

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  675887	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED  07/31/2024
NAME OF PROVIDER OR SUPPLIER  St Joseph Manor		STREET ADDRESS, CITY, STATE, ZIP CODE 2333 Manor Dr Bryan, TX 77802	

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 0555</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Honor the resident's right to choose his or her attending physician.</p> <p><b>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** 48314</b></p> <p>Based on observation, interview, and record review, the facility failed to honor the residents right to choose his or her attending physician for 5 of 5 residents (Resident #1, Resident #2, Resident #3, Resident #4, and Resident #5) and the entire facility reviewed for resident rights.</p> <p>The facility did not honor Resident #1, #2, #3, #4, and #5's right to choose his/her primary care physician after the facility terminated their Medical Director's agreement and changed the attending physician without notice to the residents or their representatives effective 07/04/24.</p> <p>This deficient practice could place residents at risk of decreased quality of care and treatment due to their lack of free choice for their attending physician care while in the facility.</p> <p>Findings included:</p> <p>Resident #1</p> <p>Review of Resident #1's Face Sheet dated 07/30/2024 reflected a [AGE] year-old female admitted to the facility on [DATE] with the following diagnoses: Parkinson's Disease (brain disorder that causes unintended or uncontrollable movements, such as shaking, stiffness, and difficulty with balance and coordination), Schizoaffective Disorder (mental health condition marked by a mix of schizophrenia symptoms, such as hallucinations and delusions, and mood disorder symptoms, such as depression, mania and milder form of mania called hypomania) and Atherosclerotic Heart Disease (build up of fats, cholesterol and other substances in an on the artery walls, which can cause arteries to narrow, blocking blood flow). Further review indicated that Resident #1's primary physician was Medical Director B.</p> <p>Review of Resident #1's Quarterly MDS assessment dated [DATE] reflected that she had a BIMS Score of 14, indicating cognition was intact.</p> <p>Interview and observation on 07/30/2024 at 12:00 PM, revealed Resident #1 was in her room seated on her bed and was conversational. Resident #1 stated that she just saw her new doctor (Medical Director B) and that it was usually a female doctor who saw her. Resident #1 stated she knew that someone new took over the facility and that there were going to be changes but was not told about a change in medical director or her primary physician. Resident #1 stated that the change and lack of notice did not matter as long as she was being seen by a doctor.</p> <p>Resident #2</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 0555</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Review of Resident #2's Face Sheet dated 07/30/2024 reflected a [AGE] year-old male admitted to the facility on [DATE] with the following diagnoses: Unspecified Dementia (loss of cognitive functioning - thinking, remembering, and reasoning to such an extent that it interferes with a person's daily life and activities), Anoxic Brain Damage (caused by a complete lack of oxygen to the brain, which results in the death of brain cells), and Hypokalemia (lower than normal potassium level in the bloodstream). Further review indicated that Resident #1's primary physician was Medical Director B.</p> <p>Review of Resident #2's Quarterly MDS assessment dated [DATE] reflected that he had a BIMS Score of 13, indicating cognition was intact.</p> <p>Interview on 07/30/2024 at 4:51 PM, Resident #2's RP stated that she did not receive a letter or notification that the facility was changing medical director's. Resident #2's RP stated that she did receive a letter informing her of the facility's change in ownership. Resident #2's RP stated that she would have liked to have been notified of the change because she did not know who to contact now if she had questions or concerns with Resident #2's care.</p> <p>Resident #3</p> <p>Review of Resident #3's Face Sheet dated 07/30/2024 reflected a [AGE] year-old female admitted to the facility on [DATE] with the following diagnoses: Unspecified Dementia (loss of cognitive functioning - thinking, remembering, and reasoning to such an extent that it interferes with a person's daily life and activities), Chronic Obstructive Pulmonary Disease (lung disease causing restricted airflow and breathing problems), and Heart Failure (heart does not pump enough blood for the body's needs). Further review indicated Resident #3's primary physician was Medical Director B.</p> <p>Review of Resident #3's Quarterly MDS assessment dated [DATE] reflected that she had a BIMS Score of 08, indicating moderate cognitive impairment.</p> <p>Interview on 07/31/2024 at 10:10 AM, Resident #3's RP stated he was not notified of a change in the facility's medical director or in Resident #3's primary physician. Resident #3 RP stated the only correspondence he received was a letter on 03/05/2024 notifying him of the facility changing ownership. Resident #3 RP stated the change of medical director and physician did not bother him but he would have liked to have been notified in case he needed to contact someone for Resident #3's care.</p> <p>Resident #4</p> <p>Review of Resident #4's Face Sheet dated 07/30/2024 reflected a [AGE] year-old male admitted to the facility on [DATE] with the following diagnoses: Unspecified Cerebral Infarction (result of disrupted blood flow to the brain due to problems with the blood vessels that supply it), Unspecified Dementia (loss of cognitive functioning - thinking, remembering, and reasoning to such an extent that it interferes with a person's daily life and activities), and Aphasia (disorder that affects how you communicate). Further review indicated Resident #4's primary physician was not Medical Director A or B.</p> <p>Review of Resident #4's Quarterly MDS assessment dated [DATE] reflected that he had a BIMS Score of 15, indicating cognition was intact.</p> <p>(continued on next page)</p>		

