

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 335701	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED 01/10/2025
NAME OF PROVIDER OR SUPPLIER Pathways Nursing and Rehabilitation Center		STREET ADDRESS, CITY, STATE, ZIP CODE 1805 Providence Avenue Niskayuna, NY 12309	

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 - Few</p>	<p>Honor the resident's right to a dignified existence, self-determination, communication, and to exercise his or her rights.</p> <p>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** 34630</p> <p>Based on record review and interview during the recertification survey, the facility did not ensure each resident was treated with respect and dignity and care in a manner and in an environment that promotes maintenance or enhancement of their quality of life for 2 (Resident #s 39 and 65) of 106 residents reviewed.</p> <p>This is evidenced by:</p> <p>The Policy and Procedure titled, Resident Rights and Dignity, revised 11/2018, documented it was the facility's policy to ensure that all residents' rights were ensured and respected. In addition, the facility would maintain strict adherence to state and federal guidelines with regards to granting residents' rights, maintaining resident dignity, and ensuring a pleasant and home-like environment for residents and their families.</p> <p>Resident #39:</p> <p>Resident #39 was admitted to the facility with diagnoses of acute and chronic respiratory failure with hypoxia (low levels of oxygen in blood), tracheostomy (surgical procedure that creates an opening in the trachea (windpipe) through the front of the neck, and injury of the spinal cord (at the neck level). The Minimum Data Set (an assessment tool) dated 10/23/2024, documented the resident was cognitively intact. The resident was able to make themselves understood and was able to understand others.</p> <p>The Care Plan fo Activities of Daily Living documented the following: Dressing, Grooming, Feeding, Bathing, Toileting, Personal Hygiene, revised 10/24/2024, with a goal that the resident would be clean, dry, and groomed daily. Care plan interventions documented to check and change incontinent briefs every 2-4 hours and as needed.</p> <p>During an interview on 12/30/2024 at 2:57 PM, Resident #39 stated that the night before, 12/29/2024, they had to wait 5 or 6 hours during the evening shift to get changed when their brief was wet.</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: 335701
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<p>F 0550</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>During a subsequent interview on 1/08/2025 at 12:46 PM, Resident #39 stated they were offended by staff who were always angry and would scold them. Resident #39 stated they had asked a Certified Nurse Aide to put their medicated powder on them and was told it was in an angry tone it was not their job; it was the nurse's job. Resident #39 stated, 'The Certified Nurse Aides make it look like I am being taken care of when I am not.' Resident #39 stated that it 'seemed to be a policy here.' They further stated they would activate their call light, for the Certified Nurse Aide to come in and turn it off, and would not help them. Resident #39 stated Certified Nurse Aides 'leave them wet half the night.'</p> <p>During an interview on 1/7/2025 at 11:45 AM, Licensed Practical Nurse #2 stated Resident #39 was dependent on 1 staff for their personal care needs. Stated they were not aware the resident had been left in a wet brief for 5-6 hours on 12/29/2024. Stated Certified Nurse Aides should be checking the resident's brief as care planned. Stated Certified Nurse Aides should be answering the resident's call light in a timely manner and assisting the resident at that time.</p> <p>48615</p> <p>Resident #65:</p> <p>Resident #65 was admitted to the facility with diagnoses of respiratory (lung) failure, coronary artery disease (heart disease that occurs when the arteries that supply blood to the heart narrow), and anxiety. The Minimum Data Set, dated dated dated [DATE], documented the resident was cognitively intact. The resident was able to make themselves understood and was able to understand others. The assessment documented impairment to upper extremities on both sides and impairment to lower extremity on one side. The resident required partial/moderate assistance with oral hygiene, toileting hygiene, shower/bathing, and upper body dressing. The resident required substantial/maximal assistance with lower body dressing and personal hygiene. The resident was frequently incontinent of bowel and bladder.</p> <p>During an interview on 1/08/2025 at 1:41 PM, Resident #65 stated they had problems with some of the Certified Nurse Aides. Stated their regular aide was good, but some of the aides were very rude and short with them. Stated they were often left in a wet bed for hours. Resident #65 stated they wait all night to get assistance. Stated they would put their call light on, and the aide would come into the room and turn the light off. Stated they would leave the room and never come back. Stated they had to ask for assistance with activities of daily living such as washing up and toileting. Stated the aide would tell them to do it yourself. Stated they could not do it alone all the time secondary to having the tracheostomy and shortness of breath. Stated the aides were very abrupt and then leave the room. Resident #65 stated they had spoken to the nurse manager and there has been no resolution. Stated that one aide told them it was the nurse manager's problem. Resident #65 could not identify the Certified Nurse Aides but said some of them still worked in the facility and some have left. Stated they thought they were Certified Nurse Aides who were from a travelling agency.</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 - Few</p>	<p>During an interview on 1/08/2025 at 1:48 PM, Registered Nurse #2 stated there was a turnover of staff, specifically Certified Nurse Aides. Stated Certified Nurse Aides would stay for a few months and then leave. Stated it was mostly the travel Certified Nurse Aides that would leave. Stated they had not received any complaints from residents. Stated Resident #65 preferred certain staff. Stated that in the past, Resident #65 had a problem with a Certified Nurse Aide, stating they were rude. They stated they talked to the aide at that time and provided them with an onsite in-service. Stated it was a female Certified Nurse Aide and they did not notify Administrator #1 or Director of Nursing #1.</p> <p>During an interview on 1/08/2025 at 1:53 PM, Director of Nursing #1 stated they did not recall a staff member reporting a Certified Nurse Aide that was being inappropriate. Stated they had addressed an issue in the past with another resident who had a preferred Certified Nurse Aide because they felt they had to argue with Certified Nurse Aide staff.</p> <p>10 New York Code Rules and Regulations 415.5(a)</p>		

