



*Protecting, Maintaining and Improving the Health of All Minnesotans*

Electronically delivered  
August 21, 2020

Administrator  
Catholic Eldercare On Main  
817 Main Street Northeast  
Minneapolis, MN 55413

RE: CCN: 245439  
Cycle Start Date: June 22, 2020

Dear Administrator:

On August 18, 2020, the Minnesota Department(s) of Health completed a revisit to verify that your facility had achieved and maintained compliance. Based on our review, we have determined that your facility has achieved substantial compliance; therefore no remedies will be imposed.

Feel free to contact me if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Larson'.

Douglas Larson, Enforcement Specialist  
Minnesota Department of Health  
Licensing and Certification Program  
Program Assurance Unit  
Health Regulation Division  
Telephone: 651-201-4118 Fax: 651-215-9697  
Email: [doug.larson@state.mn.us](mailto:doug.larson@state.mn.us)

cc: Licensing and Certification File



*Protecting, Maintaining and Improving the Health of All Minnesotans*

Electronically delivered  
July 7, 2020

Administrator  
Catholic Eldercare On Main  
817 Main Street Northeast  
Minneapolis, MN 55413

RE: CCN: 245439  
Cycle Start Date: June 22, 2020

Dear Administrator:

On June 22, 2020, a survey was completed at your facility by the Minnesota Departments of Health and Public Safety, to determine if your facility was in compliance with Federal participation requirements for skilled nursing facilities and/or nursing facilities participating in the Medicare and/or Medicaid programs.

This survey found the most serious deficiencies in your facility to be a pattern of deficiencies that constituted no actual harm with potential for more than minimal harm that was not immediate jeopardy (Level E), as evidenced by the electronically attached CMS-2567 whereby corrections are required.

### **ELECTRONIC PLAN OF CORRECTION (ePoC)**

Within **ten (10) calendar days** after your receipt of this notice, you must submit an acceptable ePOC for the deficiencies cited. An acceptable ePOC will serve as your allegation of compliance. Upon receipt of an acceptable ePOC, we will authorize a revisit to your facility to determine if substantial compliance has been achieved.

To be acceptable, a provider's ePOC must include the following:

- How corrective action will be accomplished for those residents found to have been affected by the deficient practice.
- How the facility will identify other residents having the potential to be affected by the same deficient practice.
- What measures will be put into place, or systemic changes made, to ensure that the deficient practice will not recur.
- How the facility will monitor its corrective actions to ensure that the deficient practice is being corrected and will not recur.
- The date that each deficiency will be corrected.
- An electronic acknowledgement signature and date by an official facility representative.

The state agency may, in lieu of an onsite revisit, determine correction and compliance by accepting the facility's ePoC if the ePoC is reasonable, addresses the problem and provides evidence that the corrective action has occurred.

If an acceptable ePoC is not received within 10 calendar days from the receipt of this letter, we will recommend to the CMS Region V Office that one or more of the following remedies be imposed:

- Denial of payment for new Medicare and Medicaid admissions (42 CFR 488.417);
- Civil money penalty (42 CFR 488.430 through 488.444).
- Termination of your facility's Medicare and/or Medicaid agreement (488.456(b)).

## **DEPARTMENT CONTACT**

Questions regarding this letter and all documents submitted as a response to the resident care deficiencies (those preceded by an "F" tag) and emergency preparedness deficiencies (those preceded by an "E" tag), i.e., the plan of correction should be directed to:

**Sarah Grebenc, Unit Supervisor**  
**Metro D Survey Team**  
**Licensing and Certification Program**  
**Health Regulation Division**  
**Minnesota Department of Health**  
**85 East Seventh Place, Suite 220**  
**P.O. Box 64900**  
**Saint Paul, Minnesota 55164-0900**  
**Email: sarah.grebenc@state.mn.us**  
**Phone: (651) 201-3792**  
**Fax: (651) 215-9697**

## **PRESUMPTION OF COMPLIANCE - CREDIBLE ALLEGATION OF COMPLIANCE**

The facility's ePoC will serve as your allegation of compliance upon the Department's acceptance. In order for your allegation of compliance to be acceptable to the Department, the ePoC must meet the criteria listed in the plan of correction section above. You will be notified by the Minnesota Department of Health, Licensing and Certification Program staff and/or the Department of Public Safety, State Fire Marshal Division staff, if your ePoC for the respective deficiencies (if any) is acceptable.