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<p>F 0555</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Interview and observation on 07/30/2024 at 3:54 PM, revealed Resident #4 was in his room seated in a wheelchair and was conversational and happy. Resident #4 stated that he was the Resident Council President and has been in the facility for 2 years. Resident #4 stated he was not provided with a letter or notified that the facility changed medical director's but was unsure if his RP was notified. Resident #4 stated that his regular physician came to see him this week and that he did not have a new physician.</p> <p>Interview on 07/30/2024 at 4:01 PM, Resident #4's RP stated that she was not notified of the facility changing medical director's. Resident #4 RP stated that Resident #4 maintained the primary physician he had, who was not associated with Medical Director A or B.</p> <p>Resident #5</p> <p>Review of Resident #5's Face Sheet dated 07/30/2024 reflected an [AGE] year-old female admitted to the facility on [DATE] with the following diagnoses: Unspecified Dementia, Severe (loss of cognitive functioning - thinking, remembering, and reasoning to such an extent that it interferes with a person's daily life and activities), Chronic Obstructive Pulmonary Disease (lung disease causing restricted airflow and breathing problems), and Hypotension (press of blood circulating around the body is lower than normal or lower than expected). Further review indicated Resident #5's primary physician was not Medical Director A or B.</p> <p>Review of Resident #5's Quarterly MDS assessment dated [DATE] reflected that she had a BIMS Score of 0, indicating severe cognitive impairment.</p> <p>Interview on 07/30/2024 at 4:19 PM, Resident #5's RP stated that Resident #5's primary physician is not associated with Medical Directors A or B. Resident #5 RP stated that she was not informed verbally or in writing of the facility changing medical director's. Resident #5 RP stated that she felt she should have been notified that the facility changed medical director's.</p> <p>Interview on 07/30/2024 at 2:15 PM, the Administrator stated that she was new to the facility and that the transition from Medical Director A to Medical Director B had already taken place. The Administrator stated that Medical Director A should have been provided with a thirty-day notice of termination and the residents should have been notified of the pending change as well. The Administrator was requested to provide proof that Medical Director A and the residents were notified.</p> <p>(continued on next page)</p>		

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<p>F 0555</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Record Review of forwarded email from the Director of Operations to the Administrator on 07/30/2024 at 2:36 PM, which contained an email from the Director of Operations to Medical Director A on 06/03/2024 at 3:50 PM revealed, [Medical Director A], please accept this note as the 30-day notice of termination for the Medical Director Contract at both [Nursing Facility] and [Nursing Facility]. We have enjoyed working with you all but are looking to move in a different direction with the Medical Director contract. We look forward to continuing our partnership with you through the month of June with the last effective date of July 2, 2024. Please let me know if you have any questions. Sincerely, [Director of Operations]. The Administrator also attached a letter from the Director of Operations addressed to Resident dated June 4, 2024, which revealed, The [Company] would like to share an upcoming change coming to [The Facility]. We are excited to announce that we will begin working with [Medical Director B] as the new Medical Director starting July 4, 2024. We appreciate the great care that the [Company] and [Doctor C] have provided the residents and team for many years. However, we work with [Medical Director B] and his team at several other centers and have experienced wonderful care from each of them. [Medical Director B] is passionate about senior living, has incredible communications skills, is available any time we need him, is supportive of our teams, and caring with all residents. [Medical Director B] plays an active role in educating our nurses as well as participating in any meetings he is asked to attend. He develops wonderful relationships with our residents, team, families, and friends. We look forward to you meeting [Medical Director B] and being part of his wonderful services. I would be happy to answer any questions or provide more information upon request. Please feel free to email me at [Director of Operations email address] or call my cell phone at [number provided with no area code]. Sincerely, [Director of Operations].</p> <p>Interview on 07/30/2024 at 3:02 PM, the Director of Operations stated that she did prepare and provide Medical Director A with the above reviewed letter of termination. The Director of Operations stated she did prepare the above referenced letter to the residents notifying them of the change in medical director's and Doctor C. The Director of Operations stated the resident letter was provided to the Previous Administrator for distribution to the residents/responsible parties of the facility. The Director of Operations stated that she had no proof like the termination letter to Medical Director A to show that the residents were provided with the notification and assumed it was.</p> <p>Interview on 07/30/2024 at 3:10 PM, the Previous Administrator stated he was not provided with a letter by the Director of Operations to provide to the residents. The Previous Administrator stated that he did not notify the residents of the change in medical director's and left the facility prior to the change in medical director's.</p> <p>Interview on 07/30/2024 at 3:20 PM, the DON stated she started in the facility after Medical Director A would have been provided with notice. The DON stated she was informed that the residents were notified of the pending change but stated she never observed that a letter or notification was provided to the residents and/or their responsible parties.</p> <p>Interview on 07/30/2024 at 3:30 PM, the AD stated that she did discuss the change of medical director's in resident council but could not recall when the conversation took place. The AD stated that Resident #4 was the President of the council. The AD stated that no residents discussed the change of medical director/physicians with her and would normally speak about it would the MDS Coordinator.</p> <p>(continued on next page)</p>		