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<p>F 0645</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>PASARR screening for Mental disorders or Intellectual Disabilities</p> <p>34630</p> <p>Based on record review and interviews during the recertification survey, the facility did not ensure that each resident was screened for a mental disorder or intellectual disability prior to admission for 2 (Resident # ' s 30 and 64) of 24 residents reviewed. Specifically, the Preadmission Screening and Resident Review (PASARR, New York State Department of Health form 695) was incomplete for Residents #30 and 64.</p> <p>This is evidenced by:</p> <p>The facility Policy titled, Assessment Prior to Admission, last revised September 2011 documented recipient was to be admitted without an assessment prior to admission of the need for the intended level of care using New York State mandated forms. The screen must be completed and signed by a qualified professional.</p> <p>Resident #30</p> <p>Resident #30 was admitted to the facility with diagnoses of anoxic brain damage (brain damage caused by lack of oxygen), anxiety disorder, and chronic respiratory (lung) failure. The Minimum Data Set (an assessment tool) dated 12/05/2024 documented that the resident was in a persistent vegetative state.</p> <p>The Preadmission Screening and Resident Review dated 10/30/2024 for Resident #30 was incomplete, with questions 23 through 26 (level 1 review for mental illness, mental retardation, and developmental disability) unanswered.</p> <p>48615</p> <p>Resident #64</p> <p>Resident #64 was admitted to the facility with diagnoses of major depressive disorder, generalized anxiety disorder, and psychotic disorder with delusions (disorder characterized by disconnection from reality which results in strange behavior). The minimum Data Set (an assessment tool) dated 10/24/2024 documented that the resident could understand, be understood, and was cognitively intact.</p> <p>The Preadmission Screening and Resident Review dated 07/12/2021 for Resident #64 was incomplete, with questions 31, 32 (danger to self or others), and 33 (level 2 referrals) unanswered.</p> <p>During an interview on 01/03/2025 at 12:21 PM, Admissions Staff #1 stated the screen was completed at the hospital and reviewed by Admission staff for completion, dates and signature.</p> <p>During an interview on 01/03/2025 12:30 PM, Director of Nursing #1 stated the Screen forms should have been reviewed by the Admissions department and sent back to the hospital if it they were incomplete.</p> <p>10 New York Code of Rules and Regulations 415.11(3)</p>		

