

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  285054	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED  08/26/2024
NAME OF PROVIDER OR SUPPLIER  The Banyan at Montclair		STREET ADDRESS, CITY, STATE, ZIP CODE  2525 South 135th Avenue Omaha, NE 68144	

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 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Provide enough nursing staff every day to meet the needs of every resident; and have a licensed nurse in charge on each shift.</p> <p><b>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY**</b> 45614</p> <p>Licensure Reference Number 175 NAC 12.006.04(G)</p> <p>Based on observation and interviews, the facility failed to ensure sufficient staff were available to answered calls for assistance in a timely manner for 6 (Residents 4,11,12,13,14 and 15) of 37 residents observed on the 500-600 hall. The facility census was 123.</p> <p>Findings are:</p> <p>An observation of call lights being on and the call light notification system on 8/26-2024 from 10:40 AM to 10:45 AM revealed the following information:</p> <ul style="list-style-type: none"> <li>-The call light for room [ROOM NUMBER] had been on for 27:44 minutes.</li> <li>-The call light for room [ROOM NUMBER] had been on for 32.27 minutes.</li> <li>-The call light for room [ROOM NUMBER] had been on for 39:00 minutes.</li> <li>-The call light for room [ROOM NUMBER] had been on for 17:09 minutes.</li> <li>-The call light for room [ROOM NUMBER] had been on for 13:37 minutes.</li> <li>-The call light for room [ROOM NUMBER] had been on for 16:01 minutes.</li> </ul> <p>An interview on 8/26/2024 at 11:00 AM was conducted with Registered Nurse-E (RN). During the interview RN -E reported 5-10 minutes is a reasonable amount of time to answer a call light.</p> <p>An interview on 8/26/2024 at 11:01 AM with Licensed Practical Nurse (LPN)-G reported anything more than 10 minutes to answer a call light is too long.</p> <p>An interview on 8/26/2024 at 11:03 AM with Nurse Aide-H (NA) reported staff do not know how long a call light has been going off unless they check the call notification system at the nurses' station.</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 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>An interview on 8/26/2024 at 11:05 AM with NA - I confirmed if they are in a room answering a light and they come out of the room and 2 other call lights are going off, they answer the call light closest to where they are.</p> <p>An interview on 8/26/2024 at 11:30 AM was conducted with RN-F. During the interview RN-F reported call lights should be answered within 10 minutes</p> <p>An interview was conducted on 8/26/2024 at 1:20 PM with the Director of Nursing (DON). During the interview the DON confirmed the facility did not have an acceptable time to answer call lights. The DON stated that sometimes the aides are busy in a residents' room for a long period of time and other residents might have to wait 30 minutes or longer.</p> <p>An interview on 8/26/2024 at 1:30 PM with Resident 5 revealed they have had to wait 45 minutes for the call light to be answered. Resident 5 reported 10-15 minutes is a reasonable amount of time to wait for a call light to be answered.</p> <p>An interview on 8/26/2024 at 1:35 PM with Resident 6 revealed the resident reporting they have had to wait up to an hour for the call light to be answered. Resident 6 reported 10-15 minutes is a reasonable amount of time to wait for a call light to be answered.</p> <p>An interview on 8/26/2024 at 1:40 PM with Resident 7 revealed Resident 7 thought 5-10 minutes is a reasonable amount of time to wait for a call light to be answered.</p> <p>An interview on 8/26/2024 at 1:45 PM with Resident 1 revealed Resident 1 reporting they have had to wait for 2 hours for the call light to be answered. Resident 1 thought 15-20 minutes is a reasonable amount of time to wait for a call light to be answered.</p> <p>An interview on 8/21/2024 at 9:00 AM with Resident 4 revealed Resident 4 thought 15 minutes was a reasonable amount of time to wait.</p> <p>An interview on 8/22/2024 at 1:45 PM with Resident 2 revealed Resident 2 thought 10-15 minutes is a reasonable amount of time to wait for a call light to be answered.</p> <p>An interview with Resident 3 on 8/21/2024 at 1:30 PM revealed the resident thought 5-10 minutes is a reasonable amount of time to wait for a call light to be answered.</p>		

