

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 676166	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED 03/21/2025
NAME OF PROVIDER OR SUPPLIER Avir at Sealy		STREET ADDRESS, CITY, STATE, ZIP CODE 1401 Eagle Lake Road Sealy, TX 77474	

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 0727</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>Have a registered nurse on duty 8 hours a day; and select a registered nurse to be the director of nurses on a full time basis.</p> <p>42031</p> <p>Based on record review the facility failed to use the services of a registered nurse for at least 8 consecutive hours a day, 7 days a week for 1 of 1 facilities reviewed for nursing services.</p> <p>The facility did not have RN coverage for 12 days on 10/5/24, 10/6/24, 10/12/24, 10/13/24, 10/19/24, 11/2/24, 11/3/24, 11/16/24, 11/17/24, 11/30/24, 12/1/24, and 12/5/24.</p> <p>This failure could place the residents at risk of not receiving needed services and care.</p> <p>The findings were:</p> <p>Review of the CMS (Centers for Medicare and Medicaid Services) PBJ (Payroll Based Journal) staffing data report for quarter 1 2025 (October 1 - December 31) run date of 3/13/25 revealed the facility had no RN hours for Saturdays on 10/5/24, 10/12/24, 10/19/24, 11/2/24, 11/16/24, and 11/30/24.</p> <p>Review of the CMS PBJ staffing data report for quarter 1 2025 (October 1 - December 31) run date of 3/13/25 revealed the facility had no RN hours for Sundays on 10/6/24, 10/13/24, 11/3/24, 11/17/24, and 12/1/24.</p> <p>Review of the CMS PBJ staffing data report for quarter 1 2025 (October 1 - December 31) run date of 3/13/25 revealed the facility had no RN hours for Thursday 12/5/24.</p> <p>Review of the facility staffing list revealed RN A's hire date was 11/27/24.</p> <p>In an interview on 3/20/25 at 3:25 p.m. the DON stated she covered any shifts that an RN was not available, including weekends and holidays. The DON stated the facility had hired another RN (RN A) that works Thursday, Friday, Saturday, Sunday, and PRN. The DON is unsure why the CMS PBJ staffing report does not have RN hours for 12 days. The DON stated she does not utilize a time clock and is salaried.</p> <p>In an interview on 3/21/25 at 1:28 p.m. the Administrator confirmed the facility did not have a weekend RN previously but does now. The Administrator stated the consequences of not utilizing the services of an RN for 8 hours a day every day, could impact the quality of resident care.</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 0727</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>In an interview on 3/21/25 at 1:28 p.m. the Administrator stated the facility had no policy on utilizing an RN for 8 hours a day, 7 days a week and just follows the regulation.</p>		

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<p>F 0732</p> <p>Level of Harm - Potential for minimal harm</p> <p>Residents Affected - Many</p>	<p>Post nurse staffing information every day.</p> <p>42031</p> <p>Based on observation and interview, the facility failed to post the nurse staffing data on a daily basis at the beginning of each shift for 1 of 1 facilities reviewed for nursing services.</p> <p>The facility daily staff posting was not updated on 3/18/25 and 3/19/25.</p> <p>This could place residents, and visitors at risk of not knowing the facility's nursing staffing for the day.</p> <p>The findings were:</p> <p>During an observation on 3/18/25 at 9:30 a.m., the daily staff posting was on the right wall at the facility main entrance and was dated for 3/17/25.</p> <p>During an observation on 3/19/25 at 8:30 a.m., the daily staff posting was on the right wall at the facility main entrance and was dated for 3/18/25.</p> <p>During an observation on 3/19/25 at 2:00 p.m., the daily staff posting remained dated 3/18/25.</p> <p>During an observation on 3/19/25 at 3:10 p.m., the daily staff posting remained dated 3/18/25.</p> <p>In an interview on 3/19/25 at 3:12 p.m. the DON stated the facility had a staffing person but she was unsure who was responsible for posting the daily staffing.</p> <p>In an interview on 3/19/25 at 3:14 p.m. the Administrator stated she was unsure who was responsible for posting the daily staffing.</p> <p>In an observation and interview on 3/19/25 at 3:15 p.m. the AD was coming up the hall with a paper in her hand and stated she had the daily staffing. The AD took the old daily staff posting and replaced it with a current one for today. The AD stated the ADON had made it and the AD got busy with residents and forgot to post it but it had been on her desk. The AD stated the consequences of not posting the daily staffing could be people would not know the staffing levels.</p> <p>In an interview on 3/19/25 at 3:16 p.m. the DON stated the ADON was responsible for posting the daily staffing and had made it but not put it out yet.</p> <p>In an interview on 3/21/25 at 1:20 p.m. the Administrator stated the consequences of the daily staff posting not being posted could be people would not know what the staffing for the facility is that day.</p>		