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<p>F 0679</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>Provide activities to meet all resident's needs.</p> <p>48615</p> <p>Based on observation, record review, and interviews conducted during the recertification survey, the facility did not ensure ongoing provision of programs to support each resident and their choices of activities, designed to meet the interests of and support the physical, mental, and psychosocial well-being for 1 (Resident #10) of 3 residents reviewed. Specifically, Resident #10 did not consistently attend meaningful, accommodating activities to maintain their highest practicable quality of life.</p> <p>This is evidenced by:</p> <p>The facility's Policy and Procedure titled, Activities, effective 9/30/2023, documented, the purpose was to provide structured and engaging activities that promoted the physical, mental, and emotional well-being of all participants, ensuring compliance with New York State Department of Health and Centers for Medicare & Medicaid Services regulations.</p> <p>Resident #10 was admitted to the facility with diagnoses of anoxic brain injury (caused by a complete lack of oxygen to the brain, which results in the death of brain cells), chronic respiratory failure (shortness of breath and or difficulty breathing that develops over time), and asthma (inflammation and muscle tightening around the airways, which makes it harder to breathe). The Minimum Data Set (an assessment tool) dated 11/2024, documented the Brief Interview for Mental Status was not completed, and that the resident could understand and be understood by others.</p> <p>The Comprehensive Care Plan dated 10/2024, documented Resident #10 needed 1-to-1 structured multi-sensory activities to stimulate cognitive functioning through religious visits, conversation, tactile therapy, music therapy, and light hand massage. They were unable to develop meaningful routine daily, staff must anticipate all activity needs and interventions. Interventions: Turn on animated cartoons daily. Weekly 1-to-1 visit to promote sensory, cognitive, and social stimulation.</p> <p>During observations on 12/30/2024 at 1130 AM, 12/31/2024 at 10:00 AM, 1/02/2025 at 2:40 PM, 1/03/2025 at 1:00 PM, and 1/06/2025 at 9:45 AM, Resident #10 was observed in their room, in bed alone with the television on.</p> <p>During an interview on 1/07/2025 at 11:11 AM, Director of Activities #1 stated residents who did not attend group therapy had 1-to-1 activities once per week. They stated there were multiple staff members in and out of resident room daily such as medication nurse, respiratory therapists, certified nurse aides that were considered part of daily activity. A barber service visits the facility twice per month to give haircuts and shave. Director of Activities #1 stated they had 5 Activities Staff members for their department. In order to provide more frequent 1-to-1 activity sessions, the Activities Department would need an additional 10 staff members.</p> <p>Resident #10's December 2024 Activity Log for 1-to-1 sessions was blank with the exception of 12/28/2024 and 12/31/2024.</p> <p>(continued on next page)</p>		

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<p>F 0679</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>During an interview on 1/07/2025 at 12:07 PM, Director of Activities #1 stated Resident #10 did not tolerate sitting in wheelchair. Director of Activities #1 also stated for ventilator-dependent residents to attend group therapy, they must be able to tolerate out of bed to chair, and respiratory therapy and or family member must be present during activity.</p> <p>During an interview on 1/07/2025 at 12:09 PM, Licensed Practical Nurse #2 stated Resident #10 did not attend group activities. They stated not every resident got up and out of bed daily. It depended on staffing, and if an aide had them frequently, sometimes the aide would get them up. Licensed Practical Nurse #2 stated some residents had daily routines where they got up daily and some did not. Licensed Practical Nurse #2 stated that it was also related to staffing for the day. They stated Resident #10 had not gotten out of bed in a week and did not attend group activities.</p> <p>During an interview on 1/07/2025 at 12:32 PM, Director of Respiratory Therapy #1 stated all residents at this facility could attend group activities; Ventilator dependent residents who attended activities would use the same ventilator that they used while in their room; When leaving the room, the ventilator would be disconnected from the outlet and then function on its battery; The ventilator also had a portable monitor that went along with it. Director of Respiratory Therapy #1 further stated residents who were ventilator dependent did not have any restriction for getting out of bed or leaving their rooms. Director of Respiratory Therapy #1 stated they were never informed of Resident #10 having respiratory difficulty when out of bed.</p> <p>During an interview on 1/07/2025 at 12:45 PM, Director of Nursing #1 stated some residents did not get out of bed daily because they could not tolerate it clinically. For those cases, residents would receive 1-to-1 therapy and or activities. Residents who were ventilator dependent had no restrictions for getting out of bed or engaging in activities.</p> <p>During an interview on 1/07/2025 at 3:17 PM, Administrator #1 stated the facility conducted group activities daily and 1-to-1 individual activity as frequently as possible; The Activities Department was recently changed with a new director; Staffing was increased to meet demands for staff to patient ratio. Administrator #1 stated they were currently working on new ideas to enhance all activities.</p> <p>10 New York Codes, Rules, and Regulations 415.5(f)(1)h</p>		

