

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  225458	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED  03/28/2024
NAME OF PROVIDER OR SUPPLIER  Fairhaven Healthcare Center		STREET ADDRESS, CITY, STATE, ZIP CODE  476 Varnum Avenue Lowell, MA 01854	

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 0561</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p> <p>Note: The nursing home is disputing this citation.</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**</b> 37330</p> <p>Based on records reviewed, interviews and observations, the Facility failed to ensure they supported each residents' right to self determination which included facilitating the residents choice to eat meals in their rooms, when all facility residents were issued a notification letter indicating residents were required to eat in facility dining room, exceptions were made for illness and approvals by nursing, however in addition the residents were also notified that nursing staff would no longer deliver meal plates to residents rooms, therefore forcing some residents who were approved by nursing to eat in their rooms, to facilitate the process themselves.</p> <p>Findings include:</p> <p>Review of the Facility's Policy titled, Resident Rights Policy and Procedures, dated revised 09/18/23, indicated that residents have the right to self-determination.</p> <p>Review of the Facility's notification letter sent to the Facility's residents, dated 03/13/24 by Administration, indicated the Facility noticed an increase in staff delivering food to residents' rooms and that it needed to stop immediately.</p> <p>The notification letter indicated effective immediately all residents unless sick or approved by nursing will need to come to the dining room to eat and staff will no longer be delivering food plates to resident rooms.</p> <p>Review of the Facility's Policy titled, Food and Dining Service, dated April 2024, indicated all residents are required to eat in the dining room and only if a resident is sick or has been approved by his/her nurse they may eat in their room.</p> <p>During a tour of the Facility on 03/08/24 at 12:12 P.M., the Surveyor observed 18 residents seated at various tables in the dining room located on the first floor and staff were serving meals on dinner plates to the residents at their tables.</p> <p>The Surveyor then observed Resident #2 ambulating in the hallway with a rolling walker, there was a glass dinner plate with food rested on the seat of the rolling walker, and Resident #2 was transporting the meal to his/her room. Although there were nursing staff observed in the hallway, none of the staff members stopped to assist Resident #2 to his/her room with his/her meal.</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 0561</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p> <p>Note: The nursing home is disputing this citation.</p>	<p>During an interview on 03/28/24 at 12:35 P.M., Resident #2 said that he/she does not want to eat with other residents in the dining room and wants to eat in his/her room. Resident #2 said, it is difficult and a pain in the butt during mealtimes. Resident #2 said he/she needs to use his/her rolling walker to ambulate around the unit, including when he/she needed to go to the dining room to get his/her meals. Resident #2 said he/she gets his/her meal which staff put on a dinner plate, places it on the seat off his/her rolling walker and pushes the rolling walker back to his/her room.</p> <p>Resident #2 said at times his/her food choices will have hot food items on the plate and beverages, that it is challenging when he/she must balance the dinner plate and beverages on the seat of his/her rolling walker and then get them safely back to his/her room. Resident #2 said the beverage cart brought around by staff does not always go to each of the residents' rooms prior to mealtimes.</p> <p>Resident #2 said this is happening, because they (the facility) do not want us to eat in our rooms, Resident #2 also said the residents' were told that we needed to transport our own food at mealtimes, if we wanted to eat in our rooms.</p> <p>Resident #2 was admitted to the Facility in January 2021, diagnoses included anoxic brain damage (lack of oxygen to the brain), cerebral infarction (stroke), psychoactive substance abuse (patterned use of a drug and consumes substance which are harmful to themselves), anxiety, hypertension, lumbago with sciatica on the right side (low back pain that shoots down legs and sometimes to the toes), and depression.</p> <p>Review of Resident #2's Quarterly Minimum Data Set (MDS), dated [DATE], indicated that he/she was alert, oriented, made his/her own healthcare decisions, and was able to make his/her needs known. The MDS indicated Resident #2's mobility status was independent with a walker.</p> <p>Review of Resident #2's Activities of Daily Living (ADL) Plan of Care, revised 01/11/24, indicated Resident #2's was independent with ambulation, but required supervision when off unit or outside and he/she uses a rolling walker. The Plan of Care indicated Resident #2 was able to eat independently.</p> <p>Review of Resident #2's Behavioral Health Group Nurse Practitioner Progress Note, dated 03/26/24, indicated Resident #2 was alert and oriented to person, place and time. The Progress Note indicated Resident #2 complained of anxiety in the afternoons and evenings. The Progress Note indicated Resident #2, at times, could be forgetful and ambulated with a walker.</p> <p>During an interview on 03/28/24 at 12:35 P.M., Resident #3 said that he/she was not able to eat meals in the dining room because he/she has a lot of anxiety, does not like to be around a lot of people and feels calmer eating in his/her room.