

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  035234	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED  01/12/2024
NAME OF PROVIDER OR SUPPLIER  Arizona State Veteran Home-Phx		STREET ADDRESS, CITY, STATE, ZIP CODE  4141 North S Herrera Way Phoenix, AZ 85012	

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

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (Each deficiency must be preceded by full regulatory or LSC identifying information)
<p>F 0550</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Honor the resident's right to a dignified existence, self-determination, communication, and to exercise his or her rights.</p> <p><b>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** 48087</b></p> <p>Based on clinical documentation, staff and resident interviews, and the facility policy and procedures, the facility failed to ensure that one resident (#35) was free to exercise his rights regarding independent travel. The deficient practice could result in the resident not being able to exercise his rights without interference.</p> <p>The findings include:</p> <p>Resident #35 was admitted to the facility on [DATE] with diagnosis of functional quadriplegia.</p> <p>The annual minimum data set (MDS) dated [DATE], included a brief interview for mental status (BIMS) score of 13 indicating the resident was cognitively intact. The MDS also indicated that the resident has mild depression and trouble falling or staying asleep or sleeping too much. The MDS also included that the resident did not exhibit any behaviors.</p> <p>Review of resident #35 care plan initiated on 04/10/2023 and revised on 01/05/2024 stated the Veteran is able to make leisure choices known and structure time independently. Based on the MDS assessment, he states that the following activities are very important: having books, newspapers, and magazines to read (off of his iPad), listening to music he likes, doing his favorite activities, and going outside to get fresh air when the weather is nice.</p> <p>During an interview on 1/09/2024 at 9:58 AM, Resident #35 stated that the incident goes back to 2019 when COVID-19 happened. Per Resident #35, the facility came up with a policy during COVID-19 that whenever they need to leave the facility on a pass, they need to have an escort with them in order to leave freely from the facility. The resident stated he was told their policy now is to notify one day in advance whenever they leave the facility on a pass in order to get an order from the physician. The Resident 's request must be submitted to the facility Monday through Friday between the hours of 8AM-4PM. Additionally, the physician needs to deem the resident is cognitively appropriate and able to leave the facility on their own. The resident stated he feels restricted, belittled, and degraded from the facility staff. The resident also stated that the Administrator stated if the resident does not comply and follow the facility rules that they are going to kick him out of the facility.</p> <p>(continued on next page)</p>

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.

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
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<p>F 0550</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>During the interview, resident #35 stated that he had filed grievances before. This includes multiple emails sent to the facility Administrator, Director of Nursing, and other higher authorities but never got a response from the emails. The resident stated the facility and the Ombudsman had a meeting about 2 years ago. Resident #35 feels like the facility did not hear his concerns. The facility stated to the Ombudsman and the resident that this is the facility policy. Resident #35 also stated that he does attend resident council meetings and will bring this issue up every time and the facility response is, We 've already addressed this issue before. Resident states he feels the facility will not let him speak about it again. The resident stated, I feel undermined, and it has restricted my rights as this is my home. I should be able to go down the street to a Starbucks or the gas station without being chased down by a staff member saying I shouldn't or don't have permission to be outside. It's embarrassing and shaming me.</p> <p>Review of the Resident Council Minutes dated 6/9/23, 7/14/23 and 8/11/23 revealed that independent travel was a topic of ongoing discussions with the facility. The June minutes revealed a new policy was implemented and time would be set aside in July to discuss more. The July minutes indicated the formal policy was printed and distributed and that more time would be set aside for discussion in August. The August minutes indicated the key personnel at the corporate level were not available to meet with the residents, and was postponed until November. The September minutes indicated the residents wanted to know how many new hires were hired and representatives from the corporate level were not available to meet with the residents.</p> <p>An interview conducted with Licensed Practical Nurse (LPN)/staff #299 on 1/10/24 at 12:10 PM in which she states the residents have a form to fill out whenever they want to leave. The form gets turned into the nurse to be signed and get an order from the physician. When asked about the new policy, she stated, this process is a bit much for someone who just wants to go to the park or to the gas station. She stated, They used to just tell me where they want to go and if they have a green flag on their wheelchair, it means they can go out on their own and that</p> <p>they were deemed appropriate to be out by themselves. Now they need to request it in advance and not every resident seems to like it.</p> <p>During an interview conducted with Registered Nurse (RN)/staff #233 on 1/10/24 at 1:00 PM staff #233 stated the Veterans will come and ask us if they can go out and will inform us of the dates. Staff #233 stated they will check in their chart if they are responsible to themselves and will have the resident fill out the request form to get a provider approval for the leave. The Veterans need to request for each single day they want to go out, where they are going, the time they're leaving and their estimated return time. When asked why it is necessary for the residents to ask permission to go out when it's their right, staff #233 stated that this is the policy and regulations that staff and residents have to follow. Staff #233 stated there was not an assessment that nursing completes; the physician makes the assessment. Staff #233 added, I just use my nursing judgment to ensure they are safe. When asked if it is appropriate to restrict the resident if they wanted to go out freely on a random day, without having the request form filled out staff #233 stated it's not ok to restrict them, and agreed that it's the residents rights to do so.</p> <p>(continued on next page)</p>		