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</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>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** 33538</p> <p>Based on observation, record review, and interviews during the recertification survey, the facility did not ensure the provision of sufficient nursing staff to assure resident safety and attain or maintain the highest practicable physical, mental, and psychosocial well-being of each resident throughout the facility. Specifically, the facility's minimum staffing level of Certified Nurse Aides was not consistently met every day on 3 of 3 Nursing units from 12/07/2024 to 1/08/2025.</p> <p>This is evidenced by:</p> <p>Upon entrance to the facility on [DATE], there were 106 residents residing on 3 units.</p> <p>The Policy and Procedure titled, Nursing Services and Sufficient Staff, revised 5/2023, documented it was the facility's policy to provide sufficient staff with appropriate competencies and skill sets to assure resident safety and attain and maintain the highest practicable physical, mental, and psychosocial well-being of each resident. The facility's census, acuity and diagnoses of the resident population would be considered based on the facility assessment. The facility would supply services by sufficient numbers of staff on a 24-hour basis to provide nursing care to all residents in accordance with resident care plans except when waived, licensed nurses and other personnel, including but not limited to nurse aides.</p> <p>34630</p> <p>The Facility assessment dated [DATE], documented the average daily census was 109. The number of residents dependent on assistance with activities of daily living documented:</p> <p>95 residents for both bathing and dressing</p> <p>90 residents for transfer</p> <p>69 residents for eating</p> <p>102 residents for toileting</p> <p>99 residents who were in a chair most of the time were dependent for mobility</p> <p>The facility assessment documented a Certified Nurse Aide Staffing Plan (the number of Certified Nurse Aides for each unit and shift) for 7 days as follows for the Traumatic Brain Injury unit:</p> <p>-- 4 for the 7:00 AM to 3:00 PM day shift,</p> <p>-- 4 for the 3:00 PM to 11:00 PM evening shift, and</p> <p>-- 2 for the 11:00 PM to 7:00 AM night shift.</p> <p>(continued on next page)</p>		

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>The facility assessment documented a Certified Nurse Aide Staffing Plan (the number of Certified Nurse Aides for each unit and shift) for 7 days as follows for the Sub-Acute/Ventilator unit:</p> <ul style="list-style-type: none"> -- 4 for 7:00 AM to 3:00 PM day shift, -- 4 for the 3:00 PM to 11:00 PM evening shift, and -- 2 for the 11:00 PM to 7:00 AM night shift. <p>The facility assessment documented a Certified Nurse Aide Staffing Plan (the number of Certified Nurse Aides for each unit and shift) for 7 days as follows for the Pediatrics unit:</p> <ul style="list-style-type: none"> -- 3 for the 7:00 AM to 3:00 PM day shift, -- 3 for the 3:00 PM to 11:00 PM evening shift, and -- 1 for the 11:00 PM to 7:00 AM night shift. <p>A review of the Facility Scheduling Worksheets (daily staffing sheets) dated from 12/07/2024 to 1/08/2025 documented the following units were short Certified Nurse Aides:</p> <p>Saturday, 12/07/2024:</p> <ul style="list-style-type: none"> -- The Traumatic Brain Injury unit had a census of 39 and was short 1 Certified Nurse Aide on the evening shift. -- The Sub Acute/Vent unit had a census of 33 and was short 1 Certified Nurse Aide on the day shift, 2 on the evening shift, and 1 on the night shift until 5:15 AM. <p>Sunday, 12/08/2024:</p> <ul style="list-style-type: none"> -- The Traumatic Brain Injury unit had a census of 39 and was short 2 Certified Nurse Aides on the day shift, 2 on the evening shift, and was short 1 on the night shift until 5:15 AM. -- The Sub Acute/Vent had a census of 33 and was short 2 Certified Nurse Aides on the day shift, 2 on the evening shift, and 1 on the night shift. <p>Wednesday, 12/11/2024:</p> <ul style="list-style-type: none"> -- The Traumatic Brain Injury unit had a census of 39 and was short 1 Certified Nurse Aide on the evening shift. -- The Sub Acute/Vent unit had a census of 33 and was short 1 Certified Nurse Aide on the day shift, 1 at the start of the evening shift at 3:00 PM and was short 2 as of 3:50 PM. <p>Saturday, 12/14/2024:</p> <p>(continued on next page)</p>		