## **VERIFICATION OF SUBSTANTIAL COMPLIANCE**

Upon receipt of an acceptable ePoC, a Post Certification Revisit (PCR), of your facility will be conducted to validate that substantial compliance with the regulations has been attained in accordance with your verification.

If substantial compliance has been achieved, certification of your facility in the Medicare and/or Medicaid program(s) will be continued and remedies will not be imposed. Compliance is certified as of the latest correction date on the approved ePoC, unless it is determined that either correction actually occurred between the latest correction date on the ePoC and the date of the first revisit, or correction occurred sooner than the latest correction date on the ePoC.

#### **FAILURE TO ACHIEVE SUBSTANTIAL COMPLIANCE BY THE THIRD OR SIXTH MONTH AFTER THE LAST DAY OF THE SURVEY**

If substantial compliance with the regulations is not verified by September 22, 2020 (three months after the identification of noncompliance), the CMS Region V Office must deny payment for new admissions as mandated by the Social Security Act (the Act) at Sections 1819(h)(2)(D) and 1919(h)(2)(C) and Federal regulations at 42 CFR Section 488.417(b).

In addition, if substantial compliance with the regulations is not verified by December 22, 2020 (six months after the identification of noncompliance) your provider agreement will be terminated. This action is mandated by the Social Security Act at Sections 1819(h)(2)(C) and 1919(h)(3)(D) and Federal regulations at 42 CFR Sections 488.412 and 488.456.

**Please note that this notice does not constitute formal notice of imposition of alternative remedies or termination of your provider agreement. Should the Centers for Medicare & Medicaid Services determine that termination or any other remedy is warranted, it will provide you with a separate formal notification of that determination.**

#### **INFORMAL DISPUTE RESOLUTION (IDR) / INDEPENDENT INFORMAL DISPUTE RESOLUTION (IIDR)**

In accordance with 42 CFR 488.331, you have one opportunity to question cited deficiencies through an informal dispute resolution process. You are required to send your written request, along with the specific deficiencies being disputed, and an explanation of why you are disputing those deficiencies, to:

Nursing Home Informal Dispute Process  
Minnesota Department of Health  
Health Regulation Division  
P.O. Box 64900  
St. Paul, Minnesota 55164-0900

This request must be sent within the same ten days you have for submitting an ePoC for the cited deficiencies. All requests for an IDR or IIDR of federal deficiencies must be submitted via the web at: [https://mdhprovidercontent.web.health.state.mn.us/lrc\\_idr.cfm](https://mdhprovidercontent.web.health.state.mn.us/lrc_idr.cfm)

You must notify MDH at this website of your request for an IDR or IIDR within the 10 calendar day period allotted for submitting an acceptable electronic plan of correction. A copy of the Department's informal dispute resolution policies are posted on the MDH Information Bulletin website at: [https://www.health.state.mn.us/facilities/regulation/infobulletins/ib04\\_8.html](https://www.health.state.mn.us/facilities/regulation/infobulletins/ib04_8.html)

Catholic Eldercare On Main

July 7, 2020

Page 4

Please note that the failure to complete the informal dispute resolution process will not delay the dates specified for compliance or the imposition of remedies.

Feel free to contact me if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Larson", with a long horizontal flourish extending to the right.

Douglas Larson, Enforcement Specialist

Minnesota Department of Health

Licensing and Certification Program

Program Assurance Unit

Health Regulation Division

Telephone: 651-201-4118 Fax: 651-215-9697

Email: [doug.larson@state.mn.us](mailto:doug.larson@state.mn.us)

