

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  555748	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED  06/09/2025
NAME OF PROVIDER OR SUPPLIER  Berkley East Healthcare Center		STREET ADDRESS, CITY, STATE, ZIP CODE  2021 Arizona Ave Santa Monica, CA 90404	

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)
F 0550  Level of Harm - Minimal harm or potential for actual harm  Residents Affected - Few	Honor the resident's right to a dignified existence, self-determination, communication, and to exercise his or her rights.  (continued on next page)

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 0550</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p><b>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY**</b> Based on interview and record review, the facility failed to ensure Certified Nursing Assistant (CNA) 1 did not violate the resident's rights to be treated with respect and dignity and did not subject the resident to humiliation (the feeling of being ashamed or losing respect for yourself) for one of eleven sampled residents (Resident 1) by failing to ensure: 1. CNA 1 did not record a video of Resident 1 without Resident 1 and/or Resident 1 Responsible Party 1's (RP 1) consent.2. CNA 1 did not post a video of Resident 1 on social media. These deficient practices violated Resident 1's right to be treated with respect and dignity and the potential to subject Resident 1 to humiliation (the act of being made to feel ashamed, embarrassed, or worthless, often publicly). Based on the reasonable person concept (used to determine how an average, rational individual would act or respond in a given situation) due to Resident 1's impaired cognition (the mental action or process of acquiring knowledge and understanding through thought, experience, and the senses), an individual subjected to humiliation can have lifetime physical and psychological (refers to the impact of psychological trauma [emotional damage] on mental health, both at an individual and community level) effects including feelings of embarrassment, negatively affect self-esteem, confidence, and overall well-being. Findings: During a review of the admission Record indicated Resident 1 was admitted to the facility on [DATE] with diagnosis including human metapneumovirus pneumonia (HMPV - a type of virus that mostly affects the nose, throat, and lungs. Like the common cold, it can cause symptoms like coughing, wheezing, and a runny nose), dysphagia (difficulty swallowing) and congestive heart failure (CHF-a heart disorder which causes the heart to not pump the blood efficiently, sometimes resulting in leg swelling). During a review of the Minimum Data Set (MDS - a resident assessment tool) dated 5/19/2025, indicated Resident 1's cognitive (mental action or process of acquiring knowledge and understanding) skills for daily decisions were severely impaired (having a condition or problem that significantly limits a person's physical or mental ability to perform basic work activities or daily functions). The MDS indicated Resident 1 required moderate to maximal assistance from staff for activities of daily living (ADLs- routine tasks/activities such as bathing, dressing and toileting a person performs daily to care for themselves). The MDS also indicated, Resident 1 had a total of 12 severity score (moderate depression symptoms) during his mood interview and had mood disturbance such as little interest or pleasure in doing things and feeling down, depressed, or hopeless several days in a week. During a review of an anonymous complaint submitted to District Office, received on 6/5/2025 at 11:45 a.m., a complaint received regarding CNA 1 who posted a video of Resident 1 on social media with two photos attached to the complaint intake. During an interview with CNA 1 on 6/5/2025 at 2:30 p.m., CNA 1 stated, she (CNA 1) did not take a photo of Resident 1, and she did not share any photos of him on her social media. CNA 1 stated, it is not okay to share residents' personal information as is it against the rules. CNA 1 further stated, she worked from 7 a.m. to 11 p.m. (double shift) on 6/4/2025 and will also work double shift today (6/5/2025). During an interview with DON on 6/5/2025 at 2:47 p.m., DON, reviewed photos that was attached to the complaint sent to District Office, and DON stated and confirmed, Photo #1 was of CNA 1 and Photo #2 was of Resident 1. DON stated, there has been a breach on Resident 1's privacy. The DON identified and stated the pictures were that of Resident 1. The DON confirmed and stated that CNA 1 did not follow the facility's policies and procedures regarding: 1. Videotaping, Photographing, and Other Imaging of Residents dated 1/2025 which indicated Staff may not take or release images or recordings of any resident without explicit written consent. Written consent must be obtained from the resident or representative prior to obtaining images or recordings of the resident for any purposes other than investigation of abuse, neglect or emergencies, and photography obtained for personal/family use at the verbal request of the resident or family. 2. Resident Rights dated 1/2025, which indicated, Unauthorized release, access, or disclosure of resident information is prohibited. All release, access, or disclosure of resident information must be in accordance with current laws governing privacy of information issues. 3. Protected Health Information (PHI - any information about a person's health or healthcare that can be used to identify them), Management and Protection of dated 1/2025, which indicated Protected Health Information (PHI) shall not be used or disclosed except as permitted by current federal and state laws. During a follow-up interview with CNA 1 on 6/5/2025 at 2:50 p.m., CNA 1 stated, Yesterday (6/4/2025), she (CNA 1) was with Resident 1, and he (Resident 1) was making jokes, she (CNA 1) then posted a story on Instagram with him (Resident 1) and I (CNA 1) shouldn't have done that. CNA 1 stated, she did not tell (Resident 1) that</p>		