase in verbal irritability/psychosis maybe related to stimulant use..."</p> <p>a10. Review of Resident 29's Nursing Note, dated 7/27/21, at 10 AM, indicated, "...Physician ordered urine tox for resident 7/27 due to increase in paranoid behavior..."</p> <p>Review of Resident 29's "Toxicology screen, urine" dated 7/27/21, indicated, presence of non-prescribed substance called methamphetamine and amphetamine in the resident's urine test.</p>	F 689			

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

PRINTED: 02/18/2022
FORM APPROVED
OMB NO. 0938-0391

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F 689	Continued From page 15 a11. In an interview with Resident 7, on 9/9/21 at 2:35 PM, in the North 4 Unit, Resident 7 acknowledged use of non-prescribed substances a while ago and denied doing it again. Review of Resident 7's "Urine Toxicology Screen", dated 1/31/20 and 2/5/20, indicated presence of a non-prescribed opiates (a class of drugs that include legal and illegal drugs) with morphine (a pain medication) as the substance in Resident 7's body. Review of Resident 7's MAR with a date range of 1/2/20 to 2/10/20, the MAR indicated Resident 7 was not on any prescription form of drug found in the urine testing. Review of Resident 7's "Nursing Notes", dated 2/5/20, at 4:01 PM, indicated, "...Resident (Resident 7) admitted that he took "something" last week, cannot exactly recall the date given to him by a visitor. Resident (Resident 7) would not specify who was the person and go no further details..." Review of Resident 7's "Progress Notes: Physician", dated 2/6/20, indicated, "...educated him on potential drug interaction of currently prescribed medications and illicit drug use..." The note furthermore in the "assessment" section indicated that incident was an uncomplicated (without adverse outcome) opioid abuse and Resident 7 was not interested in optimizing his medication that help with his addiction issue. Review of Resident 7's "Progress Notes: Behavioral Health", dated 2/12/20, indicated, "...Resident 7 has relapsed on 1/31/2020 ... urine	F 689			

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F 689	<p>Continued From page 16</p> <p>test positive for Morphine." Resident 7 "admits that he took substances when somebody gave him but denies any craving."</p> <p>Review of Resident 7's "Care Plan", dated 5/14/2020 at 5:34 PM, indicated Resident 7's use of non-prescribed substances as a problem for the facility to monitor since 9/27/2019 when urine test showed positive for cocaine (illicit substance). The interventions listed in the document included a 15-point plan including "discuss LHH (name of the facility) harm reduction and campus policy with resident"; "Restarted Suboxone (a medication to help with addition craving) as prescribed by Psych (mental health) doctor".</p> <p>a12. Review of Resident 28's "Pertinent Diagnostic Studies" (same as blood or urine testing), dated 10/24/20, indicated presence of non-prescribed substance called methamphetamine in the resident's urine test.</p> <p>Review of Resident 28's "History and Physical", dated 1/29/21, indicated, Resident 28 was "notable for intermittent suspected and confirmed drug use." The record under substance use section indicated, "...most significantly methamphetamine use, which he freely endorses that he continues to use at LHH ..."</p> <p>Review of Resident 28's "Toxicology Screen: Urine", dated 6/3/21, indicated presence of non-prescribed substance called methamphetamine, in the resident's urine test.</p> <p>Review of Resident 28's "Progress Notes" dated 7/6/21 indicated, "...openly endorses using methamphetamines, remains firmly</p>	F 689			

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F 689	<p>Continued From page 17</p> <p>pre-contemplative (means no intention to change behavior in the foreseeable future) about changing his behavior and continues to defer substance use services referrals..."</p> <p>a13. Review of Resident 31's "Toxicology screen, urine" dated 8/2/21, indicated, presence of non-prescribed substance called amphetamine in the resident's urine test.</p> <p>Review of Resident 31's Physician's Progress Note, dated 8/4/21, at 1:41 PM, indicated, "...Pt (Resident 31) has been going out more frequently than usual and I am concerned about his drug use while he is out on pass...Unfortunately it dd {sic} come back positive for Amphetamine..."</p> <p>In an interview with Chief Medical Officer (CMO) on 10/13/21 at 1:56 PM, the CMO stated mental health consultant were notified of illicit substance use or possession as all residents with history of substance abuse were automatically enrolled and /or offered the program to help them overcome the addiction issues. CMO expected that both medical doctors and mental health doctors work together to help residents with substance abuse problems. CMO stated, when a resident was found to be under influence of illicit substance or not in their usual state of mind, the medical doctors asked for a urine drug test, if refused, the hospital monitored them or send them to hospital for immediate care. CMO stated the facility's harm reduction program is helping prevent overdose of harmful substances with use of reversal medications (antidote medication) or engaging residents to bring awareness for healthier lifestyle.</p> <p>In an interview with Chief Executive Officer (CEO)</p>	F 689			

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

PRINTED: 02/18/2022
FORM APPROVED
OMB NO. 0938-0391

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NAME OF PROVIDER OR SUPPLIER LAGUNA HONDA HOSPITAL & REHABILITATION CTR D/P SNF			STREET ADDRESS, CITY, STATE, ZIP CODE 375 LAGUNA HONDA BLVD. SAN FRANCISCO, CA 94116		
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F 689	<p>Continued From page 18</p> <p>on 10/14/21 at 2:15 PM, the CEO stated the facility's goal is to reduce harm from illicit drug use and be selective in admitting residents that may play a role in contraband drug use and distribution.</p> <p>In an interview with Chief Operation Officer (COO) on 10/14/21 at 2:40 PM, the COO stated the facility had a large resident population and only a handful violated the safety rules. COO added, "We can't violate everyone's rights." The COO added, the facility's goal is not to prejudice residents with a goal of providing equitable care.</p> <p>Review of facility's policy #75-05, titled "Illicit or Diverted Drugs and /or Paraphernalia Possession/use by Residents or Visitors", last revised on 9/10/19, indicated "...As in the greater community, the use, possession, solicitation and/or distribution of illicit or diverted drugs and/or paraphernalia at Laguna Honda Hospital (LHH) ... is prohibited." The policy further indicated, "...RCT (Resident Care Team- a team of facility's staff) team members shall orient the residents to LHH safety rules, and address issues related to substance use through the care planning process. Clinical interventions may include limiting access to medications and/or illicit drugs (Passes, access, visitors, etc.)" The Policy, additionally indicated "If resident refuse testing and is competent to refuse, (a) the refusal shall be considered the same as a positive result, and (b) further hospitalization may be conditional upon the resident's desire to comply with LHH policy." Furthermore, the policy on section 4 of the Procedures, indicated "LHH staff may request the SFSD (San Francisco Sheriff Department) to consider a legal search ... The SFSD shall seize all contrabands found during a legal search and</p>	F 689			

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

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FORM APPROVED
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F 689	<p>Continued From page 19</p> <p>shall proceed with appropriate and legal disposition. Any resident or visitor in possession of illegal substances is subject to detention and possible citation or physical arrest by the SFPD..."</p> <p>b1. Review of Resident 14's "History and Physical", dated 10/28/20, indicated Resident 14 was sent to emergency room after return from dialysis (a procedure when kidney not able to clean the blood) and was found to have "3 (three) bottles of Alcohol and some marijuana in his possession".</p> <p>Review of Resident 14's "Social Worker Consult", dated 1/28/21, indicated Resident 14 had a history of going out of the facility to buy or engage in illicit substance exchange which may have posed a safety risk to him and other vulnerable residents.</p> <p>Review of Resident 14's "Resident Care Team Meeting Notes", dated 3/23/21, indicated the care team was concerned about Resident 14's "being in possession of contraband such as marijuana, and marijuana edibles and lighters".</p> <p>Review of Resident's 14's "Nursing Notes", indicated the following: On 1/28/21, at 12:03 PM, approximately 17 saran wrapped dark greenish dried buds (smell like marijuana) in one of his sweaters hanging in his closet and a red cigarette lighter. On 4/5/21, at 6:05 PM, found 2 pieces of buds of marijuana. On 6/2/21, at 5:44 PM, 1 block of cannabis infused chocolate inside in underpants and a lighter. On 6/11/21, at 9:49 PM, a half of infused cannabis chocolate bar, in the sling.</p>	F 689			

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

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F 689	<p>Continued From page 20</p> <p>On 7/9/21, at 5:47 PM, unopened package of cannabis in his sweat-shirt right sleeve.</p> <p>On 7/30/21, at 6:05 PM, 4 buds (like dime size) of marijuana were found inside cigarette box.</p> <p>During an interview on 10/12/21, at 1 PM, in the facility's South 6 unit, RN 20 stated, Resident 14 had multiple clinical searches done. RN 20 added, "We're doing it (clinical search) almost on regular basis. Whenever he goes out on dialysis. We confiscated gummy bear, chocolate infused cannabis and a lot more."</p> <p>b2. In an interview with NM 2 in the Pavilion Mezzanine, on 8/5/21 at 4:07 PM, NM 2 stated seven days after Resident 3 was discharged from the facility, Resident 3's personal belonging had to be gathered for storage; during the search a bag was found that contained syringes, needles, tiny Ziploc bags containing white powdery substances, small cotton balls and big syringes that contained a clear liquid. NM 2 stated the paraphernalia items were photographed and given to sheriff on site.</p> <p>In an interview via telephone with Resident 3, who was still in the hospital on 8/12/21 at 1:17 PM, Resident 3 acknowledged she had some illicit drug on her when she resided at the nursing facility and snorted (inhaled through the nose) the powder at times.</p> <p>In an interview with RN 6 in the Pavilion Mezzanine unit, on 9/23/21 at 2:27 PM, RN 6 recalled caring for Resident 3 during the daytime work shifts. RN 6 stated, Resident 3 was in bed most of the time and was not socializing with other residents. RN 6 could recall a report finding a syringe in her room.</p>	F 689			

