

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  265532	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED  06/26/2024
NAME OF PROVIDER OR SUPPLIER  Parkway Health Care Center		STREET ADDRESS, CITY, STATE, ZIP CODE  2323 Swope Parkway Kansas City, MO 64130	
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 0602</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>Protect each resident from the wrongful use of the resident's belongings or money.</p> <p>09895</p> <p>Based on interview and record review, the facility failed to protect one sampled resident (Resident #1) from financial exploitation when Housekeeper A received \$50 from the resident for personal use out of 10 sampled residents. The facility census was 92 residents.</p> <p>Review of State Statute RSMo 570.145 showed:</p> <ul style="list-style-type: none"> <li>-Financial exploitation of a person with a disability - penalties - certain defense prohibited, additional violation, restitution.</li> <li>-A person commits the offense of financial exploitation of a person with a disability if such person knowingly obtains control over the property of the person with a disability with the intent to permanently deprive the person of the use, benefit or possession of his or her property thereby benefiting the offender or detrimentally affecting the person with a disability by: (1) Deceit; (2) Coercion; (3) Creating or confirming another person's impression which is false and which the offender does not believe to be true; (8) Undue influence, which means the use of influence by someone who exercises authority over an person with a disability in order to take unfair advantage of that person's vulnerable state of mind, neediness, pain, or agony. Undue influence includes, but is not limited to, the improper or fraudulent use of a power of attorney, guardianship, conservatorship, or other fiduciary authority.</li> <li>-The offense of financial exploitation of an elderly person or person with a disability is a class A misdemeanor unless: (1) The value of the property is fifty dollars or more, in which case it is a class E felony.</li> </ul> <p>Review of the facility's Abuse Neglect policy, dated 6/12/24 showed:</p> <ul style="list-style-type: none"> <li>-Misappropriation included a resident providing monetary assistance to staff, after staff had made the resident believe that staff was in financial crisis.</li> <li>-Exploitation was taking advantage of a resident for personal gain through the use of manipulation, intimidation, threats of coercion.</li> <li>-Mistreatment was exploitation of a resident.</li> </ul> <p>Review of the facility's undated Professional Conduct is The Standard policy showed:</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
FORM CMS-2567 (02/99) Previous Versions Obsolete	Event ID:	Facility ID: 265532
		If continuation sheet Page 1 of 9

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<p>F 0602</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>-The following were FORBIDDEN and could result in termination of employment:</p> <p>--Committing any act of abuse, neglect or exploitation,</p> <p>--Solicitation or acceptance of money or goods for personal gain from the resident,</p> <p>--Discussion of employee's personal problems.</p> <p>1. Review of Resident #1's admission Minimum Data Set (MDS-a federally mandated assessment tool required to be completed by facility staff for care planning) dated 4/10/24 showed he/she was cognitively intact.</p> <p>Review of the resident's Administration (ADMIN)/Registered Nurse (RN) Investigation dated 6/19/24 showed:</p> <p>-On 6/11/24 the resident reported he/she loaned Housekeeper A \$50.00 and Housekeeper A had not paid him/her back.</p> <p>-According to the resident, Housekeeper A asked him/her for the money to get his/her phone repaired and Housekeeper A was to repay the resident in two weeks.</p> <p>-The resident indicated he/she felt obligated to loan Housekeeper A the money because Housekeeper A was crying.</p> <p>-The resident said Housekeeper A asked him/her for \$50.00 to repair his/her phone; he/she also commented that the \$50.00 was a loan and he/she expected Housekeeper A to return the money in two weeks.</p> <p>-According to the resident, Housekeeper A agreed that he/she would repay him/her in two weeks.</p> <p>-The resident also stated that he/she did not want to give the Housekeeper A the money but felt obligated to help him/her after he/she started crying profusely while in his/her room. He/she described Housekeeper A's crying as a waterfall.</p> <p>-Housekeeper A said he/she should not have taken the money from the resident, that he/she had been trained not to, but stated that the resident had previously told him/her to ask if he/she ever needed anything; he/she denied that he/she and the resident were in a relationship but were friends; he/she had gone into the resident's room and the resident had shared food with him/her.</p> <p>-Conclusion/Outcome of the investigation:</p> <p>--It was determined that Housekeeper A did in fact take money from a resident, that he/she was aware of the facility abuse, neglect, exploitation (ANE) policies and had received and understood the training on abuse, neglect and financial exploitation.</p> <p>Review of the resident's undated written statement showed Housekeeper A owed him/her \$50.00.</p> <p>During an interview on 6/21/24 at 2:32 P.M. the resident said:</p> <p>(continued on next page)</p>		

