

Health Regulation & Licensing Administration

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: ALR-0002	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED C 07/26/2023
NAME OF PROVIDER OR SUPPLIER LISNER LOUISE DICKSON HURT HOME		STREET ADDRESS, CITY, STATE, ZIP CODE 6425 WESTERN AVENUE NW WASHINGTON, DC 20015		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	YES COMPLETE DATE
R 000	<p>Initial Comments</p> <p>On 07/26/2023, the Department of Health, Health Regulation and Licensing Administration, Intermediate Care Facilities Division (State Survey Agency), received notification that the residents of the Assisted Living Residence (ALR) were transferred to the Skilled Nursing section of the facility without proper notification to the department.</p> <p>Based on the nature of the report, the State Survey Agency initiated an onsite inspection of the facility on 07/26/2023 beginning 11:47 a.m., to determine compliance with the Assisted Living Residence Regulatory Act of 2000. Per the Assisted Living Administrator and the Director of Social Work, the eight residents of the Assisted Living Residence (ALR) formally in the Shoemaker Court were moved to make way for a beautification of the ALR wing of the facility.</p> <p>Both the Social Worker and the Administrator informed the surveyors that each resident's responsible party was notified of the move, all agreed and signed the required documents related to the transfer.</p> <p>The findings of the investigation were based on observations, interviews, and review of records.</p>	R 000	<p>Please start typing your responses here</p> <p>R544 - 1 Corrective Action: The 6-108's for residents 1, 2, 4, 5, 7 and 8 were reissued on Aug 9, 2023 and included the residents right to challenge the facility's decision to discharge, transfer or relocate the resident. Each resident was presented with the 6-108 and copies e-mailed to each resident representative. On Aug 10, 2023, the staff of the DC Long Term Care Ombudsman office acknowledged receipt of the re-issued 6-108's. Members of the DC Long Term Care Ombudsman met in person with residents 1, 2, 4, 5, 7 and 8, to review their right to challenge the discharge. No resident or resident representative initiated a challenge.</p>	8/9/2023
R 544	<p>Sec. 608d Discharge and Transfer</p> <p>(d) Before a resident may be discharged on an involuntary basis, the ALR shall provide 30 days written notice to the resident and surrogate of the planned discharge and make arrangements for the discharge in consultation with the resident, the surrogate, and the healthcare provider. Any involuntary discharge shall conform to the notice and process established in title III of the</p>	R 544	<p>Systemic Changes: All social work staff were educated on giving proper notice and including the residents right to challenge the facility's decision to discharge, transfer or relocate the resident with all future 6-108s.</p>	8/25/2023

Health Regulation & Licensing Administration
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

Susan M. Dugger

TITLE *Administrator*

STATE FORM

DVG211

If continuation sheet 1 of 7

(X6) DATE

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R 544	Continued From page 1 Health-Care Protection Act Based on observations, interviews, and record reviews, the Assisted Living Residence (ALR) failed to properly notify the Department of Health of the discharge of the ALR residents to the skilled nursing facility wing of the facility building for five of the eight residents of the ALR (Resident #1, #2, #3, #5, #6, and #7). Findings included: On 07/26/2023 at 12:10 pm, the Assisted Living Administrator (ALA), and the Director of Social Services informed the surveyors that Residents #1, 2, 4, 5, 7, and 8 were transferred to the Skilled Nursing Facility (SNF) wing of the building. When asked they further indicated that the residents and/or their representatives were notified in a letter dated 05/01/2023, informing the residents that they could relocate to the SNF or choose another ALR 1). Per the requirements of § 44-1003.02 - (d). The written notice required by subsection (a) of this section shall be on a form prescribed by the Mayor and shall at a minimum contain: - A statement in not less than 12-point type that reads: "[y]ou have a right to challenge this facility's decision to discharge, transfer, or relocate you. If the decision is to discharge you from the facility or to transfer you to another facility and you think you should not have to leave, you or your representative have 7 days from the day you receive this notice to inform the Administrator [Residence Director, if a community residence facility] or a member of the staff that you are requesting a hearing and to complete the enclosed hearing request form and mail it in the preaddressed envelope provided. If you are	R 544	Monitoring: The Director of Social Services will track all future 6-108's to assure proper notice is given and the inclusion of the residents right to challenge the facility's decision to discharge, transfer or relocate. The Director of Social Services will have 6-108's reissued should staff fail to provide the resident right to challenge. The Director of Social Services will report findings at the Quality Assurance Performance Improvement Committee. R 544 - 2 Corrective Action: The 6-108's for residents 1, 2, 3, 5, 6 and 7 were reissued on Aug 9, 2023 via electronic form submission per DC Health website instructions with subsequent confirmation e-mail received on submission. Each re-issued 6-108 was e-mailed to the DC Long Term Care Ombudsman with confirmation e-mail of receipt obtained for the Ombudsman's office. Systemic Changes: All social work staff were educated on using the DC Health electronic submission for all future 6-108s to assure the department's receipt.	8/25/2023 8/9/2023 8/25/2023