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

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F 689	Continued From page 21 b3. Review of Resident 4's "Care Plan Details", dated 8/27/21 at 1:26 PM, with a goal of "minimizing use of nonprescribed substances" indicated the following: On 2/26/20, "Resident had an empty 50 ml ("milliliter" unit of measure) bottle of (alcoholic beverage) and half of a marijuana joint in her laundry." On 5/16/21, "Male Resident reported that she bought \$70 worth of cannabis from him." On 7/18/21, "Resident reportedly rolling marijuana joint in the Great Room." Review of Resident 4's "Nursing Notes" indicated the following: On 8/6/21 at 10:38 AM, another resident "gave her [Resident 4] crystal meth (illicit drug) which was placed in a pipe and she took "one hit [means snorted or inhaled the substance]." On 9/21/21, at 11:11 PM, indicated, "...Clinical search done ... found a rolled paper burned halfway with some residue and smelled weed ..." On 9/23/21, at 2:15 PM, indicated, "... she (Resident 4) saw some of the resident that she knows and asked them for money and cigarette {sic} ... She ended up meeting one of the resident from North 1 named (name redacted). I saw them exchanged money with cigarets {sic} and a joint (weed). Both smoked the weed, location "Betty Sutro Meadow"..." On 9/29/21, at 6:38 PM, indicated, "... (Resident 4) had smoked MJ (marijuana) but clarified with coach how did he know it's MJ. He said it smelled/reeked of MJ and she smoked a rolled paper... Upon opening diaper, I noted a rolled paper fell down... I examined the rolled paper about 1.5 cm (centimeter) long and already burned the other side and reeked of MJ..."	F 689			

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

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NAME OF PROVIDER OR SUPPLIER LAGUNA HONDA HOSPITAL & REHABILITATION CTR D/P SNF			STREET ADDRESS, CITY, STATE, ZIP CODE 375 LAGUNA HONDA BLVD. SAN FRANCISCO, CA 94116		
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F 689	<p>Continued From page 22</p> <p>On 9/30/21, at 11:56 AM, indicated, "...Resident smoked weed at 11:45... The coach reported to LN (Licensed Nurse) that resident smoke weed second time at 12:10 (PM)... The coach saw the resident received weed (a roll paper with weed) from another resident ..."</p> <p>On 9/30/21, at 3:13 PM, indicated, "Relieved Coach, received the resident while actively rolling MJ with another resident that is from another Unit, resident smoked the MJ..."</p> <p>On 10/5/21, at 4:40 PM, indicated, "...Resident was observed exchanging money with "Weed" (in a rolled paper) with another resident near the nursing office at 1330 (1:30 PM) this afternoon ..."</p> <p>On 10/9/21, at 2:10 PM, indicated, "At 14:00 (2 PM), " ...Resident smoked "weed" in the farm ... The coach said that resident received the weed from another resident..."</p> <p>During an interview on 10/12/21, at 3:54 PM, RN 19 stated, Resident 4 had multiple clinical searched done. The most recent contraband confiscated was a "weed rolled in paper and brand-new cigarette." RN 19 added, "It's MJ (marijuana) because it has a distinct smell, skunk like but bearable."</p> <p>b4. Review of the Resident 5's "Care Plan: Opioid Use Disorder", dated 6/2/21, indicated Resident 5 received a "7-11" (or Seven-Eleven, the name of a food store) food delivery bag that contained rolled aluminum foils along with four small Ziploc bags with white rock like substances.</p> <p>During a concurrent observation and an interview, in the Pavilion Mezzanine unit, on 8/5/21 at 3:59 PM, NM 2 stated, Resident 5 was found to have illicit drugs in his purse. Resident 5 was observed</p>	F 689			

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

PRINTED: 02/18/2022
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 689	<p>Continued From page 23</p> <p>waiting next to the elevator and stated, "that was a one-time deal (he meant the illicit drug in his possession), it won't happen again."</p> <p>In an interview with Security Staff 1, on 8/5/21, at 5:37 PM, the Security Staff 1 described the illicit drug in possession of Resident 5 as "clear crystal rock/powder in a Ziploc bag." The Security Staff 1 explained that he sealed it with a written report and gave it to security chief but did not test the substances for identification. Security Staff 1 was not sure how the illicit drugs were disposed. The Security Staff 1 added they (Security Officers) were not required to question the residents on how they acquired illicit substances.</p> <p>Review of Resident 5's "Nursing Notes", dated 8/5/20 at 6 PM, indicated Resident 5 "grabbed" his bag from another resident in facility's South 2 Unit. Clinical search was requested due to "high suspicion of possession and distribution of illegal substances." Resident 5 initially refused the search "however, one small bag of a rock white substance was surrendered to sheriff."</p> <p>In an interview with Resident 5, in his room, on 8/12/21 at 4:36 PM, Resident 5 stated his bag was "stolen" and he did not want to talk about the contents found in the bag.</p> <p>In an interview with NM 1, on 9/13/21, at 11:28 AM, in South 2 Unit, NM 1 stated she first noticed the illicit substances in a Ziploc bag belonged to Resident 5 on 8/5/21. NM 1 stated, "The material looked like a clear rock." NM 1 stated, she was grateful that they had a sheriff in the facility, however, they needed to have a more proactive role in dealing with illicit drugs and its destruction.</p> <p>b5. Review of Resident 2's "Progress Notes",</p>	F 689			

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

PRINTED: 02/18/2022
FORM APPROVED
OMB NO. 0938-0391

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F 689	<p>Continued From page 24</p> <p>dated 6/14/21, at 4:24 PM, indicated, "...Per staff, patient has had recent incidents of ordering food delivery, but packages found to have unknown contraband..."</p> <p>Review of facility document titled, "Clinical Searches with Items Found" received on 10/13/21, at 3:15 PM, for Resident 2 indicated the following:</p> <p>On 6/2/21, at 10:45 PM, "Found highly suspicious item in a 7/11 delivery bag; a rolled Reynolds aluminum foil with x4 small tiny zip lock bags with white rocks substance...found a silent pouch bag w/ (with) crushed white med residue inside..."</p> <p>On 6/6/21, at 10:45 PM, "White rock substance inside 1 of 3 soft taco & 6 folded aluminum foil inside the other tacos..."</p> <p>On 6/9/21, at 5:30 AM. "...with burned blackened substance in an aluminum foil paper straws stuck in res' mouth...a cigarette lighter was also found and confiscated..."</p> <p>Review of daily progress notes for Resident 2, dated 8/10/21, at 5:20 AM, indicated, "...Resident seen awake up on his wheelchair holding on to a cigarette lighter & noted a burned aluminum foil with burned substance on top of the table..." RN 3's progress note further indicated a "clinical search" was initiated ... on 8/10/21 at 6:25 AM and "found a pocketknife at bedside drawer."</p> <p>b6. Review of Resident 27's "Nursing Note", dated 8/16/21, at 8:04 AM, indicated, "...saw a pipe and a lighter on top of (Resident 27) chest all soaked with liquid (from the pipe) ..."</p> <p>Review of Resident 27's "Nursing Note", dated 8/16/21, at 5 PM, indicated "...clinical search was</p>	F 689			

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

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FORM APPROVED
OMB NO. 0938-0391

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F 689	<p>Continued From page 25</p> <p>done ... 2 (two) empty bottles of butine [sic] (a fuel for cigarette lighters) for lighter refill" was discovered.</p> <p>b7. Review of Resident 11's care plan for "Substance Use/Abuse" dated 7/31/20, indicated, "...clinical search done today and found what look like heroin (illicit substance) in Resident 11's pocket. We think (another resident) ... was involved in buying the contraband (heroin?) for Resident 11 in the ... parking lot when out (on medical pass) ... Her escort saw exchange of packages during this interaction ..." Under "Intervention and Recommendation" indicated, "Highly recommend... moving (two residents) ... off this unit as Resident 11 is using them to pay and bring in drugs."</p> <p>Review of Resident 11's Physician's Progress Notes, dated 1/3/21, at 8:13 PM, indicated, "Nursing staff discovered unknown substance in eye drop bottle, confiscated. Patient admits "contraband" but denies knowing the type of drug. Says used today...Says it helps him relax..."</p> <p>Review of Resident 11's "Nursing Note", dated 1/3/21, at 10:38 PM, indicated, "...Clinical search was performed ... Found eye drop vial (with blackish liquid) wrapped in white towel. Resident in the beginning stated it was for his "cake"..."</p> <p>Review of Resident 11's "Nursing Note", dated 1/4/21, at 8:37 AM, indicated, "Unit manager interviewed resident and he admitted that is was [sic] "drugs" when asked what type? "Heroin"..."</p> <p>b8. Review of Resident 17's progress notes indicated the following: On 4/20/21, "marijuana" was found on Resident</p>	F 689			