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DEPARTMENT OF HEALTH AND HUMAN SERVICES  
CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 07/14/2020  
FORM APPROVED  
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>245439</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____  B. WING _____		(X3) DATE SURVEY COMPLETED  <b>06/22/2020</b>
NAME OF PROVIDER OR SUPPLIER  <b>CATHOLIC ELDERCARE ON MAIN</b>			STREET ADDRESS, CITY, STATE, ZIP CODE <b>817 MAIN STREET NORTHEAST MINNEAPOLIS, MN 55413</b>		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)		(X5) COMPLETION DATE
E 000	Initial Comments  A COVID-19 Focused Infection Control survey was conducted June 22, 2020 at your facility by the Minnesota Department of Health to determine compliance with Emergency Preparedness regulations §483.73(b)(6). The facility was in full compliance. Because you are enrolled in ePOC, your signature is not required at the bottom of the first page of the CMS-2567 form. Although no plan of correction is required, it is required that the facility acknowledge receipt of the electronic documents.	E 000			
F 000	INITIAL COMMENTS  A COVID-19 Focused Infection Control survey was conducted June 22, 2020, at your facility by the Minnesota Department of Health to determine compliance with §483.80 Infection Control. The facility was not in compliance. Because you are enrolled in ePOC, your signature is not required at the bottom of the first page of the CMS-2567 form.	F 000			
F 880 SS=E	Infection Prevention & Control CFR(s): 483.80(a)(1)(2)(4)(e)(f)  §483.80 Infection Control The facility must establish and maintain an infection prevention and control program	F 880			8/10/20

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Electronically Signed

07/14/2020

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.

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F 880	<p>Continued From page 1</p> <p>designed to provide a safe, sanitary and comfortable environment and to help prevent the development and transmission of communicable diseases and infections.</p> <p>§483.80(a) Infection prevention and control program. The facility must establish an infection prevention and control program (IPCP) that must include, at a minimum, the following elements:</p> <p>§483.80(a)(1) A system for preventing, identifying, reporting, investigating, and controlling infections and communicable diseases for all residents, staff, volunteers, visitors, and other individuals providing services under a contractual arrangement based upon the facility assessment conducted according to §483.70(e) and following accepted national standards;</p> <p>§483.80(a)(2) Written standards, policies, and procedures for the program, which must include, but are not limited to:</p> <ul style="list-style-type: none"> <li>(i) A system of surveillance designed to identify possible communicable diseases or infections before they can spread to other persons in the facility;</li> <li>(ii) When and to whom possible incidents of communicable disease or infections should be reported;</li> <li>(iii) Standard and transmission-based precautions to be followed to prevent spread of infections;</li> <li>(iv) When and how isolation should be used for a resident; including but not limited to: <ul style="list-style-type: none"> <li>(A) The type and duration of the isolation, depending upon the infectious agent or organism involved, and</li> <li>(B) A requirement that the isolation should be the</li> </ul> </li> </ul>	F 880			

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F 880	<p>Continued From page 2</p> <p>least restrictive possible for the resident under the circumstances.</p> <p>(v) The circumstances under which the facility must prohibit employees with a communicable disease or infected skin lesions from direct contact with residents or their food, if direct contact will transmit the disease; and</p> <p>(vi) The hand hygiene procedures to be followed by staff involved in direct resident contact.</p> <p>§483.80(a)(4) A system for recording incidents identified under the facility's IPCP and the corrective actions taken by the facility.</p> <p>§483.80(e) Linens. Personnel must handle, store, process, and transport linens so as to prevent the spread of infection.</p> <p>§483.80(f) Annual review. The facility will conduct an annual review of its IPCP and update their program, as necessary. This REQUIREMENT is not met as evidenced by: Based on observation and interview, the facility failed to ensure staff wore the appropriate personal protective equipment (PPE) and failed to ensure staff doffed (removed) PPE and place into appropriate receptacles according to Centers for Disease Control (CDC) and Centers for Medicare and Medicaid Services (CMS) guidelines for mitigating transmission of COVID-19. This had the potential to affect all residents on the transitional care unit.</p> <p>Findings include:</p> <p>Observation on 6/22/20, at 1:20 p.m., identified housekeeper (H)-A who removed trash on 2nd</p>	F 880	<p>It is the policy of Catholic Eldercare (CE) for all staff to wear the proper PPE while on duty. It is also the policy of CE to handle and transport linen appropriately to prevent the spread of infection. The policies and procedures related to PPE and linen handling have been reviewed and revised as of 7/9/20. CE employees will receive updated information and training on requirements and expectations related to eye protection. CE employees will be re-educated on doffing PPE and linen handling and transport. Training will be completed by July 31, 2020.</p>		