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<p>F 0550</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>An interview conducted with the Director of Nursing (DON)/Staff #205 on 1/10/24 at 2:56 P.M. stated their expectation is for the resident to request 24 hours in advance to leave the facility. Staff #205 stated she thinks the process works just fine and most Veterans are happy but a few are not. When asked why it is necessary for the residents to ask permission to go out when it's their right, she stated, Yes it's their right, but the physician needs time to assess if the resident can leave or not. Staff #205 was asked if the resident had already been deemed appropriate by a physician to go out freely before, why does the resident need to request permission 24 hours in advance for every occasion? Staff #205 stated, I didn't make the policy like that and followed what the corporate people are enforcing.</p> <p>An interview conducted with Administrator/Staff #296 on 1/10/24 at 3:18 PM. The Administrator confirmed the process for a resident to request independent travel or leave from the facility required a written request 24 hours in advance and a physician's order. When asked if the process is restrictive, staff #296 stated, I'm not restricting anyone, the residents can come and go as they please, but our process is to have the Veterans request 24 hours in advance. Staff #296 added, Yes this may seem like we're restricting them, but this is all for their protection and ours as we are responsible for them.</p> <p>During an interview conducted with Resident #35's physician/Staff #212 on 1/11/24 at 11:40 AM, Physician #212 stated, The process for the Veterans who want to go on a pass is completed by the Veteran and the nurse will usually call me to get an order and tell me where they go, what time they will go and come back. When asked what the assessment process was like he stated the people I approve of I usually already talked to the psych provider and will approve them to go out freely on their own. The Veterans will have to request it 24 hours in advance whenever they want to go out. Physician #212 stated he doesn't adhere to the policy and does not understand the need for it as it is the Veteran's right to go out on their own. These are our Veterans, it's a free country, I don't stick to the policy or agree with it. They have every right to go out whenever they want if deemed appropriate already. To me this is a restraint, it's not freedom.</p> <p>Review of the facility policy stated Resident Rights revised 08/2021 revealed the residents are to be treated with respect, kindness, and dignity. Exercise his or her rights without interference, coercion, discrimination or reprisal from the facility. The policy also stated the resident can voice grievances to the facility, or other agency that hears grievances, without discrimination or reprisal and without fear of discrimination or reprisal, communicate with and access to people and services, both inside and outside the facility, and exercise his or her rights as a resident of the facility and as a resident or citizen of the United States. and as a resident or citizen of the United States.</p>		

