

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  675940	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED  07/24/2024
NAME OF PROVIDER OR SUPPLIER  Hemphill Care Center		STREET ADDRESS, CITY, STATE, ZIP CODE  2000 Worth St Hemphill, TX 75948	

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 0837</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>Establish a governing body that is legally responsible for establishing and implementing policies for managing and operating the facility and appoints a properly licensed administrator responsible for managing the facility.</p> <p><b>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY**</b> 47339</p> <p>Based on observation, interview, and record review, the facility failed to ensure that the facility had an Administrator licensed by the state that was responsible for management of the facility for 1 of 1 facility's reviewed for governing body.</p> <p>The facility failed to ensure the Assistant Administrator, who was acting as the facility Administrator, had an active Texas Administrator license.</p> <p>This deficient practice could result in the facility not being managed in a responsible manner, which could affect the health and safety of all residents.</p> <p>The findings included:</p> <p>During an observation, record review, and interview on 7/22/2024 at 8:45 AM, the Surveyor entered the facility and was approached by CNA A. Surveyor asked CNA A to notify the administrator of Surveyor entrance. The Surveyor was then approached by the Assistant Administrator who at that time introduced herself to the Surveyor as the administrator. The Surveyor was then led to the conference room where the entrance conference took place. After the entrance conference was held the Assistant Administrator was sent the entrance forms to complete and the Assistant Administrator went back to the Surveyor and told the Surveyor she was not the licensed administrator for the facility. The Assistant Administrator then said the Regional Director of Operations was the one who was licensed, and she was the administrator by proxy. The Assistant Administrator then filled out the entrance form and on the question of who the Administrator was she answered the Regional Director of Operations name back slash her name and proxy.</p> <p>During an interview on 7/23/24 at 11:09 AM, the ADON said she had worked at the facility since February 2023. The ADON was asked who the administrator of the facility was, and she gave the Assistant Administrators name. The ADON said the Regional Director of Operations would come to the building once a month or so. She said the last time the Regional Director of Operations was last at the building was sometime at the end of June or the beginning of July. The ADON said if there were any incidents in the facility that needed to be reported to the administrator, she would report them to the Assistant Administrator.</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 0837</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>During an interview on 7/23/24 at 1:30 PM the DON said she had worked at the facility since 4/01/2024. She said the Regional Director of Operations was the Corporate Administrator. The DON said the Assistant Administrator had finished school and just had to test to obtain her administrators license. She said if there were any incidents in the facility that needed to be reported to the administrator, she would report them to the Assistant Administrator, and did not know if the Assistant Administrator reported the incidents to the Regional Director of Operations or not. She said the Regional Director of Operations would come to the facility about once a month.</p> <p>During an interview on 7/23/2024 at 3:00 PM the Assistant Administrator said she had worked at the facility since November of 2023. She said she was hired at the facility in the middle of November 2023 and worked with the Previous Administrator under his license until November 30, 2023, which was his last day of employment. She said then on December 1st, 2023, she continued at the facility and worked as the administrator by proxy under the Regional Director of Operation's license who was the licensed administrator for the facility. She said the Regional Director of Operations had been the licensed administrator for the facility since 12/1/2023 to current. She said the Regional Director of Operations would come to the facility maybe 3 times a month, and the last time he was here was about 2 weeks ago. The Assistant Administrator said if there were any incidents that needed to be reported to the administrator, she would notify the Regional Director of Operations by phone. She said it was her fault the facility had not had a full-time administrator in 8 months because she was supposed to have her administrators license in December of 2023 and did not pass her test. She said she had now passed the first 2 portions of her test and was scheduled to take the final portion on 7/31/24.</p> <p>During an interview on 7/24/2024 at 12:15 PM the Regional Director of Operations said he had worked for the company for [AGE] years and his official title was Regional Director of Operations. He said he did not know why the Assistant Administrator had introduced herself to the Surveyor as the administrator because she was hired as the Assistant Administrator. He said he had not been the licensed administrator for the facility since December 1, 2023, when the Assistant Administrator was hired because he had been using his license in sister facilities. He said he could not remember the exact date but said he thought it was around February 2024 when he started using his administrator license for this facility. He said he knew the Assistant Administrator's test was scheduled for 7/31/2024 and said he would either have a licensed administrator at that time or would be advertising for one. He said he would be the licensed administrator for the facility starting on 7/29/2024. He said he knew the facility had deficient practice by not having a licensed administrator and knew it would be cited.</p> <p>During an interview on 7/24/2024 at 1:00 PM the Business Office Manager said she had worked at the facility since 11/8/2021. She said she did not keep up with who was the sitting licensed administrator for the building. She said hiring for all department heads was done at the corporate level. She said that once corporate had decided they were going to hire a department head they would reach out to her and ask that she run employee background check and employee misconduct checks on the employee. She said other than that she did not have anything to do with the hiring process for a department head. She said the Assistant Administrator's official job title was Assistant Administrator. She said she did not know who the licensed administrator for the facility was at that time.</p> <p>(continued on next page)</p>		