</p> <p>Resident #3 said that he/she uses a cane when ambulating, walks to the dining room with his/her cane, will take his/her meal on a plate or in a bag (sandwich bag), and then walks it back to his/her room. Resident #3 said it is hard, but he/she does not want to eat in the dining room and enjoys having his/her meal in his/her room. Resident #3 said he/she can look out the window in his/her room while eating and was able to enjoy his/her meal without feeling anxious and nervous.</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>Note: The nursing home is disputing this citation.</p>	<p>Resident #3 was admitted to the Facility in June 2021, diagnoses included chronic obstructive pulmonary disease (diseases that cause airflow blockage and breathing related problems), unspecified psychosis (mental disorder characterized by a disconnection from reality), depression, anxiety, bipolar disease (a disorder associated with mood swings ranging from depressive lows to manic highs), and unspecified convulsions (condition where muscles contract and relax quickly and cause uncontrolled shaking of the body).</p> <p>Review of Resident #3's Brief Interview for Mental Status (BIMS), dated 02/03/24, indicated Resident #3 scored 11 out of 15 on his/her Brief Interview for Mental Status (BIMS) which was indicative of moderate cognitive impairment.</p> <p>Review of Resident #3's Social Services Quarterly Progress Note, dated 02/03/24, indicated Resident #3 was his/her own decision maker and ambulated with a cane.</p> <p>Review of Resident #3's Activities of Daily Living (ADL) Plan of Care, revised 02/01/24, indicated Resident #3 was independent with ambulation, but required supervision outside due to uneven surfaces and he/she uses a cane. The Plan of Care indicated Resident #3 was able to eat independently.</p> <p>Review of Resident #3's Behavioral Health Group Nurse Practitioner Progress Note, dated 03/26/24, indicated Resident #3 was alert and oriented to person, place and time. The Progress Note indicated Resident #3 complained of anxiety in the afternoons and evenings. The Progress Note indicated that staff reported Resident #3 was anxious and restless in the early evenings and during dinner times.</p> <p>During an interview on 04/10/24 at 1:36 P.M., Certified Nurse Aide (CNA ) #2 said Residents #2 and Resident #3 were independent with mobility, eating and did not need staff assistance. CNA #2 said she has not assisted either of the residents with transporting their meals to their rooms during lunch and dinner, because they are independent.</p> <p>CNA #2 said Resident #2 uses his/her rolling walker to transport his/her plate of food from the dining room to his/her room during mealtimes.</p> <p>CNA #2 said Resident #3 uses his/her cane to ambulate and transports his/her meal on a plate or in a bag (sandwich bag) to get it from the dining room to his/her room during mealtimes.</p> <p>During an interview on 04/10/24 at 11:40 A.M., the Director of Social Services said the Resident Council President spoke to her when several residents voiced concerns after Administration distributed the Facility's notification letter to the residents, which indicated that residents were not allowed to eat in their rooms, effective immediately.</p> <p>The Director of Social Services said the residents were upset about how this information had been presented to them, that the residents felt not only were they not notified in a timely manner, but the residents said it was their right to eat in their room.</p> <p>The Director of Social Services said during mealtimes residents who are able to transport their own meal can be seen in the hallways transporting their meals from the dining room to their rooms.</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>Note: The nursing home is disputing this citation.</p>	<p>During an interview on 03/28/24 at 5:11 P.M., the Director of Nursing (DON) said it feels like for the residents, who should feel like they are living in a homelike environment, are now needing to ask for permission to eat in their rooms, because it needs to be cleared (approved) by nursing. The DON said residents have the right to eat their meals where ever they would like during mealtimes, and that the Facility is and needs to feel like their home. The DON said the Facility does not want the residents to eat in their rooms, because of the pests control issues in the Facility.</p> <p>The DON said staff will deliver meals to residents in their rooms who are unable to get their own meal during mealtimes. However, the DON said for the residents who are able to ambulate independently, they have to go get and transport their meals on dinner plates (not on a serving tray) from the dining room to their rooms. The DON said she does have concerns about residents being made to transport their meals to their rooms. The DON also said she feels like it is a safety issue, as well.</p> <p>During an interview on 03/28/24 at 3:38 P.M. the Administrator said, approximately two months ago she recalled staff sharing with her that less residents were going to and eating in the dining room for meals. The Administrator said their Pest Control Company reported to them that there was an increase in pest activity in their ceilings and that they had observed belongings in residents' rooms, some of which included soiled food dishes and stored food items, which could be why they had more pest activity.</p> <p>The Administrator said she developed a letter informing residents they had to go to the dining room for meals and that residents needed to speak with the nursing staff if they are not feeling well or to discuss the reason why they were unable to go to the dining room. The Administrator said the residents, who chose to and were approved by nursing to eat in their rooms, then transport their own meals from the dining room to their room.</p> <p>The Administrator said she is aware the residents have rights, but also said the Facility and other residents have the right to live in a pest free environment.</p>		