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<p>F 0561</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Honor the resident's right to and the facility must promote and facilitate resident self-determination through support of resident choice.</p> <p><b>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** 48087</b></p> <p>Based on clinical documentation, staff and resident interviews, and the facility policy and procedures, the facility failed to ensure that three residents (#35, #42 and #55) was free to exercise their rights regarding independent travel. The deficient practice could result in the resident not being able to exercise his rights without interference and psychosocial harm.</p> <p>Findings Include:</p> <p>1) Regarding Resident #35:</p> <p>Resident #35 was admitted to the facility on [DATE] with diagnosis of functional quadriplegia.</p> <p>The annual minimum data set (MDS) dated [DATE], included a brief interview for mental status (BIMS) score of 13 indicating the resident was cognitively intact. The MDS also indicated that the resident has mild depression and trouble falling or staying asleep or sleeping too much. The MDS also included that the resident did not exhibit any behaviors.</p> <p>Review of resident #35 care plan initiated on 4/10/2023 and revised on 1/5/2024 stated the Veteran is able to make leisure choices known and structure time independently. Based on the MDS assessment, he states that the following activities are very important: having books, newspapers, and magazines to read (off of his iPad), listening to music he likes, doing his favorite activities, and going outside to get fresh air when the weather is nice.</p> <p>During an interview on 1/09/2024 at 9:58 AM, Resident #35 stated that the incident goes back to 2019 when COVID-19 happened. Per Resident #35, the facility came up with a policy during COVID-19 that whenever they need to leave the facility on a pass, they need to have an escort with them in order to leave freely from the facility. The resident stated he was told their policy now is to notify one day in advance whenever they leave the facility on a pass in order to get an order from the physician. The Resident 's request must be submitted to the facility Monday through Friday between the hours of 8AM-4PM. Additionally, the physician needs to deem the resident is cognitively appropriate and able to leave the facility on their own. The resident stated he feels restricted, belittled, and degraded from the facility staff. The resident also stated that the Administrator stated if the resident does not comply and follow the facility rules that they are going to kick him out of the facility.</p> <p>During the interview, resident #35 stated, I feel undermined, and it has restricted my rights as this is my home. I should be able to go down the street to a Starbucks or the gas station without being chased down by a staff member saying I shouldn't or don't have permission to be outside. It's embarrassing and shaming me.</p> <p>2) Regarding Resident #55:</p> <p>Resident #55 was admitted to the facility on [DATE] with diagnoses including quadriplegia and generalized anxiety disorder.</p> <p>(continued on next page)</p>		

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<p>F 0561</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>The annual minimum data set (MDS) dated [DATE], included a brief interview for mental status (BIMS) score of 14 indicating the resident was cognitively intact.</p> <p>An interview conducted with resident #55 on 1/10/24 at 9:33 AM, resident #55 stated he feels restricted that he cannot come and go freely. Resident #55 stated it's not the way it used to be. Before this policy is out, we just need to sign out in the book and let someone know where we are going and that's it. Now we cannot do that anymore. Resident #55 stated sometime last summer that he had this code pink or black called on him as the facility stated he did not have a pass to go out and the code was called on him due to elopement. This is what the facility told the resident. The resident stated he feels embarrassed, restricted his rights, and felt like it was wrong for them to do that. Resident #55 added, I was not an elopement and now I have to request 24 hours in advance and if I wanted to go out today, I can't because I didn't request 24 hours in advance. This policy is just stupid and restricts me from doing the things I love.</p> <p>3) Regarding Resident #42:</p> <p>Resident #42 was admitted to the facility on [DATE] with diagnoses of major depressive disorder and anxiety disorder.</p> <p>The annual minimum data set (MDS) dated [DATE], included a brief interview for mental status (BIMS) score of 14 indicating the resident was cognitively intact.</p> <p>An interview conducted with resident #42 on 1/10/24 at 10:00 AM, they used to do an escort before but if I go out on my own now I will need to request it from the doctor to get approval. I don't think this is necessary. Resident #42 stated, I'm an adult and they treat me like a kid and I don't like it. I should be able to go out whenever I want because if I wanted to go out today, I couldn't because I didn't request it in advance.</p> <p>An interview conducted with Licensed Practical Nurse (LPN)/staff #299 on 1/10/24 at 12:10 PM in which she states the residents have a form to fill out whenever they want to leave. The form gets turned into the nurse to be signed and get an order from the physician. When asked about the new policy, she stated, this process is a bit much for someone who just wants to go to the park or to the gas station. She stated, They used to just tell me where they want to go and if they have a green flag on their wheelchair, it means they can go out on their own and that they were deemed appropriate to be out by themselves. Now they need to request it in advance and not every resident seems to like it.</p> <p>During an interview conducted with Registered Nurse (RN)/staff #233 on 1/10/24 at 1:00 PM, staff #233 stated the Veterans will come and ask us if they can go out and will inform us of the dates. Staff #233 stated they will check in their chart if they are responsible to themselves and will have the resident fill out the request form to get a provider approval for the leave. The Veterans need to request for each single day they want to go out, where they are going, the time they're leaving and their estimated return time. When asked why it is necessary for the residents to ask permission to go out when it 's their rights, staff #233 stated that this is the policy and regulations that staff and residents have to follow. Staff #233 stated there was not an assessment that nursing completes; the physician makes the assessment. Staff #233 added, I just use my nursing judgment to ensure they are safe. When asked if it is appropriate to restrict the resident if they wanted to go out freely on a random day, without having the request form filled out staff #233 stated it's not ok to restrict them, and agreed that it's the residents rights to do so.</p> <p>(continued on next page)</p>		