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NAME OF PROVIDER OR SUPPLIER LAGUNA HONDA HOSPITAL & REHABILITATION CTR D/P SNF			STREET ADDRESS, CITY, STATE, ZIP CODE 375 LAGUNA HONDA BLVD. SAN FRANCISCO, CA 94116		
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F 689	<p>Continued From page 26</p> <p>17's drawer. On 5/1/21, found "two lighters (igniters) and one tin can "altoid container" with marijuana."</p> <p>Review of Resident 17's "Nursing Note" indicated the following: On 5/5/21, at 8:56 PM, " ...Smoke patrol reported that he saw this resident smoking marijuana in the area ...Staff noticed the joint was in his hands and grabbed it immediately..." On 6/9/21, at 7:25 PM, "...Resident almost fell down but was supported and assisted to sit in the chair. While in the chair, it was noticed that he had a joint in his hand. When asked to surrender the joint, resident put it in his mouth and ate it..."</p> <p>b9. Review of Resident 13's "Nursing Note", dated 1/24/21, indicated, " ...Clinical search done ...found a small amount of dry, green loose leaves, some are shaped like a ball in one of the paper bag ... I was holding the bag and explaining to him that I need to confiscate it then he suddenly grab it from me. Tried to take it back but keep insisting that he doesn't need to give it back that he is allowed to smoke it..."</p> <p>b10. Review of Resident 15's "Nursing Note" dated 3/11/21, indicated, "... clinical search done... Able to find a nickel size green leaves with some loose leaves inside his cigarette box...Substance confiscated..."</p> <p>b11. Review of Resident 16's "Nursing Notes" dated 3/29/21, at 12:36 PM, indicated, "...Clinical search conducted after resident observed with possession of marijuana..."</p> <p>Review of Resident 16's "Nursing Notes" indicated the following:</p>	F 689			

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

PRINTED: 02/18/2022
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 689	<p>Continued From page 27</p> <p>On 3/29/21, at 3:40 PM, "...Resident was seen on the first floor hallway near North Tower with marijuana in his possession rolling joint out in public ..."</p> <p>On 9/10/21, at 5:05 PM, "...During the conversation a small marijuana box was noticed inside resident's jacket pocket ...inside were two marijuana joints and a cigarette butt..."</p> <p>On 9/10/21, at 5:18 PM, "...Clinical search conducted in resident's room...In the bedside table found an empty package of "Pacific Stone" marijuana..."</p> <p>b12. Review of Resident 23's "Nursing Note" dated 7/30/21, at 5:38 PM, indicated, "S2 (South 2) unit-wide clinical search conducted. Found: three unopened jars of CBD (Cannabidiol an active ingredients of marijuana) supplement products and small sharp scissors."</p> <p>b13. Review of Resident 20's "Nursing Note" indicated the following: On 5/16/21, at 1:45 PM, "Resident admitted that he sold cannabis to co-resident with stolen money on 5/15/2021. He also informed the coach that the co-resident spent \$70 dollars worth cannabis which brought him to suspicion when the roommate of the co-resident reported that she lost her wallet."</p> <p>b14. Review of Resident 26's "Nursing Note" dated 5/16/21, at 1:45 PM, indicated, " ... Clinical searched done...Resident gave his box of cigarette and found small burned bud of marijuana and lighter..."</p> <p>b15. Review of Resident 21's "Nursing Note" dated 7/27/21, at 2:45 PM indicated, "Found marijuana cigarette on floor of resident's bedroom</p>	F 689			

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

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FORM APPROVED
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F 689	<p>Continued From page 28 just beyond [sic] doorway..."</p> <p>b16. Review of Resident 19's "Nursing Note" dated 5/15/21, at 2:45 PM, indicated Resident 19 went out on pass (OOP) on 5/15/21 at 11:05 by himself.</p> <p>Review of Resident 19's "Nursing Note" dated 5/15/21, at 5:11 PM, indicated, "Resident returned from OOP at 1645 (4:45 PM). CN conducted the protocol for resident returning from OOP. Resident voluntarily surrendered the lighter and joint..."</p> <p>b17. Review of Resident 25's "Nursing Note" dated 8/27/21, at 8:42 PM, indicated, "Found rolled of used "JOINTS" in the bathroom floor..."</p> <p>b18. Review of Resident 32's Physician's Progress Note, dated 9/15/21, at 10:25 AM, indicated, "Last weekend (Resident 32) had two falls - luckily he was not badly hurt. Then it turned out that he had two empty whiskey bottles. Later transpired that his sister (name redacted) had send them to him..."</p> <p>Review of Resident 32's "Resident Care Team Meeting Note" dated 9/15/21, at 11 AM, indicated, "...Team met to discuss incident of resident receiving alcohol in the mail and consuming half a bottle of whiskey. Resident fell twice on 9/9/21 and that is when the alcohol was discovered..."</p> <p>b19. Review of Resident 12's "Nursing Note" dated 1/28/21, at 1:19 PM, indicated, " ... Clinical search with charge nurse on (Resident 12) uncovered a rolled joint of marijuana under her waist band...Resident received a package from Sonoma today...We found more contrabands.</p>	F 689			

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 689	<p>Continued From page 29</p> <p>Two 50g (grams) tin container of cannabis infused caramel bites, 50g zip lock container of cannabis infused mango, and a Vape pen..."</p> <p>Review of Resident 12's care plan for "Substance Use/Abuse" with start date of 12/27/20 and expected end date of 10/14/21, indicated on 1/9/21, "...found contraband 2 small plastic wrapped of Marijuana.1(one) is almost empty and another one still intact. Contraband found inside her drawer while PCA cleaning her drawer...Staff found contrabands in her possession. One rolled joint and Marijuana edibles in a mailed package...5/28/21 Family member send a 3 big bag packages. During clinical search found a bottle of HEMP SEED OIL 118 ml (Cannabis Sativa seed oil with Vitamin E) ...6/23/21 Incident: Found narcotic (a substance used to treat moderate or severe pain) pill under her laptop on bed..."</p> <p>b20. Review of facility document titled, "Clinical Searches with Items Found" received on 10/13/21, at 3:15 PM, for Resident 18, indicated, on 8/5/21 at 3:40 PM, "Clinical safety search done; found an ICP (Intermittent Catheterization Procedure) kit small plastic container with one white pill; pharmacy was not able to ID (identify) the pill as the markings were not legible..."</p> <p>Review of Resident 18's "Resident Care Team Meeting Note" dated 8/10/21, at 9:30 AM, indicated, "...Team met to discuss the report of resident trading marijuana on the unit on 8/5/21 and subsequent clinical search where marijuana was found..."</p> <p>b21. Review of Resident 33's "Nursing Note" dated 7/30/21, at 5:45 PM, indicated, "S2 (South</p>	F 689			

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

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FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 689	<p>Continued From page 30</p> <p>2) unit-wide clinical search conducted. Found: small pink container with dozens small ends of marijuana joints..."</p> <p>b22. Review of Resident 10's "Nursing Note" indicated the following: On 1/3/21, at 2:40 PM, indicated, "PCA reported that found a bottle of 375 ml (of alcohol) in resident's top drawer...Noted the seal of the bottle of alcohol is broken and has 90% of the alcohol left in the bottle. Resident admitted that he drank the alcohol. When asked resident how he obtained the alcohol, resident stated, "Somebody from outside gave that to me" and refused to provide any detail..."</p> <p>On 3/7/21, at 3:21 PM, " ... PCA (name redacted) ... found a bottle of alcohol ... in resident's 2nd drawer of dresser... A bottle of alcohol total 200 ml and opened it, left in a bottle of alcohol is 3/4 bottle..."</p> <p>b23. Review of facility document titled, "Clinical Searches with Items Found" received on 10/13/21, at 3:15 PM, indicated, on 8/5/21 at 3:40 PM, Resident 24 was witnessed by the coach "hand rolling paper and one small dry bud." Lighter was also found during clinical search.</p> <p>b24. Review of facility document titled, "Clinical Searches with Items Found" received on 10/13/21, at 3:15 PM, indicated, on 7/28/21, at 1 PM, in the North 1 unit, "3 empty bottles of whiskey found in the garbage can in the unit balcony."</p> <p>In a joint interview with ND (Nursing Director) 1 and NM 1, on 9/13/21, at 11:30 AM, in the North 3 unit, they both acknowledged the multiple responsibilities nursing staff had to have to keep</p>	F 689			

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

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F 689	<p>Continued From page 31</p> <p>the residents safe and at the same time respect the resident's privacy and rights regarding illicit substance use. "We can't open mail or deliveries, search resident's rooms and search visitors without their consent". NM 1 added, nurses needed to maintain a therapeutic relationship with residents to hold the trust and care they needed to provide.</p> <p>In an interview with NM 1, on 9/13/21, at 12:12 PM, in the South 2 unit, NM 1 stated, they could not control what visitors brought in, could not search the visitors, open resident's mail, or packages without resident's consent.</p> <p>Review of the facility's policy number 75-05, titled "Illicit or Diverted Drugs and/or Paraphernalia Possession/Use by Residents or Visitors" dated 5/19/20, indicated, "Policy: 1. As in greater community, the use, possession, solicitation and/or distribution of illicit or diverted drugs and/or paraphernalia...is prohibited...2. Staff shall take steps to prevent illicit or diverted drugs and/or paraphernalia use or access, and shall promote and support resident efforts to minimize the health consequences of illicit or diverted drugs and/or paraphernalia use ..."</p> <p>Review of the facility's policy number 35-02, titled "Sales, Distribution of Free Items, And Solicitation On The Campus" dated 3/12/19, indicated, "...5. Illegal and Harmful Items a. Sale(s) or exchange(s) of illicit or prohibited drugs, paraphernalia, alcohol, tobacco products, products that emit smoke, or any lighted, heated, ignited, electronic, or any other device that delivers nicotine or other substances to the user, weapons, and illegal items, are prohibited..."</p>	F 689			