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<p>F 0812</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>Procure food from sources approved or considered satisfactory and store, prepare, distribute and serve food in accordance with professional standards.</p> <p>45614</p> <p>Licensure Reference Number 175 NAC 12.006.11(E)</p> <p>Based on observation, interviews and record review, the facility kitchen staff failed to ensure food was thawed in a manner to prevent the potential for food borne illness, failed to ensure that foods were labeled and dated and failed to discard food that was out of date This has the potential to effect all residents who ate food from the kitchen. The facility claimed a census of 123 residents.</p> <p>Findings are:</p> <p>An observation of the kitchen on 8/22/24 at 7:30 AM revealed the following:</p> <ul style="list-style-type: none"> <li>- The refrigerator contained 35 small containers of an unlabeled, undated food on a tray.</li> <li>-A second tray contained 46 containers of a jello-like substance which was not labeled and was dated 8/15/2024 and 3 containers of a jello-like substance which was not labeled and was dated 8/3/2024.</li> <li>-A third tray contained 11 portions of an unlabeled food dated 8/11.</li> <li>-A 4th tray contained 40 containers of an unlabeled food, 37 of which were dated 8/21/24 and 3 which were dated 8/13/24.</li> </ul> <p>An observation on 8/22/2024 at 8:35 AM of a kitchen sink revealed it contained 8 sealed bags of partially frozen chicken breasts. The chicken was not submerged in water and there was no running water to thaw the chicken.</p> <p>An interview on 8/22/24 at 7:45 AM with Cook-A revealed the chicken was in the sink to thaw faster. Cook-A reported they did not know why the containers of food were undated, or unlabeled or why there were food containers with old dates. Cook-A confirmed they did not know when the dated food should be discarded.</p> <p>An interview on 8/22/2024 at 7:47 AM with Dietary Staff (DS) C revealed they did not know why some food portions were undated and unlabeled and was unable to explain why some food had different dates and why it was unlabeled.</p> <p>An interview on 8/22/2024 at 9:35 AM was conducted with the Dietary Manager (DM). During the interview the DM reported chicken in the sink had been disposed of and reported it was not policy to defrost chicken in the sink. The DM also confirmed that food should be labeled and dated according to policy. The DM stated that open food should be discarded 7 days after it being dated. The DM confirmed there was unlabeled and out of date food in the refrigerator.</p> <p>(continued on next page)</p>		

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<p>F 0812</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>An interview on 8/26/2024 at 11:55 AM with the Dietary District Manager of the Healthcare Services Group, Inc revealed that they had provided In-Service education with the dietary employees on 8/23/24 in a language they understood which covered the correct way to defrost meat, the need to label and date food in the refrigerator and how to test the dishwasher for correct chemical sanitization.</p> <p>A record review of the Healthcare Services Group, Inc. Food preparation policy, dated 5/2014 and revised most recently 2/2023 revealed the following:</p> <ul style="list-style-type: none"> <li>-5. The [NAME] thaws frozen items that require defrosting prior to preparation using one of the following methods: <ul style="list-style-type: none"> <li>-Thawing in the refrigerator, in a drip-proof container, and in a manner that prevents cross-contamination.</li> <li>-Thawing the item in a microwave oven then transferring immediately to conventional cooking equipment.</li> <li>-Completely submerging the item under cold water (at a temperature of 70 degrees F or below) that is running fast enough to agitate and float off loose ice particles</li> <li>-Cooking directly from the frozen state, when directed.</li> </ul> </li> </ul> <p>A record review of the Food Storage: Cold foods policy from the Healthcare Services Group, Inc dated 5/2014 and revised on 2/2023 revealed the following:</p> <ul style="list-style-type: none"> <li>-5. All foods will be stored wrapped or in covered containers, labeled and dated and arranged in a manner to prevent cross contamination.</li> </ul>