

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 675361	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED 07/01/2025
NAME OF PROVIDER OR SUPPLIER Wharton Nursing and Rehabilitation Center		STREET ADDRESS, CITY, STATE, ZIP CODE 1220 Sunny Lane Wharton, TX 77488	

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 0607</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Develop and implement policies and procedures to prevent abuse, neglect, and theft.</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 0607</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** Based on interview and record review, the facility failed to ensure they did not employ an individual who was found guilty of a criminal offense barring employment by a court of law for 1 of 1 (CNA A) employees reviewed for abuse and neglect. The facility did not follow their policy on abuse when they screened CNA A for hire. CNA A had worked in the facility from 2/25/2025 through 6/27/2025. This failure could place residents at risk for possible abuse, neglect or exploitation. Findings included: Record review of an undated personnel file for CNA A indicated a hire date of 2/24/2025. Further review revealed a national background check had been conducted on 2/24/2025. It revealed CNA A had an offense date of 11/29/2023 and disposition date of 1/8/2025 charged with assault causing bodily injury statute: 22.01 (A) (1) - misdemeanor sentenced to 12-month probation; a \$200 fine and \$297.00 court costs. Record review of CNA A's time sheets revealed she worked 14 out of 30 days in June 2025. An interview on 7/1/2025 at 2:27pm CNA A she said had been employed at the facility since February 2025. She worked the 6a-6pm shift in the memory care unit. She said she had a deferred adjudication assault case that happened in 2023. But she received probation in January 2025. She said she preferred not to discuss the details of her case. She said she received a call on Friday (7/27/25) and HR terminated her. She said it was an unknown person from their corporate office and HRC called her around 3:54pm due to her having a background that prevented them from keeping her employed at the facility. She said the previous HRC was supposed to get a letter from her probation supervisor about her case and this was why she was allowed to be hired. An interview with HRC on 7/1/2025 at 2:58pm, revealed he was employed on 6/17/2025. He said he was responsible for new hire requests for background through a third-party company. He stated he realized that CNA A's background was not clear after Investigator requested her personnel record on last Friday (6/27/2025). He stated he called his corporate office, notified the Administrator and corporate member (last name unknown) told him that they would be terminating CNA A due to her having an assault in her background. He stated they called CNA A on Friday evening and informed her of the termination. He said since he had only been employed less than two weeks, he had not done an audit of the personnel records. He stated his audit of personnel records began on Friday (6/27/2025). He said he did not find any other employees that were unemployable. An interview with the Interim Administrator on 7/1/2025 at 3:15pm revealed he was told by the HRC that CNA A had an assault in her background, and he did not think that the previous HRC was supposed to hire her. He said the HRC immediately called corporate, and they terminated her. He said someone with an assault background could have abused the residents. Record review of Form 672 revealed census of 19 residents on the Memory Care unit where CNA A worked. Record review of the State of Texas, Health and Safety Code, Chapter 250, Section 250.006 Convictions Barring Employment revealed (Revision 24-1, Effective [DATE]): A person may not be employed in a position the duties of which involve direct contact with a consumer in a facility or may not be employed by an individual employer before the fifth anniversary of the date the person is convicted of: an offense under Section 22.01, Penal Code (assault), that is punishable as a Class A misdemeanor or as a felony. Record review of the facility's abuse policy revealed: It was the policy of the facility to provide protections for the health, welfare and rights of each resident by developing and implementing written policies and procedures that prohibit and prevent abuse, neglect and exploitation and misappropriations of resident property. The components of the facility abuse prohibition plan are discussed herein: 1. Screening -(A) Potential employees will be screened for a history of abuse, neglect exploitation and misappropriation of property. (B) Background, reference and credentials' checks shall be conducted on potential employees, contracted temporary staff, students affiliated with academic institutions, volunteers and consultants.</p>		