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

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F 689	<p>Continued From page 32</p> <p>Review of the facility's policy number 22-02, titled "Resident Alcohol Consumption" dated 10/13/20, indicated, "Policy: 1. The use of alcoholic beverages by (name of the facility) residents requires a physician order...Procedure...5. Unapproved use of alcohol by residents shall be reported by the observing party to nurse manager or charge nurse...may refer the resident for Substance Abuse Treatment Services. 6. Resident specific alcohol shall be stored in medication room..."</p> <p>Review of the facility's policy number 22-12, titled "Clinical Search Protocol", last revised on 9/10/19, indicated, "Policy...2. Active substance use, drug dealing, unsafe smoking and use of dangerous objects endangers the safety of residents and staff and does not promote a resident's well-being...When there is a potential risk and/or reasonable suspicion that a resident possesses contraband, staff shall conduct searches of the resident, a resident's room, and personal belonging, as well as property and packages brought by visitors ..."</p> <p>Review of the facility's policy titled "Mail Room Procedure" last updated in August 2016, the policy indicated "The Environmental Services Department will staff the mail room ..." The policy's "Delivery Procedure" indicated "Resident's packages (large packages) delivered to the nurse's station in neighborhood"; "Resident parcels and packages received from the United States Postal Services (USPS) delivered to the Laguna Honda Hospital mailroom will be sorted and delivered to the perspective nurse's station for distributions."</p> <p>c1. During an observation, on 10/14/21, at 11:03</p>	F 689			

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 689	<p>Continued From page 33</p> <p>AM, Resident 34 was smoking in the unsupervised smoking area outside the unit's great room. Resident 34 was holding a purple lighter in his left hand.</p> <p>During an interview, on 10/14/21, at 11:07 AM, Resident 34 stated, "This is for my personal use when I need to light my cigarette. The staff knows I have a lighter."</p> <p>During concurrent observation and an interview, on 10/14/21, at 11:18, RN 17 stated, "He might have bought the lighter while he was out on pass. The lighters are kept in the nurse station." RN 17 proceed to open the unlock overhead cabinet in the unit's nurse's station 1 and showed two purple lighters inside the cabinet.</p> <p>During an interview, on 10/14/21, at 11:42 AM, RN 17 stated Resident 34's "recent smoking assessment, summary/evaluation, requires 1:1 supervision."</p> <p>Review of Resident 34's "Safety Adult-Smoker" care plan with start date of 10/7/21 and expected end date: 1/5/22, under interventions, indicated, "... 8. If safe smoker: collect all matches, lighters, igniters, e-cigarettes..." Further review of the care plan indicated, on 10/13/21, Resident 34 was "handling lighter."</p> <p>c2. In an interview with NM 2, in the Pavilion Mezzanine unit, on 8/5/21, at 1:55 PM, NM 2 stated, although no illicit drugs were found in Resident 2's room during the clinical searches, the staff had reported presence of burned aluminum foil, used straw and igniters in his room on the bedside counter that may indicate substance use.</p>	F 689			

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

PRINTED: 02/18/2022
FORM APPROVED
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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 689	Continued From page 34 In an interview with RN 4 in the Pavilion Mezzanine unit, on 9/13/21, at 2:35 PM, RN 4 stated that she cared for Resident 2 frequently and had been involved with clinical searches in the unit. RN 4 stated that "we found burned straw on top of his bedside table." In another interview with NM 2, in the Pavilion Mezzanine unit, on 9/13/21, at 4 PM, NM 2 stated they had no resources to test or identify the items or residues found in Resident 2's room. NM 2 acknowledged the burned foil or brown straws could indicate igniter use and may pose fire hazard inside a resident's room. Review of Resident 2's "Daily Progress Notes" indicated the following: On 8/3/21 at 6:25 AM, "...during rounds found burned foil at his bedside..." On 8/5/21, at 4:08 AM, "...notice again and found burned aluminum foil in his table and straw on his mouth ..." On 8/6/21, at 4:20 AM, "Resident seen asleep up on his wheelchair with burned aluminum foil on top of bedside table..." On 8/7/21, at 11:15 PM, "...noted burned aluminum foil on top of his over-bed table..." On 8/10/21, at 5:20 AM, "...Resident seen awake up on his wheelchair holding on to a cigarette lighter & noted a burned aluminum foil with burned substance on top of the table..." On 9/23/21, at 12:05 AM, "...Resident seen in bed awake with burnt aluminum foil on his lap..." Review of Resident 2's "Safety Adult - Smoker" care plan with start date of 2/26/20 with expected end date of 10/25/21, indicated, "...4/4/21 Code	F 689			

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

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F 689	<p>Continued From page 35</p> <p>Red activated, resident ...admitted smoking cigarette @ (at) bedside with him...Educated Resident on safe smoking that includes...Residents are not allowed to smoke inside the hospital...Resident are NOT allowed to keep lighters, matches, and/or e-cigarettes...Smoking is PROHIBITED when you are on Oxygen..."</p> <p>c3. Review of Resident 27's "Nursing Note" indicated the following: On 8/16/21, at 8:04 AM, "...saw a pipe and a lighter on top of his (Resident 27) chest all soaked with liquid (from the pipe)". On dated 8/16/21, at 5 PM, "... 2 (two) empty bottles of butine [sic] (fuel for cigarette lighters) for lighter refill was discovered ..."</p> <p>Review of Resident 27's "Safety Adult - Smoker" care plan with start date of 8/10/19 and expected end date of 12/16/21, indicated, "...Resident is an unsafe smoker. He declines to wear fire-resistant apron. Resident also has multiple history of possessing igniters at bedside or in his person..."</p> <p>c4. Review of Resident 17's progress notes, dated 5/1/21, indicated, at 3 PM, LN 1 found two lighters (igniters) and one tin can "altoid container" with marijuana.</p> <p>Review of Resident 17's "Safety Adult - Smoker" care plan with start date of 3/10/20 and expected end date of 11/6/21, indicated, "...Interventions...8. If safe smoker: collect all matches, lighters, igniters, e-cigarettes..." Further review of the care plan indicated, on 5/25/21 Resident 17 was seen with 2 lighters.</p> <p>c5. Review of Resident 18's "Nursing Note"</p>	F 689			

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F 689	<p>Continued From page 36</p> <p>dated 3/30/21, at 4:27 PM, indicated, "Resident had urine toxicology test was positive for meth (Methamphetamine). Clinical search conducted...Lighters found (4); all but one were [sic] empty..."</p> <p>Review of Resident 18's "Safety Adult-Smoker" care plan with start date of 11/4/19 expected end date: 11/12/21, under interventions, indicated, "... 8. If safe smoker: collect all matches, lighters, igniters, e-cigarettes..."</p> <p>c6. Review of Resident 20's "Nursing Note" dated 7/30/21, at 5:11 PM, indicated, "S2 unit-wide clinical search conducted. Found: small torch lighter blue and Cali Heights empty e-cigarette..."</p> <p>Review of Resident 20's "Safety Adult-Smoker" care plan dated 2/4/21, indicated, "At around 0845 AM, (name redacted), the assigned Zone manager for the smoking area reported that she saw (Resident 20) lighting his own cigarette. I approached (Resident 20) in the smoking area and instructed to surrender the lighter. He got upset..." Under interventions, indicated, "...9. Educate resident about policy regarding no lighters, igniters, or matches..."</p> <p>c7. Review of Resident 26's "Nursing Note" dated 5/16/21, at 1:45 PM, indicated, "...Resident gave his box of cigarette and found small burned bud of marijuana and lighter..."</p> <p>Review of Resident 26's "Safety Adult-Smoker" care plan with start date of 2/19/21, under interventions, indicated, "...6. Inform residents smoking is only permitted at designated areas. 7. Prohibit any open flame or cigarette within 5 feet of a resident receiving oxygen. 8. If safe smoker:</p>	F 689			

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F 689	<p>Continued From page 37</p> <p>collect all matches, lighters, igniters, e-cigarettes...9. If unsafe smoker...a. May not smoke unsupervised b. Prohibited from carrying ALL smoking materials..."</p> <p>c8. Review of Resident 14's "Smoking Assessment" dated 8/11/21, at 9:45 AM, indicated, "...Current smoker or uses smoking or smokeless products...History of past accidents/incidents with smoking materials...Observed to be sharing or selling cigarettes to other residents..."</p> <p>Review of Resident 14's "Safety Adult-Smoker" care plan printed on 10/14/21, under interventions, indicated, "... 8. If safe smoker: collect all matches, lighters, igniters, e-cigarettes...9. If unsafe smoker...a. May not smoke unsupervised b. Prohibited from carrying ALL smoking materials..."</p> <p>c9. Review of Resident 25's "Nursing Note" dated 8/27/21, at 8:42 PM, indicated, "Found rolled of used "JOINTS" in the bathroom floor..."</p> <p>Review of Resident 25's "Safety Adult-Smoker" care plan with start date of 6/13/21 and expected end date of 10/14/21, indicated, "Problem: Safety Adult- Unsafe Smoker_ seen by staff smoking in the bathroom happened on 6/13/21... Interventions...6. Inform resident smoking is only permitted at designated areas...9. If unsafe smoker...a. May not smoke unsupervised b. Prohibited from carrying ALL smoking materials..."</p> <p>c10. Review of facility document titled, "Clinical Searches with Items Found" received on 10/13/21, at 3:15 PM, indicated, on 8/5/21 at 3:40</p>	F 689			

