

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 055884	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED 08/30/2024
NAME OF PROVIDER OR SUPPLIER Creekside Post-Acute		STREET ADDRESS, CITY, STATE, ZIP CODE 3580 Payne Avenue San Jose, CA 95117	

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 0607</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>Develop and implement policies and procedures to prevent abuse, neglect, and theft.</p> <p>38068</p> <p>Based on interview and record review, the facility failed to implement their policy and procedure related to staff screening procedures for hiring direct access employee (means any individual who has access to a resident or patient of a long term care (LTC) facility) when the criminal background check (used to check for any convictions or claims of crime, including abuse) was not done prior to re-employment for Certified Nursing Assistant A (CNA A). This failure had the potential to put the residents' safety at risk.</p> <p>Findings:</p> <p>During a concurrent interview and record review with the Director of Staff Development (DSD) on 8/9/24 at 1:28 p.m., revealed CNA A went on vacation on 1/14/23 but did not come back after 90 days. The facility re-hired CNA A on 10/17/23 and started working with the residents the next day on 10/18/23. Further review of CNA A's employees file indicated the criminal background check was done on 8/5/24 (more than nine months after the CNA A was re-hired by the facility on 10/17/23). The DSD confirmed the criminal background check was done more than nine months after CNA was re-hired on 10/17/23. The DSD stated she forgot to complete the criminal background check for CNA A prior to re-employment. The DSD acknowledged she should have done the criminal background check prior to rehiring CNA A on 10/17/23.</p> <p>Review of the revised facility's policy and procedure dated 3/2019 titled, Background Screening Investigations indicated, the facility conducts background checks, reference checks and criminal conviction investigation checks on all applicants for position with direct access to residents (direct access employees) . The director of personnel, or designee, conducts background checks and criminal conviction checks (including fingerprinting as may required by state law) on all potential direct access employees and contractors. Background checks and criminal checks are initiated within two days of an offer of employment or contract agreement and completed prior to employment.</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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