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>-- The Traumatic Brain Injury) unit had a census of 39 and was short 2 Certified Nurse Aides on the day shift and 1 on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 36 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>Sunday, 12/15/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 39 and was short 1 Certified Nurse Aide on the day shift, 1 on the evening shift, and 1 on the night shift until 5:30 AM.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift, and 1 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 36 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>Monday, 12/16/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 39 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 2 on the evening shift.</p> <p>Tuesday, 12/17/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 39 and was short 2 Certified Nurse Aides on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 33 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Wednesday, 12/18/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 39 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>-- The Sub Acute/Vent had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Thursday, 12/19/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 39 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>(continued on next page)</p>		

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the evening shift and 1 on the night shift.</p> <p>-- The Pediatrics unit had a census of 35 and was short 1 Certified Nurse Aide on the day shift.</p> <p>Friday, 12/20/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 38 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 35 and was short 1 Certified Nurse Aide on the day shift.</p> <p>Saturday, 12/21/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 38 and was short 1 on the day shift and 1 on the night shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day, evening, and night shifts.</p> <p>Sunday 12/22/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 37 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 2 Certified Nurse Aides on the day shift and 2 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Monday 12/23/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 37 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Tuesday, 12/24/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 37 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>(continued on next page)</p>		

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>-- The Pediatrics unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Wednesday, 12/25/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 37 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift, 1 on the evening shift, and was short 1 on the night shift, as of 12:30 AM.</p> <p>-- The Pediatrics unit had a census of 34 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>Saturday, 12/28/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 38 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 2 Certified Nurse Aides on the day shift and 2 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 35 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Sunday, 12/29/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 37 and was short 3 Certified Nurse Aides at the start of the day shift at 7:00 AM and as of 10:00 AM was short 2 Certified Nurse Aides. At the start of the evening shift at 3:00 PM, was short 2 Certified Nurse Aides and at 8:00 PM was short 3 Certified Nurse Aides.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 2 Certified Nurse Aides on the day shift as of 7:18 AM. At the start of the evening shift at 3:00 PM, the unit was short 2 Certified Nurse Aides, and as of 8:00 PM, was short 3 Certified Nurse Aides.</p> <p>-- The Pediatrics unit had a census of 35 and was short 1 Certified Nurse Aide on the day shift. On the evening shift at 3:00 PM, was short 1, and at 5:00 PM was short 2.</p> <p>Monday, 12/30/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 37 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>(continued on next page)</p>		

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 2 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 35 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Tuesday, 12/31/2024:</p> <p>-- The Traumatic Brain Injury unit had a census of 37and was short 2 Certified Nurse Aides on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 2 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 35 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Wednesday, 1/01/2025:</p> <p>-- The Traumatic Brain Injury unit had a census of 36 and was short 2 Certified Nurse Aides on the day shift and 1 on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 2 Certified Nurse Aides on the day shift and 1 on the evening shift.</p> <p>-- The Pediatric unit had a census of 35 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Thursday, 1/02/2025:</p> <p>-- The Traumatic Brain Injury unit had a census of 35 was short 1 Certified Nurse aide on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 35 and was short 1 Certified Nurse Aide on the day shift.</p> <p>Friday, 1/03/2025:</p> <p>-- The Traumatic Brain Injury unit had a census of 35 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>The Pediatrics unit had a census of 35 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>(continued on next page)</p>		

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>Saturday, 1/04/2025:</p> <p>-- The Traumatic Brain Injury unit had a census of 35 and was short 1 Certified Nurse Aide on the evening shift. On the night shift, was short 1 until 5:00 AM.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 34 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>Sunday, 1/05/2025:</p> <p>-- The Traumatic Brain Injury unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Monday, 1/06/2025:</p> <p>-- The Traumatic Brain Injury unit had a census of 35 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Tuesday, 1/07/2025:</p> <p>-- The Traumatic Brain Injury unit had a census of 35 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>-- The Pediatrics unit had a census of 33 and was short 1 Certified Nurse Aide on the day shift and 1 on the evening shift.</p> <p>Wednesday, 1/08/2025:</p> <p>-- The Traumatic Brain Injury unit had a census of 36 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>(continued on next page)</p>