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F 689	<p>Continued From page 38</p> <p>PM, Resident 24 was witnessed by the coach "hand rolling paper and one small dry bud." Lighter was also found during clinical search.</p> <p>c11. Review of Resident 19's "Nursing Note" dated 5/15/21, at 5:11 PM, indicated, "Resident returned from OOP at 1645 (4:45 PM). CN conducted the protocol for resident returning from OOP. Resident voluntarily surrendered the lighter and joint..."</p> <p>d. During an interview on 10/12/21, at 11:21 AM, QM (Quality Manager) 1 stated, lighters/igniters should be kept for safekeeping in the social worker's office. QM 1 further stated the nursing station is not a safe place to store the lighters/igniters.</p> <p>During an interview, on 10/13/21, at 2:02 PM, in the South 4 unit, NM 7 stated, "Lighter go to Administration. That is where we used to send them."</p> <p>During an observation and concurrent interview, with RN 15 and NM 7 on 10/13/21, at 2:04 PM, in the South 4 unit, RN 15 stated that lighters are kept in the nursing station. RN 15 opened the unlocked cabinet in the nursing station beside where the clerk is seating and showed the lighter.</p> <p>During a concurrent observation and interview, on 10/13/21, at 2:34 PM, in South 4 nursing station, RN 4 stated the resident's lighters/igniters are stored in the unit clerk's office supply drawer. RN 4 opened the unlocked drawer by the unit clerk's desk which contained several lighters/igniters.</p> <p>During a concurrent observation and interview, on 10/14/21, at 11:05 AM, with RN 5, in South 5</p>	F 689			

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

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F 689	<p>Continued From page 39</p> <p>conference room behind the nursing station, two lighters were found inside an open square-shaped white basket lined with light green cloth on the table. RN 5 stated the cigarettes are kept by the resident while the lighters are kept in the conference room and sometimes in nurse manager's office for safekeeping.</p> <p>During a concurrent observation and interview with RN 6, on 10/14/21, at 11:19 AM, in South 6 nursing station, RN 6 went inside the medication room and showed a red plastic basket that contained several items including two lighters, a remote control, a charger, a pager, a thermometer, and two lanyards. RN 6 stated the lighters are kept in the treatment/medication room for safekeeping while the cigarettes are kept by the residents.</p> <p>During an interview with ND 4, on 10/14/21, at 11:31 AM, the ND 4 stated, "Igniters should not be in the bedside, or with residents, or cabinets in the conference room. It should not be in the unit for safety."</p> <p>During an interview, on 10/14/21, at 11:45 AM, NM 3 stated, "The lighters are kept in the nurse's station in all units." ND 2 agreed that the lighters are kept in the nurse's station in all units.</p> <p>During an interview with Chief Quality Officer (CQO), on 10/14/21, at 2:30 PM, CQO stated all confiscated igniters should be stored "off nursing units" for safety purposes.</p> <p>During an interview on 10/14/21, at 4:17 PM, the Director of Nursing Operations (DNO) stated, confiscated lighters/igniters should be stored in the social services office for safekeeping while</p>	F 689			

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F 689	<p>Continued From page 40</p> <p>the lighters/igniters used in the unit are kept in the nurse manager's office and only given to the assigned staff when resident wanted to smoke.</p> <p>Review of facility's policy 76-02, titled "Smoke and Tobacco Free Environment", dated 10/13/20, indicated, "...3. Lighters, matches, electronic cigarettes (e-cigarettes), and other devices that ignite, light, or fuel a flame are not permitted and shall be collected from residents by staff for safekeeping...7. Residents may only smoke in the designated smoking area...Smoking or ingesting cannabis is not permitted in the designated smoking area..."</p> <p>Review of facility's policy #24-25, titled "Harm Reduction", last revised on 7/9/19, the policy in the Definition section described examples of "Unsafe Practices" as "a resident attempts to smoke inside their room" ... and the "Imminently Dangerous Behavior" example as " A resident attempts to smoke, or use lighters, matches, e-cigarettes, and/or devices that ignite or fuel a flame, in the presence of or near devices that deliver oxygen to persons." The policy, furthermore, in the Interventions section, indicated "Clinical interventions shall be individualized based on the safety risk assessment, differentiating approaches for unhealthy practices and unsafe practices."</p> <p>e1. Review of Resident 17's progress notes indicated the following: On 4/20/21, at 8:54 AM, Licensed Nurse (LN)1 found "marijuana" on Resident 17's drawer. LN1 confiscated and gave the "marijuana" to the Charge Nurse (CN). Then, at 1:07 PM, CN gave the "marijuana" to NM 1. On 5/1/21, at 3 PM, LN 1 found two lighters</p>	F 689			

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CENTERS FOR MEDICARE & MEDICAID SERVICES

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F 689	<p>Continued From page 41</p> <p>(igniters) and one tin can "altoid container" with marijuana.</p> <p>During an interview on 10/13/21, at 4:45 AM, NM 1 stated she disposed the marijuana that was given to her, by putting it inside the "cactus bin" located in South 2 floor, in front of the pharmacy department. NM 1 acknowledged she was by herself and did not have second staff to witness the disposal of confiscated marijuana.</p> <p>e2. During an observation and concurrent interview with NM 1, on 10/14/21, at 11:05 AM, NM 1 stated she kept all confiscated contrabands inside the North 3 Nurse Manager's office. During a concurrent observation in NM 1's office, NM 1 presented an unlabeled brown carton box. NM 1 explained, she kept all the confiscated contrabands during clinical searches of residents inside the box.</p> <p>The following items were found inside the brown carton box:</p> <ul style="list-style-type: none"> i. A plastic bag containing one red igniter, and one black electronic cigarette, labeled with Resident 37's name. ii. A plastic bag containing one black igniter, one 4-inch nail, labeled with Resident 35's name. iii. A plastic bag containing two blue igniters, labeled with Resident 36's name. <p>NM1 stated confiscated contrabands were kept in the Nurse Manager's office if the contrabands had sentimental value to the resident involved. NM 1 stated the facility will return the contrabands to the resident or family member when resident discharged or expired. NM 1 stated Resident 37 passed away years ago and acknowledged the contraband should have been given to Resident 37's responsible party (RP).</p>	F 689			

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F 689	Continued From page 42 e3. Review of Resident 13's Nursing Note, dated 1/24/21, indicated, "...Clinical search done with another license and found a small amount of dry, green loose leaves, some are shaped like a ball in one of the paper bag ... I was holding the bag and explaining to him that I need to confiscate it then he suddenly grab it from me. Tried to take it back but keep insisting that he doesn't need to give it back that he is allowed to smoke it..." During an interview, on 10/14/21, at 11:49 AM, NM 3 stated, "There is no documentation, no log on what happened to it (referring to Resident 13's confiscated green loose leaves). There is no monitoring." e4. Review of Resident 15's Nursing Note, dated 3/11/21, indicated, "... clinical search done... Able to find a nickel size green leaves with some loose leaves inside his cigarette box... Substance confiscated..." No further documentation of the disposition of the confiscated item. e5. Review of Resident 23's "Resident Care Team Meeting Note" dated 8/4/21, at 9:30 AM, indicated, "... clinical search on 7/30/21. Three unopened jars of CBD supplements were confiscated and a small pair of sharp scissors. Resident may give the supplements to a friend to take home and the scissors posed safety risk..." No further documentation of the disposition of the confiscated item. e6. Review of Resident 19's "Nursing Note" dated 5/15/21, at 5:11 PM, indicated, " ... CN conducted the protocol for resident returning from OOP. Resident voluntarily surrendered the lighter and joint...Informed resident that the lighter was	F 689			

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

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F 689	<p>Continued From page 43</p> <p>labeled with his name and will keep at the nurse's station for him to use when he lights his cigarette..."</p> <p>e7. Review of Resident 11's Physician's Progress Notes, dated 1/3/21, at 8:13 PM, indicated, "Nursing staff discovered unknown substance in eye drop bottle, confiscated. Patient admits "contraband" but denies knowing the type of drug ...Says it helps him relax..."</p> <p>Review of Resident 11's "Nursing Note" indicated the following: On 1/3/21, at 10:38 PM, "...Clinical search was performed along with primary LN. Found eye drop vial (with blackish liquid) wrapped in white towel. Resident in the beginning stated it was for his "cake"...Possession was put aside, will endorse next shift to give to manager tomorrow..." On 1/4/21, at 8:37 AM, "Unit manager interviewed resident and he admitted that is was [sic] "drugs" when asked what type? "Heroin"..."Called made to sheriff department...to come pick up the substance..."</p> <p>e8. Review of Resident 25's "Nursing Note" dated 8/27/21, at 8:42 PM, indicated, "Found rolled of used "JOINTS" in the bathroom floor..."</p> <p>Review of Resident 25's "Nursing Note" from 8/27/21 to 9/1/21 did not indicate documentation of disposal and/or disposition of confiscated "rolled of used joints."</p> <p>e9. Review of Resident 12's "Nursing Note" dated 1/28/21, at 1:19 PM, indicated, "...Clinical search with charge nurse on (Resident 12) uncovered a rolled joint of marijuana under her waist band...Resident received a package from</p>	F 689			