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R 544	<p>Continued From page 2</p> <p>mailing the hearing request form from the facility, the day you place it in the facility's outgoing mail or give it to a member of the staff for mailing shall be considered the date of mailing for purposes of the time limit. In all other cases, the postmark date shall be considered the date of mailing. If, instead, the decision is to relocate you within the facility and you think you should not have to move to another room, you or your representative have only 5 days to do the above."</p> <p>- "If you or your representative request a hearing, it will be held no later than 5 days after the request is received in the mail, and, in the absence of emergency or other compelling circumstances, you will not be moved before a hearing decision is rendered. If the decision is against you, in the absence of an emergency or other compelling circumstances you will have at least 5 days to prepare for your move if you are being discharge or transferred to another facility, and at least 3 days to prepare for your move if you are being relocated to another room within the facility."</p> <p>- "To help you in your move, you will be offered counseling services by the staff, assistance by the District government if you are being discharged or transferred from the facility, and, at your request, additional support from the Long-Term Care Ombudsman program. If you have any questions at all, please do not hesitate to call one of the phone numbers listed below for assistance."</p> <p>At 12:40 pm, a review of 6-108 forms signed by either the residents or responsible parties provided by the facility for Resident's #1, #2, #4, #5, #7, and #8 showed the following:</p>	R 544	<p>Monitoring: The Director of Social Services will track all future 6-108's to assure the form is sent via electronic submission and the e-mail receipt generated by proper submission. The Director of Social Services will take immediate corrective actions for proper submission should the 6-108's be sent incorrectly. The Director of Social Services will report findings at the Quality Assurance and Performance Improvement Committee.</p>	8/25/2023	

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R 544	<p>Continued From page 3</p> <p>a. A review of Resident #1's 6-108 form showed the residents representative, gave permission via telephone for the transfer on 05/12/2023. The form showed the resident was transferred to SNF on 05/11/2023, one day before the permission was obtained. The copy of the 6-108 form provided did not include the residents right to challenge the facility's decision to discharge, transfer, or relocate the resident, as required by the DC Code § 44-1003.02 (d).</p> <p>b. A review of Resident #2's 6-108 form showed the resident signed the form on 07/18/2023, and the responsible party (RP) was also informed via telephone on the same date. The form indicated the resident was transferred to the SNF on 07/18/2023. The copy of the 6-108 form provided did not include the residents right to challenge the facility's decision to discharge, transfer, or relocate the resident, as required by the DC Code § 44-1003.02 (d).</p> <p>c. A review of Resident #4's 6-108 form showed the residents representative, gave permission by phone for the transfer on 04/01/2023. The form indicated the resident was transferred to the SNF on 04/01/2023. The copy of the 6-108 form provided did not include the residents right to challenge the facility's decision to discharge, transfer, or relocate the resident, as required by the DC Code § 44-1003.02 (d).</p> <p>d. A review of Resident #5's 6-108 form showed the resident signed the form on 07/18/2023. The form indicated the resident was transferred to the SNF on 07/17/2023, one day after the transfer. The copy of the 6-108 form provided did not include the residents right to challenge the facility's decision to discharge, transfer, or</p>	R 544			