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<p>F 0812</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>Procure food from sources approved or considered satisfactory and store, prepare, distribute and serve food in accordance with professional standards.</p> <p>47622</p> <p>Based on observation, interview, and record review, the facility failed to store, prepare, distribute, and serve food in accordance with professional standards for food service safety for 1 of 1 kitchen:</p> <p>A rack for the can goods had an orange brownish substance that had spilled on the rack and on the floor under the rack.</p> <p>The bins with flour had a white residue on the outside of the top and the sugar bin had holes under the handles and there was a black residue on the outside of the bin's top.</p> <p>3 Shelves in the kitchen that held clean pots and pans were lined with foil and mesh covering on top with a dirty greasy film that covered them.</p> <p>The grill had black grease on the knobs and the fryer was covered with grease and food particles.</p> <p>The convection oven had a dark reddish-brown substance on the doors and a toaster was plugged in the wall on a shelf low near to the floor with crumbs over the top of the toaster.</p> <p>The cook did not have a beard restraint, he had long fingernails, and he wore a baseball cap that did not restrain his hair.</p> <p>The cook touched the inside lip of the plates while placing food on the plates and touched the food cart while he wore gloves.</p> <p>These failures could place residents who received meals and/or snacks from the kitchen at risk for food borne illness.</p> <p>The findings included:</p> <p>During observation of the kitchen with the Dietary Manager on 03/18/25 at 10:47 AM revealed storage rack with the can goods had an orange brownish substance that had spilled on the rack and on the floor.</p> <p>During an interview the DM said something leaked from a can and spilled but it had not been cleaned. She said she knew it had to be cleaned but had not got around to do it .</p> <p>Observation of the storage for rice, sugar, corn meal, flour, powdered milk were in bins without bags. On the totes was residue on the outside of flour totes and the storage bin with the sugar had a black residue on the outside and there were holes underneath the handles of the blue bin that was made by the manufacturer of the bin.</p> <p>(continued on next page)</p>		

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<p>F 0812</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>During an interview the DM said there should be different containers and confirmed the holes were there and could allow insects to enter the tote, but the company did not give the funds needed to make the storage better.</p> <p>Observation of the shelves in the kitchen area with clean pots and pans, was layered with foil and on top of the foil, there was mesh coverings to prevent items from slipping. They were covered with a greasy film that had dust imbedded into the mesh. The surveyor touched the coverings and felt a greasy film and observed dirt in the greasy film.</p> <p>During an interview the DM said the shelves needed to be cleaned because they had not been cleaned. She said she would work on the shelves as soon as possible . The DM said the cleaning schedule was weekly and a deep clean was monthly, but items used were cleaned daily.</p> <p>Observation of the grill had old grease and food on the top and the knobs had a black greasy film. The fryer was covered with grease and particles of food.</p> <p>During an interview the DM said the fryer was used a week ago to fry fish and it should be cleaned after each use, but it had not been cleaned.</p> <p>Observation of the convection oven had crumbs and a dark reddish-brown substance on the doors. There was a toaster plugged in the wall on a lower shelf with crumbs on the top.</p> <p>During an interview the DM said the toaster should be cleaned after each use, but it had not been cleaned. The DM said the convection oven needed to be cleaned, it had not been cleaned.</p> <p>Observation on 03/19/25 at 09:51 AM revealed the [NAME] wore a baseball cap, his hair was long and bushy and the cap was not efficient to restrain the hair and he had no hair net. The [NAME] had a full beard and was not wearing a beard restraint.</p> <p>During an interview the [NAME] said it was necessary to wear a beard restraint so hair from his beard would not get into the food and contaminate it to cause illness to the residents.</p> <p>During an interview the DM said it was important for the staff to use hair nets and beard restraints to protect the food from hair contaminating the food that could cause food borne illness for the residents.</p> <p>During observation of the kitchen on 3/19/2025 at 11:45 AM the [NAME] wore gloves while serving the food on the plates and trays. The [NAME] touched the cart and grabbed the plates with his thumbs on the inside of the plate to place the food on the plates and then placed the plates on the cart. When asked by the surveyor why he wore gloves and touched other surfaces then touched the plates on the inside, he said he worked at 5-star restaurants, and he had no issues before wearing gloves. When he removed his gloves, his nails were very long and well beyond the nail beds.</p> <p>During an interview the DM said she did not know gloves were a problem, but she said the Cook's nails were too long.</p> <p>(continued on next page)</p>		

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<p>F 0812</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Many</p>	<p>During an interview on 3/20/2025 at 2:26 PM the RD said she would encourage the facility to use airtight containers instead of the bins. She said she told the staff not to use gloves, only utensils to handle food. The RD said she told the DM a couple of months ago to clean sections at a time each week and weekly to maintain until monthly cleaning because it was important to keep the surfaces clean to prevent cross-contamination and maintain infection control. The RD said not keeping the surfaces clean could cause food borne illnesses for the residents. The RD said it was important to use airtight containers to prevent pests from contaminating the food that could cause food borne illness to the residents. The RD said it was important to wear hairnets and beard restraints, to keep nails clean and cut to prevent contamination of food that could cause food borne illnesses to the residents at the facility.</p> <p>Record review of the Dietary policy titled Food Preparation and Service dated November 2022 stated Food and nutrition services employees prepare, distribute and serve food in a manner that complies with safe food handling practices.</p> <p>Under General Guidelines #2. stated: Cross-contamination can occur when harmful substances, i.e., chemical or disease-causing microorganisms are transferred to food by hands (including gloved hands), food contact surfaces, sponges, cloth towels, or utensils that are not adequately cleaned. #3 stated food preparation staff adhere to proper hygiene and sanitary practices to prevent the spread of foodborne illness.</p> <p>Under Food Preparation Area #4 d. stated: cleaning and sanitizing work surfaces (including cutting boards) and foot-contact equipment between uses, following food code guidelines.</p> <p>Under Food Distribution and Service #8 stated: Food and nutrition services staff wear hair restraints (hair net, hat, beard restraint, etc.) so that hair does not contact food. #9 stated in part: food and nutrition services staff keep fingernails trimmed and clean.</p>		