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>-- The Sub Acute/Vent unit had a census of 34 and was short 1 Certified Nurse Aide on the evening shift.</p> <p>-- The Pediatrics unit had a census of 33 and was short 1 Certified Nurse Aide on the day shift.</p> <p>Census data for the Traumatic Brain Injury, Sub Acute/Ventilator, and Pediatrics units for December 2024 and January 2025 provided by the facility documented the following:</p> <p>CENSUS DECEMBER 2024</p> <p>Day-Month, Traumatic Brain Injury Unit Census, Sub-Acute/Ventilator Unit Census, Pediatrics Unit Census, Total Census</p> <p>1-December 39 33 36 108</p> <p>2-December 39 33 36 108</p> <p>3-December 39 33 36 108</p> <p>4-December 39 33 36 108</p> <p>5-December 39 33 35 107</p> <p>6-December 39 34 35 108</p> <p>7-December 39 33 35 107</p> <p>8-December 39 33 35 107</p> <p>9-December 39 33 35 107</p> <p>10-December 39 33 35 107</p> <p>11-December 39 33 35 107</p> <p>12-December 39 33 35 107</p> <p>13-December 39 34 36 109</p> <p>14-December 39 34 36 109</p> <p>15-December 39 34 36 109</p> <p>16-December 39 34 36 109</p> <p>17-December 39 33 35 107</p> <p>18-December 39 34 35 108</p> <p>(continued on next page)</p>

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F 0725 Level of Harm - Minimal harm or potential for actual harm Residents Affected - Many	19-December 39 34 35 108 20-December 38 34 35 107 21-December 38 34 35 107 22-December 37 34 34 105 23-December 37 34 34 105 24-December 37 34 34 105 25-December 37 34 34 105 26-December 37 34 35 105 27-December 38 34 35 107 28-December 38 34 35 107 29-December 37 34 35 106 30-December 37 34 35 106 31-December 37 34 35 106 CENSUS JANUARY 2025 Day-Month, Traumatic Brain Injury Unit Census, Sub-Acute/Ventilator Unit Census, Pediatrics Unit Census, Total Census 1-January 36 34 35 105 2-January 35 34 35 104 3-January 35 34 35 104 4-January 35 34 34 103 5-January 34 34 34 102 6-January 35 34 34 103 7-January 35 34 33 102 8-January 36 34 33 103 (continued on next page)		