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<p>F 0837</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>During an interview on 7/24/2024 at 1:24 PM the Corporate Clinical Director said he had worked for the company for about 10 1/2 years. He said the Regional Director of Operations was the licensed administrator for the facility from 3/18/2024 to 6/19/2024. He said he had been at the facility 6 days in the month of June 2024 and had not seen the Regional Director of Operations. The Corporate Clinical Director said he was a licensed nursing home facility administrator but had never used his license for this facility. The Corporate Clinical Director said he was also an RN and worked strictly on the clinical side. He said it was the responsibility of the Assistant Administrator to notify the Regional Director of Operations of any incidents or allegations of abuse or neglect. The Corporate Clinical Director said he would report all incidents to him and he would also make sure the Regional Director of Operations was notified of any incidents or allegations that needed to be reported to the administrator. He said the Regional Director of Operations was always readily available for any administrator tasks if he was in the facility or via technology if he was not in the facility.</p> <p>Record review of facility employee list dated 7/22/2024 titled Employee Demographics revealed the Assistant Administrator was hired fulltime on 11/16/2023 with the job title of Administrator.</p> <p>Record review of facility New Hire Ticket undated revealed the Assistant Administrator was hired on 11/16/2023 with the Discipline/Job Title: Assistant Administrator. It also revealed that once the Assistant Administrator passed her exams she would be promoted to Administrator.</p> <p>Record review of facility's Quality Assurance and Performance Improvement committee reports, and performance improvement plans dated 2/13/2024, 2/28/2024, 3/13/2024, 4/4/2024, 5/15/2024, 5/30/2024, 6/12/2024 revealed: the Assistant Administrator held all meetings signed as the administrator, the Regional Director of Operations did not attend any meetings.</p> <p>Record review of the facility's Assistant Administrator job description dated November 1, 1999, revealed: Position Summary: Under the direction of the Administrator, the Assistant Administrator leads and directs certain aspects of the facility operations in accordance with state and federal regulations, and facility policies and procedures. B. Administrative Responsibilities: 1. Assists the Administrator in managing facility operations . Summary of Qualifications: 2. Maintains a current, valid Texas Nursing Home Administrator's License. 4. Possesses strong knowledge regarding state, federal and local regulations as they pertain to long term care.</p> <p>Record review of the Facility Assessment Tool dated 6/03/2024 revealed: Persons (names/titles) involved in completing assessment listed under Administrator the Regional Director of Operations, the Assistant Administrator proxy.</p> <p>Record review of the facility policy titled Administrator with revised date of March 2021 revealed: Policy Statement: A licensed administrator is responsible for the day-to-day functions of the facility. Policy Interpretation and Implementation 1. The governing board of this facility has appointed an administrator who is duly licensed in accordance with current federal and state requirements. The administrator is responsible for, but not limited to: a. managing the day-to-day functions of the facility; i. maintaining his/her license on a current status as required by law and maintaining a copy of such license or registration on premises.</p>		