

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 366270	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED 04/30/2026
NAME OF PROVIDER OR SUPPLIER Eagle Pointe Skilled Nursing & Rehab		STREET ADDRESS, CITY, STATE, ZIP CODE 87 Staley Road Orwell, OH 44076	
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 0585</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 voice grievances without discrimination or reprisal and the facility must establish a grievance policy and make prompt efforts to resolve grievances.</p> <p>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** Based on record review, resident and staff interviews and facility policy review, the facility failed to make prompt efforts and resolve a resident grievance involving staff smelling of marijuana while providing care. This affected one resident (Resident #21) of two residents reviewed for resident concerns. The facility census was 53. Findings include: Review of the medical record for Resident #21 revealed an admission date of 07/15/23 with diagnoses including pan lobular emphysema, chronic obstructive pulmonary disease (COPD), insomnia, dependence on respirator, muscle wasting, heart failure, type two diabetes, and anxiety. Review of the facility document titled Witness statement dated 03/19/26 and authored by Unit Manager (UM) #336 revealed Resident #21 notified UM #336 that Certified Nursing Assistant (CNA) #315 and CNA #339 smelled like marijuana. UM #336 stated she could smell a faint odor and that the CNA did not appear impaired. UM #336 stated she spoke with CNA #315 and #339 and told them it was not appropriate to come to work smelling like marijuana. Message was left for the Administrator to notify him of the situation. Review of facility document titled Resident Concerns/Complaints dated 03/20/26, revealed Resident #21 had a chief complaint that STNA smell like marijuana. The document did not state who the concern was reported to but stated interventions included addressing the aids and all staff. The complaint was considered closed. Review of facility document titled Resident/Family Concern/Grievance Form dated 03/20/26, revealed Resident #21 described CNA #315 and CNA #339 smelled like marijuana on night shift. The concern was received from a resident. Action taken included the Administrator spoke with the evening supervisor (UM #336). UM #336 stated the CNA did not show any signs of impairment during their shift but stated She could smell the odor. The Administrator spoke to the aids about it, and reviewed they were not to smell like of marijuana. The DON was to address the situation at the monthly meeting. The document was signed by the administrator on 03/20/26. In section three: Follow Up with Resident/Family Member, the section was not filled out regarding name and date of the individual contacted, comments and name of the staff member completing follow-up. Review of the Minimum Data Set (MDS) 3.0 quarterly assessment dated [DATE] revealed Resident #21's cognition was intact. Resident #21 was totally dependent on staff for toilet hygiene, putting on footwear, transferring from bed to chair, and in and out of the tub. Review of facility document titled Ad-HOC Learning Circle dated 03/27/26, revealed the DON educated all staff with 29 staff names and signatures (14 Certified Nursing Assistants, five Housekeepers, one Maintenance, one Scheduler, three Licensed Practical Nurses, two Activities and three Nursing) regarding the following content: no one should be coming to work smelling like marijuana. It may be legal in Ohio, but it is not legal in a healthcare setting because the facility was federally regulated. Residents were complaining they were smelling it on staff. Staff were educated not to be in work attire if exposed to marijuana, because it was like smelling cigarettes on oneself or excessive perfumes. An interview on 04/29/26 at 12:40 P.M. with Resident #21 revealed he spoke to the Director of Nursing (DON) and Assistant Director of Nursing (ADON) about Certified Nursing Assistant (CNA) #315 and #339 smelling like marijuana while providing care to him. Resident #21 stated he also spoke to the facility Scheduler #303 and Social Service Designee (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 0585</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>(SSD) #353 but it continued to be a concern. Resident #21 stated he did not want CNA #315 and #339 caring for him because he believed they were impaired while caring for him. Resident #21 stated the odor of marijuana on CNA #315 and #339 was so strong it upset him because he depended on them to lift him with a mechanical lift and he felt he could not trust them. Resident #21 stated both CNA #315 and #339 worked the night shift. An interview on 04/29/26 at 12:45 P.M. with CNA #317 revealed CNA #317 stated CNA #339 always smelled of marijuana, and the administration did nothing about it. CNA #317 stated there was one meeting about not having odors on them while working and not doing drugs, but CNA #339 still smelled of marijuana when at work, so the meeting did not do any good. CNA #317 stated that it was a known thing that CNA #339 smelled of marijuana while doing her job. An interview on 04/29/26 at 12:55 P.M. revealed Resident #46 was alert, and oriented to person, place, time and situation. Resident #46 stated CNA #339 smelled of marijuana and did not like the way she smelled because it was very strong like she just smoked it or was around it before caring for him. Resident #46 stated CNA #339 moved very slowly while caring for him so he was concerned she was impaired while caring for him. Resident #46 stated CNA #315 and #339 smelled of marijuana more than once while caring for him and stated the smell was so bad he could smell it while the aids were behind