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<p>F 0555</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Interview on 07/30/2024 at 3:38 PM, the MDS Coordinator stated she was told that the residents were notified of the change in medical director's but did not know by whom, how, or when. The MDS Coordinator stated that she did not have any residents, or their responsible parties contact her with questions after the change, which she stated was not common because usually someone would contact her with questions about a change like that.</p> <p>Interview on 07/30/2024 at 5:11 PM, the Administrator stated residents and/or their responsible parties should have been notified thirty days in advance of a change in medical director's/physician's. The Administrator stated that residents' notifications should have been made to ensure they were informed of care and who would be providing it.</p> <p>Interview on 07/30/2024 at 5:18 PM, the DON stated she would expect residents to be notified thirty days prior to a change in medical director's/physician's. The DON stated that notification is important to allow the resident to choose. The DON stated that regardless of who the Medical Director is they will always contact the resident's primary physician, but that the medical director may be contacted if they are unable to reach the resident's physician.</p> <p>Interview on 07/30/2024 at 5:28 PM, LVN D stated she never heard of or saw a letter that was distributed to residents notifying them of a change in Medical Directors or Physician's. LVN D stated that prior to this date it was Doctor D that saw the residents. LVD D stated that they were notified there was going to be a change of the medical director and then someone posted a notice in the nurses' station providing them with Medical Director B and a nurse practitioner's information. LVN D stated that notification of changes in medical director's and physician's was very important because it involved the resident's care, and they needed to know who to contact with questions or concerns.</p> <p>Interview on 07/31/2024 at 12:43 PM, Doctor C stated that she provided care for many residents at the facility for over a year. Doctor C stated that she was concerned because she was notified approximately July 4, 2024, that she was no longer providing care to residents in the facility. Doctor C stated that she knew the facility terminated the contract with Medical Director A, who she worked with, but that termination did not end her relationship with the residents as their physician. Doctor C stated that residents should have been provided with a thirty-day notice for her primary care and had the choice to retain her as a physician if they chose to do so. Doctor C stated that residents should have been notified to prevent feelings of abandonment and ensure that a proper transition takes place to the next physician. Doctor C stated that it was important that she be able to provide the new physician with care notes and history of progress or decline under her care.</p> <p>Interview on 07/31/2024 at 1:32 PM, Medical Director B stated he started with the facility on July 4, 2024, and that there were not transition issues. Medical Director B stated residents do have a choice in who their physician is and should be notified of changes. Medical Director B stated he had no reason to believe that residents were not notified of the change to him as medical director of the facility. Medical Director B stated that a change in the facility's medical director does not mean a change of physician for the residents.</p> <p>(continued on next page)</p>		

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<p>F 0555</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Follow-up interview on 07/31/2024 at 2:03 PM, the Director of Operations was notified there was no proof or evidence that the letter she stated she prepared was ever provided to the residents of the facility or their responsible parties. The Director of Operations stated she could only say she made sure the Previous Administrator received it but no not ensure that he distributed it to the residents. The Director of Operations stated that the residents did not like Doctor C and were happy to have Medical Director B.</p> <p>Interview on 07/31/2024 at 2:37 PM, Medical Director A stated that he was provided with proper thirty-day notice via email of contract termination. Medical Director A stated that he did notify Doctor C and the Nurse Practitioners of the termination. Medical Director A stated that his termination as medical director did not apply to Doctor C seeing residents as their physician. Medical Director A stated the facility should have notified the residents of the change in medical directors and allowed them to chose Doctor C, who to his knowledge was not provided with a notice that residents no longer wanted her as their physician.</p> <p>Review of Resident Council minutes provided by the AD revealed in the meeting on 06/06/2024 there was no reference to the facility changing medical director's or choice of physician's. Review of a meeting on 07/11/2024 reflected New Staff and identified Medical Director B.</p> <p>Review of the facility's Resident Rights Policy dated 9/1/2023 revealed, Policy: Resident Rights. The resident has the right to a dignified existence, self-determination, and communication with and access to persons and services inside and outside the facility. The resident representative has the right to exercise the resident's rights to the extent those rights are delegated to the resident representative. Planning and implementing care. The resident has the right to be informed of, and participate in, his or her treatment, including: The right to be informed in advance, of the care to be furnished and the type of care giver or professional that will furnish care. The right to request, refuse, and/or discontinue treatment, to participate in or refuse to participate in experimental research, and to formulate an advance directive. Choice of attending physician. The resident has the right to choose his or her attending physician.</p>		