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 689	<p>Continued From page 44</p> <p>Sonoma today...We found more contrabands. Two 50g (grams) tin container of cannabis infused caramel bites, 50g zip lock container of cannabis infused mango, and a Vape pen..."</p> <p>During concurrent interview with ND 4 and record review of Resident 12's electronic record, on 10/13/21, at 4:52 PM, ND 4 acknowledged no documentation of disposal or disposition of the confiscated marijuana on 1/28/21. ND 4 added, "It could end up to someone else."</p> <p>e10. Review of Resident 4's "Nursing Note" indicated the following: On 9/21/21, at 11:11 PM, indicated, "...Clinical search done ...found a rolled paper burned halfway with some residue and smelled weed and showed it to Cadet (name redacted) and instructed me to flushed in the toilet..." On 9/30/21, at 11:56 AM, "... resident smoked weed at 11:45 at designated area with another resident. The coach reported to LN (Licensed Nurse) that resident smoke weed second time at 12:10 (PM)...The coach saw the resident received weed (a roll paper with weed) from another resident. Per coach, resident refused to give to the sheriff..."</p> <p>During an interview on 10/12/21, at 3:54 PM, RN 19 stated, Resident 4 had multiple clinical searched done. The most recent contraband confiscated was a "weeds rolled in paper and brand new cigarette. It's MJ (marijuana) because it has a distinct smell, skunk like but bearable." RN 19 explained that she put the confiscated "weeds" in a "Ziploc" and endorsed it to the night shift to show the Nurse Manager "as an evidence." The confiscated item was kept in "Charge Nurse box/bin" in the staff charting room</p>	F 689			

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

PRINTED: 02/18/2022
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 689	<p>Continued From page 45</p> <p>located at the back of Nursing station. where all staff has access. RN 19 also shared that there was an incident that she "flushed (the MJ) in the toilet as instructed by the Sheriff."</p> <p>During an observation and concurrent interview, with RN 19, NM 5 and ND 3, on 10/12/21, at 3:54 PM, in the South 6 staff charting room, NM 5 showed the "charge nurse bin" on the table where RN 19 kept Resident 4's confiscated weeds. The uncovered bin had multiple items in a Ziploc such as lighter and phone charger. RN 19, NM 5 and ND 3 confirmed that all staff has access in the charting room and items can be taken without the knowledge of any staff. There was no log indicating items inside the charge nurse bin.</p> <p>e11. Review of Resident 10's "Nursing Note" dated 1/3/21, at 2:40 PM, indicated, "PCA reported that found a bottle of 375 ml (alcohol) in resident's top drawer...When asked resident how he obtained the alcohol, resident stated, "Somebody from outside gave that to me"...Nursing supervisor instructed to place the bottle of alcohol in the medication room 2 and stated she will have the PM nursing supervisor to pick it up..."</p> <p>Review of Resident 10's "Nursing Note" dated 1/3/21, at 11:02 PM, indicated, "Nursing supervisor came to the unit at 1800 (6 PM) and took the bottle of (alcohol) and locked it in Nurse managers office."</p> <p>e12. Review of Resident 21's "Nursing Note" dated 7/27/21, at 2:45 PM, indicated, "Found marijuana cigarette on floor of resident's bedroom just beyond doorway..."</p>	F 689			

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

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FORM APPROVED
OMB NO. 0938-0391

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F 689	<p>Continued From page 46</p> <p>During concurrent interview with NM 3 and record review of Resident 21's electronic record, on 10/12/21, at 1:05 PM, NM 3 stated, Resident 21 was on weekly clinical search as part of Pavilion Mezzanine intervention. NM 3 acknowledged no documentation of disposal or disposition of the confiscated marijuana on 7/27/21.</p> <p>e13. During an observation, on 10/14/21, at 11:03 AM, Resident 34 was smoking in the unsupervised smoking area outside the unit's great room. Resident 34 was holding a purple lighter in his left hand.</p> <p>During an interview, on 10/14/21, at 11:18, RN 17 stated, "He might have bought the lighter while he was out on pass. The lighters are kept in the nurse station." RN 17 opened the unlock overhead cabinet in the unit's nurse's station 1 and showed two purple lighters inside the cabinet.</p> <p>During an interview, on 10/14/21, at 11:45 AM, NM 3 stated, "The lighters are kept in the nurse's station in all units." ND 2 agreed that the lighters are kept in the nurse's station in all units.</p> <p>e14. Review of facility document titled, "Clinical Searches with Items Found" received on 10/13/21, at 3:15 PM, indicated, on 6/2/21, at 10:45 PM, for Resident 2, "Found highly suspicious item in a 7/11 delivery bag; a rolled aluminum foil with x4 small tiny zip lock bags with white rocks substance...found a silent pouch bag w/ (with) crushed white med residue inside; staff took items for safekeeping."</p> <p>e15. Review of facility document titled, "Clinical Searches with Items Found" received on 10/13/21, at 3:15 PM, for Resident 18, indicated,</p>	F 689			

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

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FORM APPROVED
OMB NO. 0938-0391

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F 689	<p>Continued From page 47</p> <p>on 8/5/21 at 3:40 PM, "Clinical safety search done; found an ICP (Intermittent Catheterization Procedure) kit small plastic container with one white pill; pharmacy was not able to ID the pill as the markings were not legible..."</p> <p>During an interview, on 10/14/21, at 1200 NN, ND 4 acknowledged no documentation of the disposition of the confiscated "white pill" from Resident 18.</p> <p>During an interview on 10/12/21, at 1:05 PM, NM 1 stated any sharp objects, unprescribed medications, and smoking paraphernalia found in resident's possession during clinical search will be confiscated. NM 1 added, "substances (referring to unprescribed medications)" will be given to the Sheriff for safe keeping.</p> <p>During an interview on 10/12/21, at 1:32 PM, RN 1 stated the Sheriff will be notified when a resident refused clinical search. RN 1 added, confiscated items during clinical search are given to the Quality Management Department for safekeeping.</p> <p>During an interview with Chief Nursing Officer (CNO), on 10/13/21 at 10:32 AM, the CNO stated there are no tracking system to check the packages received by the residents. CNO stated, for clinical searches, she expected nursing staff to call the onsite sheriff for observation and follow basic safety procedures; CNO stated the process for disposition, handling and itemizing contraband by nursing staff had not been standardized. CNO acknowledged the current facility's policy on illicit contraband substances and searches needed to be updated along with a more robust nursing education.</p>	F 689			

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F 689	Continued From page 48 During an interview on 10/13/21, at 4:50 PM, NM 1 stated LN 1 found the contraband Saturday afternoon. NM 1 stated LN 1 gave the confiscated contraband to the Nurse Supervisor (NS) that weekend. Then, the NS will keep the confiscated igniter and cannabis inside NM 1's office. NM 1 stated she disposed the cannabis when she returned to work the following Monday. NM 1 acknowledged she was by herself and did not have second staff witnessed her disposing the cannabis. NM 1 stated she did not complete a log of the items she disposed in the "cactus bin". During an interview on 10/14/21, at 11:10 AM, NM 2 stated in cases cannabis is found in resident's possession, it will be confiscated and discarded in the "cactus smart sink (a "green" waste solution that automatically secures and renders controlled substance waste unusable and non-recoverable)" by the pharmacy on the second floor. NM 2 added, two licensed nurses should be present during disposal. During an interview on 10/14/21, at 11:56 AM, NM 3 stated, "The confiscated cannabis are disposed in the pharmacy. The confiscated illicit drugs are surrendered to the sheriff. There is no documentation of the handling and disposition of confiscated cannabis and illicit drugs." During an interview with QM 1, on 10/14/21, at 2:55 PM, QM 1 stated cannabis should be disposed in the "cactus smart sink" by two persons while the illicit drugs or unidentified pills are taken by the Sheriff for destruction. During an interview with Chief Quality Officer (CQO), on 10/14/21, at 4 PM, the CQO stated the	F 689			

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

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F 689	<p>Continued From page 49</p> <p>behavioral and substance abuse team (a team that helped residents with addiction and emotional issues) were not part of facility's staff and they had to work with facility's doctors and nurses to coordinate care. CQO added the coordination between facility's clinical team and substance abuse team may not be perfect as the facility had no control over behavioral and substance abuse. CQO stated the data on unusual occurrences such as illicit substance use or possessions were categorized, reviewed, and trended regularly by leadership and safety team. CQO added, there was no requirement to have double signature to dispose illicit marijuana substances. CQO acknowledged the sheriff staff were at times reluctant to process or dispose the illicit contraband substances found in resident's possessions.</p> <p>Review of facility policy and procedure, titled "Clinical Search Protocol", revised 9/10/19, indicated "...2. Search Procedures...h. Whenever a search is conducted the following information shall be documented in the resident's medical record:...iii. Items found and seized; and Disposition of items found and seized... After the Search i. All confiscated contraband shall be catalogued by the staff member that conducts the clinical search, disposed of in the manner described below, and documented in the resident's medical record. Confiscated cannabis from a resident with or without a valid cannabis card shall be disposed of by 2 (two) staff members (including one supervising nurse) using the smart sink in the supplemental drug room... E-cigarettes, lighters, matches, and other devices that ignite, light, or fuel a flame shall be bagged, labeled by nursing staff and secured by Social Services for safekeeping... Dangerous objects or</p>	F 689			

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

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OMB NO. 0938-0391

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F 689	Continued From page 50 illicit or illegal drugs shall be confiscated by SFSD (San Francisco Sheriff's Department at the direction of LHH staff, catalogued by LHH staff, and transported by SFSD for proper destruction..."	F 689			
F 726 SS=F	Competent Nursing Staff CFR(s): 483.35(a)(3)(4)(c) §483.35 Nursing Services The facility must have sufficient nursing staff with the appropriate competencies and skills sets to provide nursing and related services to assure resident safety and attain or maintain the highest practicable physical, mental, and psychosocial well-being of each resident, as determined by resident assessments and individual plans of care and considering the number, acuity and diagnoses of the facility's resident population in accordance with the facility assessment required at §483.70(e). §483.35(a)(3) The facility must ensure that licensed nurses have the specific competencies and skill sets necessary to care for residents' needs, as identified through resident assessments, and described in the plan of care. §483.35(a)(4) Providing care includes but is not limited to assessing, evaluating, planning and implementing resident care plans and responding to resident's needs. §483.35(c) Proficiency of nurse aides. The facility must ensure that nurse aides are able to demonstrate competency in skills and techniques necessary to care for residents' needs, as identified through resident assessments, and described in the plan of care.	F 726			