the nurse station and he was in the common area so others would be able to smell it. Resident #46 verified he had not been interviewed by administration about the concerns. An interview on 04/29/26 at 12:57 P.M. with CNA #319 revealed she had smelled both CNA #315 and #339 odor of marijuana while caring for residents. CNA #319 stated she believed they were working impaired because she had witnessed their work from the night before not getting done. An interview on 04/29/26 at 1:00 P.M. with Resident #30 revealed she regularly attended resident council meetings and residents have stated to her they smell marijuana in the building and have smelled it on staff members. Resident #30 stated residents have told the administrative staff about their concerns regarding the marijuana odor, and it was an ongoing problem including the odor of marijuana on CNAs. An interview on 04/29/26 at 4:59 P.M. with Licensed Practical Nurse (LPN) #343 verified CNA #315 attended work with an odor of marijuana during the night shift, and residents complained about her odor while caring for them. LPN #343 stated she did not know what to do since marijuana was legal but was concerned for the welfare of the residents. An interview on 04/29/26 at 5:18 P.M. with CNA #323 revealed CNA #323 stated she witnessed CNA #315 and #339 vaping during smoke break and the vape odor had a strong smell of marijuana. CNA #323 stated she alerted the night UM #336 but nobody does anything about it because it was an ongoing problem. An interview on 04/29/26 at 6:00 P.M. with Social Service Designee (SSD) #353 revealed Resident #21 did not want CNA #315 taking care of him anymore because Resident #21 was concerned about his safety due to CNA #315 had a strong odor of marijuana on her. SSD #353 stated Resident #21 stated CNA #315 smelled bad of marijuana. SSD #353 stated she notified the Director of Nursing (DON) and the Administrator when Resident #21 notified her of the concern. An interview on 04/29/26 at 6:25 P.M. with the DON verified an education was given to all staff on 03/27/26 about no strong odors while on duty working in the facility. The DON stated a nurse could smell like marijuana and still work on the floor. The DON verified the facility was a drug-free workplace and the facility policy stated administration could test staff if there was a reasonable suspicion. The DON stated a staff member smelling of marijuana was suspicious. The DON verified that besides the education provided on 03/27/26 no further corrective action was completed to ensure CNA #315 and #339 were not working while smelling like marijuana or possibly impaired by marijuana. The DON verified the incomplete grievance documentation. An interview on 04/29/26 at 6:43 P.M. with the Administrator verified he was aware CNA #315 and #339 smelled of marijuana while working with residents. The Administrator stated he was told the aids were not impaired. The Administrator verified he did not get statements from staff members or residents regarding their concerns. The Administrator stated he did get a statement from UM #336 who stated she smelled marijuana on CNA #315 and #339 while they were caring for residents. The Administrator stated education on staff odors was a sufficient corrective action because the odor of marijuana was the (continued on next page)</p>		

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<p>F 0585</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>same as a staff member smoking a cigarette or having excessive perfumes. An interview was attempted by phone on 4/30/26 with UM #336 and no return phone call was received. A follow-up interview on 04/30/26 at 1:09 P.M. with Resident #21 revealed he had notified Scheduler #303 on 03/06/26 at 7:52 P.M. per his record of text messages that he was concerned because CNA #315 smelled of marijuana and stated this was not the first time that she smelled of it. Resident #21 proceeded to read his record of text and stated that Scheduler #303 responded back by text message on 03/06/26 at 8:27 P.M. that CNA #315 was working on the South wing that night and she would have another talk with CNA #315. Resident #21 stated he sent another text message to Scheduler #303 that CNA #315 smelled of marijuana again, and Scheduler #303 stated she would notify the DON and the Administrator. Resident #21 stated he spoke with the DON several times regarding his concerns, but still nothing had been done to stop it. Resident #21 stated he had also sent a text on 03/07/26 to Social Service Designee (SSD) #353 about the CNAs on the South wing smelling like marijuana and this was not the first time, and SSD #353 replied on 03/07/26 that she would notify the ADON and the Administrator. An interview on 04/30/26 at 1:30 P.M. with Scheduler #303 verified Resident #21 notified her by text on 03/06/26 of CNA #315 and CNA #339 smelling of marijuana and she reported it to the Administrator. An interview on 04/30/26 at 1:31 P.M. with SSD #353 verified Resident #21 had texted her on 03/06/26 expressing concern twice about CNA #315 working while smelling like marijuana, had also verbally told her of his concerns and SSD #353 notified the Administrator immediately. SSD #353 stated the Administrator waited to provide an all-staff education because there was a planned meeting then. Review of the facility policy titled Resident Rights, dated 02/2021, revealed employees shall treat all residents with kindness, dignity and respect. Federal and state laws guarantee certain basic rights to all residents of the facility. These rights include the residents' right to: voice grievances to the facility without fear of reprisal or discrimination and have the facility respond to grievances. This deficiency represents non-compliance investigated under Complaint Number 2982896.</p>		