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<p>F 0602</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>-When asked if he/she had received training on the abuse, neglect and financial exploitation policy and if he/she understood the training, he/she said yes to both questions but then said that he/she did not think it was wrong to accept money from a resident.</p> <p>Record review of Housekeeper A's personnel file showed:</p> <p>-His/Her facility hire date was 11/21/22.</p> <p>-He/She signed acknowledging that he/she had received, read, understood and had the opportunity to ask questions concerning the Abuse and Neglect policy on 11/21/23.</p> <p>-The employee signed the facility Professional Conduct is The Standard policy on 11/21/23.</p> <p>Review of the facility Resident Abuse Prevention and Reporting training dated 5/30/24 showed:</p> <p>-Housekeeper A was again trained on 5/30/24 for Abuse and Neglect, including exploitation and misappropriation. He/she had taken a test for competency and passed.</p> <p>During an interview on 6/25/24 at 11:13 A.M., Housekeeper A said:</p> <p>-The resident really liked him/her; he/she was helping him/her out then</p> <p>all of a sudden, he/she wanted his/her money back.</p> <p>-He/She talked with him/her about his/her problems and the resident had said to let him/her know if he/she ever needed anything.</p> <p>-He/She was fired from the facility because the Administrator said he/she had gotten \$50.00 from the resident.</p> <p>-The Administrator was lying about him/her getting money from the resident while the resident lived at the facility, he/she had told the Administrator the resident gave him/her the \$50.00 before the resident came to live at the facility.</p> <p>-He/She knew not to accept money from a resident because he/she had worked in nursing homes for a long time and had previously worked as a Certified Nursing Assistant (CNA).</p> <p>-He/She had received training regarding abuse neglect when hired at the facility and had attended abuse neglect training at the facility in May or June 2024 that included not accepting or giving or taking money from residents.</p> <p>-The resident got upset and said he/she had gotten money from him/her and had not paid the money back, but that happened before the resident lived at the facility.</p> <p>During an interview on 6/25/24 at 12:55 P.M., Housekeeper B said:</p> <p>-Over the weekend the resident told him/her that he/she had loaned Housekeeper A \$50.00 and he/she had not paid the money back.</p> <p>(continued on next page)</p>		

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<p>F 0602</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>-He/She knew not to borrow from or loan anything to a resident because the Administrator said this often and there had been recent training on Abuse Neglect that included not to borrow from or loan anything to a resident.</p> <p>During an interview on 6/25/24 at 1:07 P.M., the Human Resources Director said:</p> <p>-He/She had witnessed the Administrator's interview with Housekeeper A and with the resident.</p> <p>-Housekeeper A said he/she accepted \$50.00 from the resident; he/she knew not to accept money from a resident.</p> <p>-He/She did not recall Housekeeper A saying he/she had known the resident before he/she lived at the facility.</p> <p>-He/she did not recall if the housekeeper had said when \$50.00 was exchanged.</p> <p>-The resident said he/she gave Housekeeper A \$50.00, he/she was to be paid back but Housekeeper A had not paid him/her back; he/she had not had a relationship with Housekeeper A.</p> <p>During an interview on 6/26/24 at 11:46 A.M., the Administrator said:</p> <p>-He/She did not think the staff person accepting money from the resident was misappropriation because the resident was loaning the employee money; he/she never thought of it as a crime.</p> <p>-The resident had thought he/she had been the only person not paid back by Housekeeper A and when he/she found out Housekeeper A had borrowed money from staff and had paid staff back, he/she became upset and wanted his/her money back.</p> <p>-He/She conducted an interview with Housekeeper A with the Human Resources Supervisor as witness.</p> <p>-Housekeeper A said the resident had told him/her to tell him/her if there was ever anything he/she could do for him/her to let him/her know and he/she gave him/her \$50.00 and he/she should not have taken the money, he/she knew it was wrong to take money from a resident; he/she said the resident had given him/her the money prior to the resident living at the facility.</p> <p>-Housekeeper A said he/she had to cut things off with the resident and when asked what he/she meant, he/she said the resident started wanting more from the transaction.</p> <p>-Housekeeper A said it was the resident's idea to give him/her money, he/she and the resident were not in a relationship and were just friends; he/she had visited the resident in his/her room and the resident had shared food with him/her.</p> <p>-Housekeeper A said he/she did receive abuse neglect training including training to not give anything or receive anything from a resident, but he/she did not think it was wrong to accept money from a resident.</p> <p>-He/She interviewed the resident with the Human Resources Director a witness.</p> <p>(continued on next page)</p>		

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<p>F 0602</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>-The resident said he/she gave Housekeeper A \$50.00 to get his/her cell phone repaired, the money was a loan and he/she expected him/her to pay him/her the money back; he/she said he/she would pay the money back in two weeks but had not paid him/her back by 6/11/24.</p> <p>-The resident said Housekeeper A asked him/her for \$50.00 to repair his/her phone; he/she also commented that the \$50.00 was a loan and he/she expected Housekeeper A to return the money in two weeks - according to the resident, Housekeeper A agreed that he/she would repay him/her in two weeks; he/she had not wanted to give him/her the money but he/she cried so much that it was like a waterfall.</p> <p>-The resident said he/she had not told Housekeeper A if he/she ever needed anything to let him/her know; he said he/she was not in a relationship with him/her and was only trying to help him/her with his/her cell phone.</p> <p>-He/she had trained staff to not give anything to or accept anything from a resident.</p> <p>MO00237471</p> <p>MO00237487</p>