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>During an interview on 12/30/2024 at 2:55 PM, Resident #64 stated they stayed in bed all when there was not enough staffing because they required the assistance of 2 staff and a mechanical lift for transfers out of bed.</p> <p>During an interview on 12/30/2024 at 12:07 PM, Family Member #1 stated there were times when the facility was short staffed.</p> <p>During an interview on 12/30/2024 at 2:57 PM, Resident #39 stated the facility was 'severely' understaffed on a regular basis and was short staffed on all shifts. They stated that last night, 12/29/2024, they had to wait 5 or 6 hours during the evening shift to get changed when their incontinence brief was wet. The resident stated there had been recent turnover with staff.</p> <p>During an interview on 12/30/2024 at 3:59 PM, Resident #52 stated there was a staffing problem. They stated the 3:00 PM to 11:00 PM shift was the worst and stated there was usually 1 Certified Nurse Aide on the unit. Resident #52 stated they could not get their shower on the 3:00 PM to 11:00 PM shift because the aide stated they could not handle the shower without another staff member to assist. They stated the evening shift did follow the care plan for brushing their teeth and changing them because they were short staffed. The resident stated they usually had to wait 30 minutes to one hour for care.</p> <p>During an interview on 12/31/2024 at 10:21 AM, Resident #260 stated that every time they needed to go to the bathroom, they were told to wait.</p> <p>During an interview on 12/31/2024 at 11:24 AM, Family Member #2 stated they were concerned there were not enough staff to correctly turn and position the resident. They stated there was often only 1 to 2 Certified Nurse Aides on the unit.</p> <p>During an interview on 1/08/2025 at 10:12 AM, Staffing Coordinator #1 stated they were also a Certified Nurse Aide and helped in many areas of the facility. They stated they looked at the facility census when they assessed the staffing needs and stated they had to 'balance' staff; They gave the units what they required and was aware of the number of nursing staff required for each unit. They stated the facility had been very good about staffing, but the gastrointestinal illness effected staffing on the (Pediatrics) unit. Traveler staff came and then they went back home to their home states. Stated staffing was bad this past week. Stated supervisors call them about weekend staffing. Staffing Coordinator #1 stated they would come in on Sunday to work. Stated they worked closely with supervisors, especially with staffing. Surveyor asked specifically about staffing on 12/29/2024. They stated that on the Sub Acute/Vent unit, a Certified Nurse Aide left at 7:18 AM due to a personal issue and another aide that was scheduled from an agency cancelled, leaving 2 aides on unit for the shift. They stated the Agency would just cancel and would not give a reason. They stated for 3-11 shift, there were 2 Certified Nurse Aides but 1 left at 8:00 PM, leaving 1 aide on the unit. On the Traumatic Brain Injury unit during the 3-11 PM shift, there were 2 aides and then 1 left at 8:00 PM to accompany a resident to the hospital. Stated the facility utilized Agency staff and had a sheet of agencies/staff/phone number they provide to the supervisors. The facility had 5 contracted agencies but only 3 were providing nursing staff. The facility requires 3 days of training for agency staff. Staffing Coordinator #1 was called when by staff when they were not coming in or staff would call the off-shift supervisor. Stated December staffing was 'hit or miss' due to flu or flu-like symptoms. Stated the facility did float staff to other units.</p> <p>(continued on next page)</p>		

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>During a subsequent interview on 1/08/2025 at 12:46 PM, Resident #39 stated there was a lot of staff in the building today. They stated when the unit was short staffed, they had to wait for care. They stated The Certified Nurse Aides would come into the room after they (the resident) puts their call light and then is told by them to give them a minute but then they do not come back for 2 hours. They stated it was a problem during the weekend more than the week when sometimes they only had 1 person (aide) on the unit who had 18-20 people to provide care to.</p> <p>During an interview on 1/10/2025 at 10:27 AM, Administrator #1 stated there was turnover from out of state staffing in December. Stated several staff left with no notice: 4 in early December, and then 2 in the week of 12/30/2024. Stated the out-of-state Certified Nurse Aide staff were not contracted and were facility employees. Stated that during the sudden staff shortage in December, the facility brought in agency staff for the short term. Stated the facility had new hires as of 1/7/2025 and were orienting 7 new Certified Nurse Aides. The biggest issue was Criminal History Record Check which took 'months.' Stated the facility did not bring in staff without clearance due to the vulnerable population. The facility currently offered a sign on bonus, had increased the base rate of pay, and offered a shift differential. Stated there was continuous overtime pay. Stated that although the facility had stressed to new hires that it was a 'different' facility, staff often state they were not aware of the heavy patient care load and then resign.</p> <p>10 New York Code Rules and Regulations 415.13(a)(1)(i-iii)</p>		