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<p>F 0561</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>An interview conducted with the Director of Nursing (DON)/Staff #205 on 1/10/24 at 2:56 pm, she stated their expectation is for the resident to request 24 hours in advance to leave the facility. Staff #205 stated she thinks the process works just fine and most Veterans are happy but a few are not. When asked why it is necessary for the residents to ask permission to go out when it's their right, she stated, Yes it's their right, but the physician needs time to assess if the resident can leave or not. Staff #205 was asked if the resident had already been deemed appropriate by a physician to go out freely before, why does the resident need to request permission 24 hours in advance for every occasion? Staff #205 stated, I didn't make the policy like that and I followed what the corporate people are enforcing.</p> <p>An interview conducted with Administrator/Staff #296 on 1/10/24 at 3:18 PM. The Administrator confirmed the process for a resident to request independent travel or leave from the facility required a written request 24 hours in advance and a physician's order. When asked if the process is restrictive, staff #296 stated, I'm not restricting anyone, the residents can come and go as they please, but our process is to have the Veterans request 24 hours in advance. Staff #296 added, Yes this may seem like we're restricting them, but this is all for their protection and ours as we are responsible for them.</p> <p>During an interview conducted with physician/Staff #212 on 1/11/24 at 11:40 AM. Physician #212 stated, The process for the Veterans who want to go on a pass is completed by the Veteran and the nurse will usually call me to get an order and tell me where they go, what time they will go and come back. When asked what the assessment process was like he stated the people I approve of I usually already talked to the psych provider and will approve them to go out freely on their own. The Veterans will have to request it 24 hours in advance whenever they want to go out. Physician #212 stated he doesn't adhere to the policy and does not understand the need for it as it is the Veteran's right to go out on their own. These are our Veterans, it's a free country, I don't stick to the policy or agree with it. They have every right to go out whenever they want if deemed appropriate already. To me this is a restraint, it's not freedom.</p> <p>Review of the facility policy stated Resident Rights revised 08/2021 revealed the residents are to be treated with respect, kindness, and dignity. Exercise his or her rights without interference, coercion, discrimination or reprisal from the facility. The policy also stated the resident can voice grievances to the facility, or other agency that hears grievances, without discrimination or reprisal and without fear of discrimination or reprisal, communicate with and access to people and services, both inside and outside the facility, and exercise his or her rights as a resident of the facility and as a resident or citizen of the United States.</p>		