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<p>F 0609</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>Timely report suspected abuse, neglect, or theft and report the results of the investigation to proper authorities.</p> <p>09895</p> <p>Based on interview and record review, the facility failed to report to local law enforcement agency when one sampled resident (Resident #1) was financially exploited out of 10 sampled residents. The facility census was 92 residents.</p> <p>Review of State Statute RSMo 570.145 showed:</p> <p>-Financial exploitation of a person with a disability - penalties - certain defense prohibited, additional violation, restitution.</p> <p>-A person commits the offense of financial exploitation of a person with a disability if such person knowingly obtains control over the property of the person with a disability with the intent to permanently deprive the person of the use, benefit or possession of his or her property thereby benefiting the offender or detrimentally affecting the person with a disability by: (1) Deceit; (2) Coercion; (3) Creating or confirming another person's impression which is false and which the offender does not believe to be true; (8) Undue influence, which means the use of influence by someone who exercises authority over an person with a disability in order to take unfair advantage of that person's vulnerable state of mind, neediness, pain, or agony. Undue influence includes, but is not limited to, the improper or fraudulent use of a power of attorney, guardianship, conservatorship, or other fiduciary authority.</p> <p>-The offense of financial exploitation of an elderly person or person with a disability is a class A misdemeanor unless: (1) The value of the property is fifty dollars or more, in which case it is a class E felony.</p> <p>Review of the facility Elder Justice Act- Reporting Reasonable Suspicion of A Crime showed:</p> <p>-The facility was to report to local law enforcement any event that caused suspicion that did not result in serious bodily injury within 24 hours after forming the suspicion.</p> <p>-Any report of a suspicion of a crime will be immediately investigated.</p> <p>Review of the facility Abuse Neglect policy, dated 6/12/24 showed:</p> <p>-Misappropriation included a resident providing monetary assistance to staff, after staff had made the resident believe that staff was in financial crisis.</p> <p>-Exploitation was taking advantage of a resident for personal gain through the use of manipulation, intimidation, threats of coercion.</p> <p>-Mistreatment was inappropriate treatment or exploitation of a resident.</p> <p>(continued on next page)</p>		

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<p>F 0609</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>1. Review of Resident #1's admission Minimum Data Set (MDS- a federally mandated assessment tool required to be completed by facility staff for care planning) dated 4/10/24 showed he/she was cognitively intact.</p> <p>Review of the resident's Administration (ADMIN)/Registered Nurse (RN) Investigation dated 6/19/24 showed:</p> <p>-On 6/11/24 the resident reported he/she had loaned Housekeeper A \$50.00, Housekeeper A had not paid him/her back.</p> <p>-According to the resident, Housekeeper A asked him/her for the money to get his/her phone repaired. Housekeeper A was to repay the resident in two weeks.</p> <p>-The resident indicated he/she felt obligated to loan Housekeeper A the money because Housekeeper A was crying.</p> <p>-The resident said Housekeeper A asked him/her for \$50.00 to repair his/her phone. He/she also commented that the \$50.00 was a loan and he/she expected Housekeeper A to return the money in two weeks. According to the resident, Housekeeper A agreed that he/she would repay him/her in two weeks.</p> <p>-The resident also stated that he/she did not want to give the Housekeeper A the money but felt obligated to help him/her after he/she started crying profusely while in his/her room; he/she described Housekeeper A's crying as a waterfall.</p> <p>-Housekeeper A said he/she should not have taken the money from the resident, that he/she had been trained not to, but stated that the resident had previously told him/her to ask that if he/she ever needed anything; he/she denied that he/she and the resident were in a relationship but were friends; he/she had gone into the resident's room and the resident had shared food with him/her.</p> <p>-Conclusion/Outcome of the investigation:</p> <p>--It was determined that Housekeeper A did in fact take money from a resident, that he/she was aware of the facility abuse, neglect, exploitation (ANE) policies and had received and understood the training on abuse, neglect and financial exploitation.</p> <p>--Housekeeper A indicated that it was the resident's idea to give him/her the money, which he/she fully knowing the policies of Abuse, Neglect and Exploitation (ANE).</p> <p>--Housekeeper A was terminated due to accepting funds from a resident, which is consistent with Exploitation of Funds, a violation of State regulations.</p> <p>During an interview on 7/17/24 at 11:40 A.M., the facility Regional Director of Operations said he/she expected the Administrator to follow the facility Abuse Neglect policy, including that he/she should have ensured a police report was completed regarding Housekeeper A receiving \$50.00 from the resident. This was a suspicion of a crime with the elder justice act.</p> <p>During an interview on 7/17/24 at 11:48 A.M., the Administrator said:</p> <p>(continued on next page)</p>		

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