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<p>F 0761</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>Ensure drugs and biologicals used in the facility are labeled in accordance with currently accepted professional principles; and all drugs and biologicals must be stored in locked compartments, separately locked, compartments for controlled drugs.</p> <p>48615</p> <p>Based on observation, record review, and interviews conducted during the recertification survey, the facility did not ensure drugs and biologicals were labeled and stored in accordance with professional standards of practice. Specifically, (a.) an opened medication had no open and/or expiration date; (b) 3 medications were passed expiration dates; (c.) medication requiring refrigeration were stored in the medication cart unrefrigerated, and (d.) shift change narcotic count signatures were missing on several dates, for 3 out of 3 medication carts reviewed.</p> <p>This is evidenced by:</p> <p>The Facility's Policy and Procedure titled, Medication Storage, revised 1/03/2017, documented, Medications listed in Schedules II, III, IV, and V would be stored under double locked conditions. The access key to the controlled medications was not the same key that allowed access to other medications. The medication nurse on duty would maintain possession of a key to the controlled medications and does not relinquish the key until a count has been completed and thus, the transfer of responsibility for the key and controlled medications has been completed. Controlled medications would be counted every eight hours (at change of shift 7:00 AM, 3:00 PM, and 11:00 PM) and as needed with the nurses beginning and ending a tour of duty with assignment of medication administration for a particular patient grouping. The oncoming nurse handled and counts the remaining controlled medications and the outgoing nurse records the amount noted. The actual amount of the controlled medication present would be compared to the remaining amount indicated on the Controlled Substance Record and the amount remaining would be recorded on the Controlled Medication Change of Shift Audit form. Both nurses involved in the count would sign the Controlled Medication Change of Shift Audit form verifying the integrity of the information represented.</p> <p>The Facility's Policy and Procedure titled, Insulin Administration and Safety, revised July 2015, documented, Storage in of insulin Vials and FlexPen: The individual manufacturer's storage recommendations and expiration dates must be followed. These usually suggest that o Insulin vials and FlexPen pen must never be frozen. o Direct sunlight or warming (in hot climates) damages insulin. o Unused insulin vials and FlexPen should be stored in a refrigerator. o After opening, an insulin vial and FlexPen should be discarded per manufacturer recommendation. MIX insulin-Novolog 70/30=14 days; Rapid acting- Novolog R =28 days and Long acting- Levemir/ Lantus= 42 days.</p> <p>The Facility's Policy and Procedure titled, Medication Administration, revised 3/19/2018 documented, pre-mixed medications from pharmacy with a label 'Refrigerate' should be kept in the refrigerator at all times. Never give a medication that has expired.</p> <p>During an observation on 1/02/2025 at 10:36 AM on the Traumatic Brain Injury Unit, the Shift Change Narcotic Count for Cart B was noted to have missing signatures on the following dates: 12/23/2024 7-3 PM and 3-11 PM shifts; 12/25/2024 7-3 and 3-11 PM shifts; 12/27/2024 3-11 PM shift; 1/1/25 3-11 PM shift. The Ventilator Unit, Cart B was noted to have no signatures for 1/2/2025 7-3 PM shift. There were no discrepancies in the medications.</p> <p>(continued on next page)</p>		

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<p>F 0761</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>During an observation on 1/02/2025 at 10:40 AM on the Traumatic Brain Injury Unit, Medication Cart B contained 1 bottle of artificial tears with an expiration date of 12/08/2024.</p> <p>At the time of observation, Registered Nurse #1 stated they were unaware the medication had expired 30 days after opening, and they were not aware of medication that had shortened expiration dates after opening.</p> <p>During an observation on 1/02/2025 at 11:00 AM on the Traumatic Brain Injury Unit, Medication Cart A, contained an opened bottle of Omeprazole liquid medication labeled 'keep refrigerated.'</p> <p>At the time of observation, Registered Nurse #2 stated this was an oversight and immediately placed medication in medication room refrigerator.</p> <p>During an observation on 1/02/2025 at 11:30 AM on the Ventilator Unit, Medication Cart B contained 1 bottle of Systane eye drops with an expiration date of 11/30/2024; 1 bottle of Alphagan 0.1% eye drops with an expiration date of 12/30/2024, and 1 Lantus insulin pen with no open and expiration date.</p> <p>At the time of observation, Licensed Practical Nurse #1 stated expired medications should be discarded and not used.</p> <p>During an interview on 1/02/2025 at 10:54 AM, Nurse Educator #1 stated there was a grid of medications with shortened expiration dates posted in the medication room; All nursing staff received training upon hire on the administration of medication including checking expiration dates; During orientation each nurse was observed and signed off on proper shift change narcotic count; During shift change narcotics were counted and signed by two nurses, the outgoing and oncoming nurse.</p> <p>During an interview on 1/2/2025 at 10:56AM, Director of Nursing #1 stated all clinical staff received Inservice training upon hire and annually on medication shortened expiration dates after opening. In addition, each nurse was observed and signed off on proper shift change narcotic count. During shift change narcotics were counted and signed by two nurses, the outgoing and oncoming nurse. This included nurses who we worked double consecutive shifts. Director of Nursing #1 stated they were not aware there were missing signatures in the narcotic signoff sheets; It was the responsibility of the unit manager to monitor narcotic signoff sheets daily.</p> <p>10 New York Codes, Rules, and Regulations 415.18(d)</p>		