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R 544	<p>Continued From page 4</p> <p>relocate the resident, as required by the DC Code § 44-1003.02 (d).</p> <p>e. A review of Resident #7's 6-108 form showed that the resident's representative, gave permission by phone for the transfer on 05/10/2023. The form indicated the resident was transferred to the SNF on 05/09/2023, one day before the phone consent was obtained. The copy of the 6-108 form provided did not include the residents right to challenge the facility's decision to discharge, transfer, or relocate the resident, as required by the DC Code § 44-1003.02 (d).</p> <p>f. A review of Resident #8's 6-108 form showed that the resident's representative, gave permission by phone for the transfer on 05/10/2023. The form indicated the resident was transferred to the SNF on 05/08/2023, two days before the verbal consent was obtained. The copy of the 6-108 form provided failed include the residents right to challenge the facility's decision to discharge, transfer, or relocate the resident, as required by the DC Code § 44-1003.02 (d).</p> <p>At the time of the investigation, the ALR failed to ensure the residents/responsible parties were provided with adequate notice, informing them of their rights to challenge the facility's decision to discharge, transfer, or relocate the residents, as required by Code of the District of Columbia § 44-1003.02 (d).</p> <p>2. On 07/26/2023 at 12:10 pm, the Assisted Living Administrator (ALA), and the Director of Social Services informed the surveyors that Residents #1, #2, #3, #5, #6, and #7 were transferred to the Skilled Nursing Facility (SNF) wing of the</p>	R 544			

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R 544	<p>Continued From page 5</p> <p>building. When asked they further indicated that the residents and/or their representatives were notified in a letter dated 05/01/2023, informing the residents that they could relocate to the SNF or choose another ALR.</p> <p>Per the requirements of § 44-1003 02(a) copies of the written notice required by subsection (a) of this section shall be placed in the resident's clinical record and shall be transmitted to the Mayor's designee and, if the resident's care is paid in whole or in part through Medicaid, the Director of the Department of Human Services ("DHS"), and the Long-Term Care Ombudsman.</p> <p>At 1:55 pm, a review of provided resident records showed the following:</p> <p>a. Resident #1's 6-108 form was dated 05/12/2023, and the resident was transferred to the SNF on 05/11/2023. There was no indication that the Department of health received copies of the written notice required by subsection (a) of this section.</p> <p>b. Resident #2's 6-108 form was dated 07/18/2023, and the resident was transferred to the SNF on 07/18/2023. There was no indication the Department received copies of the written notice required by subsection (a) of this section.</p> <p>c. Resident #3's 6-108 form was dated 07/18/2023, and the resident was transferred to the SNF on 07/18/2023. There was no indication the Department received copies of the written notice required by subsection (a) of this section.</p> <p>d. Resident #5's 6-108 form was dated 07/18/2023, and the resident was transferred to the SNF on 07/18/2023. There was no indication</p>	R 544		

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R 544	<p>Continued From page 6</p> <p>the Department received copies of the written notice required by subsection (a) of this section.</p> <p>e. Resident #6's 6-108 form was dated 04/27/2023, and the resident was transferred to the SNF on 04/27/2023. There was no indication the Department received copies of the written notice required by subsection (a) of this section</p> <p>f. Resident #7's 6-108 form was dated 05/10/2023, and the resident was transferred to the SNF on 05/09/2023. There was no indication the Department received copies of the written notice required by subsection (a) of this section.</p> <p>Copies of the written notice required by subsection (a) of this section (6-108 forms) for Residents #1, 2, 3, 5, 6, and 7 were not sent to the department, but were handed to the surveyors onsite, during the visit.</p> <p>At the time of the investigation, the ALR failed to properly notify the Department of the discharge of the ALR residents to the skilled nursing facility wing of the facility as required by Code of the District of Columbia § 44-1003.02 (e)</p>	R 544		