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F 726	<p>Continued From page 51</p> <p>This REQUIREMENT is not met as evidenced by: Based on observation, interviews and record reviews the facility failed to ensure Licensed Nurses (LN) and Certified Nurse Assistants (CNA) had the specific competencies and skill sets necessary to perform "clinical search" as identified through resident assessments and described in the plan of care.</p> <p>Clinical search means search of residents' room or properties to help locate harmful objects or illicit substances with resident's consent.</p> <p>This failure may pose safety risk to residents and caregivers.</p> <p>Findings:</p> <p>Review of Resident 2's "Care Plan: Opioid Use Disorder" (Care Plan is a document that mapped specific nursing care and steps to help with resident's medical problems) indicated, on 6/2/21, Resident 2 received a "7-11" (name of a store) food delivery which facility's nursing staff discovered a rolled aluminum foils and four small Ziploc bags with white rock substances inside.</p> <p>Review of Resident 2's "Daily Progress Notes" indicated the following: On 8/7/21 at 11:15 PM, "...noted burned aluminum foil on top of his overbed table. Resident refused to give the material to the writer ..."</p> <p>On 8/10/21 at 5:20 AM, "...Resident seen awake up on his wheelchair holding on to a cigarette lighter & noted a burned aluminum foil with burned substance on top of the table. Resident refused to comply when writer attempted to</p>	F 726			

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F 726	<p>Continued From page 52</p> <p>retrieve the igniters & burned aluminum foil ... "clinical search" was initiated in the presence of Sheriff on 8/10/21 at 6:25 AM and "found a pocketknife at bedside drawer."</p> <p>During an interview with Licensed Vocational Nurse (LVN) 2 in the PMS unit, on 9/13/21 at 2:02 PM, LVN 2 stated, he had seen lighter, burned aluminum foil and brown plastic straws in Resident 2's room on multiple occasions. LVN 2 stated he never questioned Resident 2 on the findings and his job was to clean the counter tops and bedside tables when Resident 2 allowed him to do so. LVN 2 stated that he reported his observation to the covering nurses. LVN 2 additionally stated, he had not received any training on how to handle cleaning of the possible illicit drugs or unknown items and "used my common sense". LVN 2 acknowledged that "we need training" on how to handle the illicit drug paraphernalia.</p> <p>During an interview with Registered Nurse (RN) 4 in the PMS unit, on 9/13/21 at 2:35 PM, RN 4 stated during recent clinical searches "we found burned straw on top of Resident 2's bedside table". RN 4 acknowledged she did not have specialized training on how to do the clinical searches. RN 4 stated she was instructed if they discovered anything unusual, show it to the Manager or to the Sheriff, if they were present. RN 4 stated as a nurse she was not trained how to handle or monitor illicit drug use and at times had to cross professional boundaries since Sheriff had limitation to address issues in the facility and was not present all the times.</p> <p>During an interview with Nurse Manager (NM) 2, in the PMS unit on 8/5/21 at 4:07 PM, NM 2</p>	F 726			

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

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F 726	<p>Continued From page 53</p> <p>stated seven days after Resident 3 was discharged from the facility, Resident 3's personal belonging had to be gathered for storage. During the search a half-open makeup bag was found that contained syringes, needles, tiny Ziploc bags with white powdery substances, small cotton balls and big syringes that contained a clear liquid. NM 2 stated the illicit paraphernalia were photographed and were given to Sheriff on site.</p> <p>During a concurrent observation and interview with NM 2, in the facility's PMS unit, on 8/5/21 at 3:59 PM, NM 2 stated Resident 5 was found to have illicit drugs in his purse.</p> <p>During an interview with Security Staff 1 in the facility, on 8/5/21 at 5:37 PM, Security Staff 1 stated, in general, they were not required to question the residents on how they acquired these illicit substances. Security Staff 1 described the illicit drug in possession of Resident 5 was a clear crystal rock/powder in a Ziploc bag. Security Staff 1 was not sure how the illicit drugs were disposed. He noted they followed state and local rules.</p> <p>Review of Resident 5's "Nursing Notes", dated 8/5/20 at 6 PM, indicated Resident 5 "grabbed" his bag from another resident in facility's South 2 Unit. A clinical search was requested due to "high suspicion of possession and distribution of illegal substances." One small bag of a rock white substance was surrendered to sheriff..."</p> <p>During an interview with NM 1, on 9/13/21 at 11:28 AM, in the South 2 Unit, NM 1 stated she first noticed the illicit substances in a Ziploc bag belonged to Resident 5 on 8/5/21. NM 1 stated, "The material looked like a clear rock". NM 1</p>	F 726			

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

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F 726	<p>Continued From page 54</p> <p>stated, she was grateful that they had a Sheriff in the facility, however, they needed to have a more proactive role in dealing with illicit drugs and its destruction. NM 1 stated, if Sheriff refused to take the illicit drugs, then the nursing had to destroy the illicit drugs in the "Cactus Sink" (a container with a substance that rendered medication waste and illicit material unusable/non-recoverable).</p> <p>Review of Resident's 14's "Nursing Notes", indicated the following: On 1/28/21, at 12:03 PM, approximately 17 saran wrapped dark greenish dried buds (smell like marijuana) in one of his sweaters hanging in his closet and a red cigarette lighter. On 4/5/21, at 6:05 PM, found 2 pieces of buds of marijuana. On 6/2/21, at 5:44 PM, 1 block of cannabis infused chocolate inside in underpants and a lighter. On 6/11/21, at 9:49 PM, a half of infused cannabis chocolate bar, in the sling. On 7/9/21, at 5:47 PM, unopened package of cannabis in his sweat-shirt right sleeve. On 7/30/21, at 6:05 PM, 4 buds (like dime size) of marijuana were found inside cigarette box.</p> <p>During an interview on 10/12/21, at 1 PM, in the facility's South 6 unit, RN 20 stated, Resident 14 had multiple clinical searches done. RN 20 added, "We're doing it (clinical search) almost on regular basis. Whenever he goes out on dialysis. We confiscated gummy bear, chocolate infused cannabis and a lot more</p> <p>Review of Resident 4's "Nursing Note" dated 9/21/21, at 11:11 PM, indicated, "...Clinical search done ...with the Supervision of Cadet (name redacted) and found a rolled paper burned</p>	F 726			

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

PRINTED: 02/18/2022
FORM APPROVED
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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 555020	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/14/2021
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F 726	<p>Continued From page 55</p> <p>halfway with some residue and smelled weed and showed it to Cadet (name redacted) and instructed me to flushed in the toilet..."</p> <p>During an interview on 10/12/21, at 3:54 PM, RN 19 stated, Resident 4 had multiple clinical searched done. RN 19 added, the most recent contraband confiscated was a "weeds rolled in paper and brand new cigarette. It's MJ (marijuana) because it has a distinct smell, skunk like but bearable." RN 19 explained that she put the confiscated "weeds" in a "Ziploc" and endorsed it to the night shift to show the Nurse Manager "as an evidence." RN 19 shared that there was an incident that she "flushed (the MJ) in the toilet as instructed by the Sheriff." RN 19 further stated she did not received training to do clinical search. RN 19 added, "I'm not comfortable doing it (clinical search). I'm scared especially if the residents are aggressive. They can hit us. The Sheriff doesn't even help. They're just watching."</p> <p>Review of Resident 11's "Nursing Note", dated 1/3/21, at 10:38 PM, indicated, "...Clinical search was performed along with primary LN. Found eye drop vial (with blackish liquid) wrapped in white towel. Resident in the beginning stated it was for his "cake"...Possession was put aside, will endorse next shift to give to manager tomorrow..."</p> <p>Review of Resident 11's "Nursing Note", dated 1/4/21, at 8:37 AM, indicated, "Unit manager interviewed resident and he admitted that is was {sic} "drugs" when asked what type? "Heroine"..."</p> <p>Review of Resident 13's "Nursing Note", dated 1/24/21, indicated, " ...Clinical search done with</p>	F 726			

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CENTERS FOR MEDICARE & MEDICAID SERVICES

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F 726	<p>Continued From page 56</p> <p>another license and found a small amount of dry, green loose leaves, some are shaped like a ball in one of the paper bag ... I was holding the bag and explaining to him that I need to confiscate it then he suddenly grab it from me. Tried to take it back but keep insisting that he doesn't need to give it back that he is allowed to smoke it..."</p> <p>Review of Resident 15's "Nursing Note" dated 3/11/21, indicated, "... clinical search done... Able to find a nickel size green leaves with some loose leaves inside his cigarette box...Substance confiscated..."</p> <p>Review of Resident 16's "Nursing Notes" dated 3/29/21, at 12:36 PM, indicated, "...Clinical search conducted after resident observed with possession of marijuana..."</p> <p>Review of Resident 16's "Nursing Notes" dated 9/10/21, at 5:18 PM, indicated, "...Clinical search conducted in resident's room...In the bedside table found an empty package of "Pacific Stone" marijuana..."</p> <p>Review of Resident 23's "Nursing Note" dated 7/30/21, at 5:38 PM, indicated, "S2 (South 2) unit-wide clinical search conducted. Found: three unopened jars of CBD supplement products and small sharp scissors."</p> <p>Review of Resident 12's "Nursing Note" dated 1/28/21, at 1:19 PM, indicated, "...Clinical search with charge nurse on (Resident 12) uncovered a rolled joint of marijuana under her waist band...Resident received a package from Sonoma today...We found more contrabands. Two 50g (grams) tin container of cannabis</p>	F 726			

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

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F 726	<p>Continued From page 57</p> <p>infused caramel bites, 50g zip lock container of cannabis infused mango, and a Vape pen..."</p> <p>Review of facility document titled, "Clinical Searches with Items Found" received on 10/13/21, at 3:15 PM, for Resident 18, indicated, on 8/5/21 at 3:40 PM, "Clinical safety search done; found an ICP (Intermittent Catheterization Procedure) kit small plastic container with one white pill; pharmacy was not able to ID the pill as the markings were not legible..."</p> <p>During an interview, on 10/14/21, at 1200 NN, ND 4 acknowledged no documentation of the disposition of the confiscated "white pill" from Resident 18.</p> <p>Review of Resident 33's "Nursing Note" dated 7/30/21, at 5:45 PM, indicated, "S2 (South 2) unit-wide clinical search conducted. Found: small pink container with dozens small ends of marijuana joints..."</p> <p>Review of facility document titled, "Clinical Searches with Items Found" received on 10/13/21, at 3:15 PM, indicated the following: On 7/28/21, at 1 PM, in the North 1 unit, "3 empty bottles of whiskey found in the garbage can in the unit balcony." On 8/5/21 at 3:40 PM, Resident 24 was witnessed by the coach "hand rolling paper and one small dry bud." Lighter was also found during clinical search.</p> <p>During an interview with Quality Management (QM) 1 on 9/9/21, at 5:43 PM, in facility's conference room, QM 1 stated the last nursing safety education on handling contraband substances was in 2017 and there was one slide</p>	F 726			

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F 726	<p>Continued From page 58 on the document related to "Clinical Searches."</p> <p>In a joint interview with ND 1 and NM 1, on 9/13/21, at 11:30 AM, in the North 3 unit, they both acknowledged the multiple responsibilities nursing staff had to have to keep the residents safe and at the same time respect the resident's privacy and rights regarding illicit substance use. NM 1 added, nurses needed to maintain a therapeutic relationship with residents to hold the trust and care they needed to provide.</p> <p>During an interview on 10/12/21, at 12:39 PM, Licensed Vocational Nurse (LVN) 1 stated she received verbal training for clinical search in the unit by the Nurse Manager. LVN 1 explained a clinical search is completed when a resident return to the facility from an appointment but not with dialysis appointment.</p> <p>During an interview on 10/12/21, at 12:40 PM, NM 6 stated, "I have no formal training or hands on training to do clinical search."</p> <p>During an interview on 10/12/21, at 12:42 PM, RN 20 explained that she is not comfortable doing clinical search. RN 20 added, "It depends if resident resist. It's scary coz it's a safety issue. Sometimes Social Worker and doctors are doing it too (clinical search)." RN 20 could not recall when she received an in-service for clinical search and stated, "around 2013."</p> <p>During an interview on 10/12/21, at 12:43 PM, Certified Nurse Assistant (CNA) 8 stated, "I am not comfortable doing clinical search but I have to do it. I know it's not in our job description."</p> <p>During an interview on 10/12/21, at 12:45 PM, RN</p>	F 726			

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F 726	<p>Continued From page 59</p> <p>17 stated, "I do not have a training to do clinical search."</p> <p>During an interview on 10/12/21, at 1:10 PM, PCA 2 stated "I do not have a training to do clinical search. It would be nice to have one."</p> <p>During an interview on 10/12/21, at 1:15 PM, PCA 3 stated, " I do not remember having a training to do clinical search."</p> <p>During an interview on 10/12/21, at 1:33 PM, PCA 4 stated, "I do not remember if we had a training to do clinical search. I participated on a clinical search. We found scissors and screwdriver in the resident's room."</p> <p>During an interview on 10/12/21, at 1:35 PM, PCA 5 stated, "I do not remember having a training on clinical search."</p> <p>During an interview on 10/12/21, at 3:05 PM, PCA 6 stated, "I do not remember having a training on clinical search."</p> <p>During an interview on 10/12/21, at 3:30 PM, CNA1 stated she perform clinical search of residents and their rooms, if needed. CNA1 acknowledged she did not receive any training on how to perform clinical search. CNA1 stated she was not familiar what illicit drugs (cannabis, fentanyl, amphetamine) and drug paraphernalia looks like.</p> <p>During an interview on 10/12/21, at 3:38 PM, CNA 2 acknowledged he has no training related to clinical search and that he was not aware of what clinical search is.</p>	F 726			

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CENTERS FOR MEDICARE & MEDICAID SERVICES

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F 726	<p>Continued From page 60</p> <p>During an interview on 10/12/21, at 3:45 PM, PCA 7 stated "We did not have a training on clinical search."</p> <p>During an interview on 10/12/21, at 3:46 PM, RN 2 stated she has no experience nor training related to clinical search.</p> <p>During an interview on 10/12/21, at 3:50 PM, RN 3 acknowledged she has no recent training on clinical search and the latest training she had was in 2019.</p> <p>During an interview on 10/12/21, at 3:55 PM, RN 18 stated "I have done a lot of clinical search. We have found cannabis. We dropped it off at the pharmacy. I did not have a training in clinical search."</p> <p>During an interview on 10/12/21, at 4:26 PM, CNA 9 stated he experienced helping in clinical search. CNA 9 added that he did not received training how to do clinical search safely.</p> <p>During an interview with Chief Nursing Officer (CNO) on 10/13/21 at 10:32 AM, the CNO stated, clinical searches were not a community standard and the peace officers through sheriff staff could not do the search for illicit substances. CNO stated "I cannot teach them do the clinical searches". CNO stated, for clinical searches, she expected nursing staff to call the onsite sheriff for observation and follow basic safety procedures. CNO stated the process for disposition, handling and itemizing contraband by nursing staff had not been standardized. CNO acknowledged the current facility's policy on illicit contraband substances and searches needed to be updated along with a more robust nursing education.</p>	F 726			

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F 726	<p>Continued From page 61</p> <p>During an interview on 10/13/21, at 4:55 PM, NM1 stated she perform clinical search in her nursing unit if needed. NM1 acknowledged she did not have any training on how to perform clinical searches.</p> <p>Review of the facility's document titled "2017 SMART; Nursing Education" dated 2017, the document's Clinical Searches' slide, indicated " ...To maintain a safe milieu throughout the facility for residents, staff, volunteers, & visitors; When resident is suspected to have contraband or paraphernalia staff may search the room & property; admission; return late from OOP [Out On Pass, means going out of facility]; ... A minimum of two staff should be present at all times; Universal Precautions; ... Optional to contact the Sheriff (recommended if resident is agitated); All confiscated substances shall be cataloged then turned into SFSD [San Francisco Sheriff Department] except: Cannabis ..., Alcohol; cigarettes ..."</p> <p>Review of the facility's policy 22-12, titled "Clinical Search Protocol", last revised on 9/10/19, under Policy section indicated, " ...Active substance use, drug dealing, unsafe smoking and use of dangerous objects endangers the safety of residents and staff and does not promote a resident's well-being ... When there is a potential risk and/or reasonable suspicion that a resident possesses contraband, staff shall conduct searches of the resident, a resident's room, and personal belonging, as well as property and packages brought by visitors ..." Under Search Procedure section, indicated " ...Staff shall take Universal Precautions [a standard set of guidelines to prevent the transmission and</p>	F 726			

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F 726	<p>Continued From page 62</p> <p>exposure to blood and other potentially infectious materials] such as wearing double gloves when handling resident belongings or suspected contraband. Staff shall avoid reaching into any pockets. Instead, staff shall pour out the contents of bags, boxes, packages, or other personal belongings, ask the resident to empty their pockets, and/or gentle patting ..."</p> <p>Review of the facility's policy 80-05, titled "Staff Education Program", last revised on 2/9/21, under Section 1 indicated, " ...a variety of initial and annual health and safety classes shall be provided to specific classifications of employees in compliance with CAL OSHA (a regulatory agency with focus on preventing work related injuries) regulations ..." Under Section 5 indicated, "...Educational activities are documented to meet minimum requirements of the State Department of Health Services and California Board of Registered Nurses or other pertinent regulatory bodies..."</p> <p>Review of guidelines from Institute for Occupational Safety and Health (or NIOSH a federal government entity responsible for making recommendations for the prevention of work-related injury and illness) titled, "Preventing Occupational Exposure to Fentanyl: Preventing Occupational Exposure to Healthcare Personnel in Hospital and Clinic Settings" last accessed on 9/15/21 via https://www.cdc.gov/niosh/topics/fentanyl/healthcareprevention.html dated April 23, 2018, indicated " ...Illicit fentanyl and its analogues (for the purpose of this document, referred to as illicit fentanyl) pose a potential hazard to healthcare personnel who could come into contact with these drugs in the course of their work in hospital and</p>	F 726			

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F 726	Continued From page 63 clinic settings. This potential risk, which is related to external sources of fentanyl (i.e., originating in the community), is distinct from the hazards posed by diversion of pharmaceutical fentanyl". The guidelines further indicated " ...Healthcare personnel who could potentially be exposed to illicit fentanyl include nurses, nursing assistants ... clerical, dietary, environmental services, laundry, security, engineering, and facilities management, administrative, billing, and volunteer personnel ... Healthcare personnel might be exposed when the patient or their personal items are contaminated with illicit fentanyl, which may be present in powder, tablet, or liquid forms." The NIOSH guideline further provided guidance on staff training, Personal Protective Equipment (PPE) use and specific decontamination practices for the areas such as surfaces and the laundry materials.	F 726			