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F 880	<p>Continued From page 3</p> <p>floor of the long term care unit. She was in the resident hallways and did not wear a face shield or goggles. She identified staff were not required to wear eye protection unless they went into a quarantined room.</p> <p>Observation and interview on 6/22/20, at 2:28 p.m., registered nurse (RN)-A was in the hallway of the 2nd floor long term care unit. He did not wear eye protection. RN-A identified all staff were required to wear a face shield or goggles when they went into every resident room. Staff were not required to wear eye protection in the hallways.</p> <p>Observation and interview on 6/22/20, at 1:59 p.m., with registered nurse (RN)-B identified she was in the hallway of the transitional care unit (TCU) and did not wear eye protection in the hallways and her respirator mask was around her right upper arm. RN-A identified staff were to wear eye protection when in direct contact with residents and when they provided care. There were three residents on quarantine in the TCU, Resident (R2) tested positive for COVID-19 and was asymptomatic.</p> <p>Observation on 6/22/20, at 2:26 p.m., of nursing assistant (NA)-A who exited R2's room, wore a gown, surgical mask and prescription eye glasses. She did not wear a face shield. NA-A exited the room and removed her gown in the hallway. NA-A draped the gown over her arm and carried it across the hallway and placed it in the soiled utility room linen bin. NA-A identified R2 was on quarantine status. NA-A said, gowns were hung on the inside of the doorway and used for an entire shift. At the end of the shift, gowns were removed from the rooms and placed in the</p>	F 880	<p>Please note: On page 4 of the summary of deficiencies, it states, there were three residents on quarantine in the TCU, resident (R2) tested positive for COVID-19 and was asymptomatic. This statement is not accurate, and we would like to correct this information: Resident R2 was admitted on 6/15/20 and tested negative for COVID-19 on 6/10/20 before admission. She was on Admission Quarantine from 6/15/20 through 6/29/20, which was during the time of the IC Focused Survey. She was also tested during our PPS Testing and was negative for COVID-19 on 6/19/20. R2 remains a guest on our TCU and has had no signs of infection. There is no documentation in her medical record of ever being positive for COVID-19.</p> <p>CE would like to clarify that on page 5 in the first paragraph where it was stated, staff acquired PPE supplies from the soiled utility room. The room is not a soiled utility room; the room is identified, labeled, and used as a clean laundry room.</p> <p>Random audits of PPE use and linen handling will be conducted by department managers/supervisors and Infection Control. Audits will be done daily for one week, weekly for one month, and quarterly after that. Results will be reviewed and monitored by the nurse managers and will forward information to the QAPI committee for further review and recommendations.</p>		

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F 880	<p>Continued From page 4</p> <p>soiled utility rooms to be laundered. Quarantined rooms had a blue sign on the door. PPE carts were not placed outside the rooms. Staff acquired PPE supplies from the soiled utility room. Staff wore face shields or goggles when they provided care to residents. NA-A identified she wore glasses while in the room. She had not worn a face shield and had not changed her mask prior to her exit from the room.</p> <p>Interview on 6/22/20, at 2:35 p.m., with RN-C identified staff were expected to wear eye protection at all times because there were several residents on quarantine status in the TCU.</p> <p>Interview on 6/22/20, at 5:00 p.m. with RN-D identified gowns were reused for a shift and stored in resident rooms. Staff were to bag the gowns prior to their exit of the room to transport to the soiled utility room for to be laundered.</p> <p>Interview on 6/22/20, at 3:57 p.m., with infection preventionist (IP)-A and the director of nursing (DON) identified direct care staff were expected to wear a surgical mask and face shield. The exception to this would be if staff charted behind the nurse desk. Housekeeping staff were expected to wear a face shield and surgical mask while on the resident units. Gowns were reused in quarantine rooms and were changed at the end of each shift. IP-A expected staff to doff gowns and place them into clear trash bags to transport to the soiled utility room for laundering.</p>	F 880			

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F 880 SS=E	The facility's plan of correction (POC) will serve as your allegation of compliance upon the Department's acceptance. Upon receipt of an acceptable electronic POC, an revisit of your facility will be conducted to validate that substantial compliance with the regulations has been attained in accordance with your verification. Infection Prevention & Control CFR(s): 483.80(a)(1)(2)(4)(e)(f)  §483.80 Infection Control The facility must establish and maintain an infection prevention and control program	F 880			

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

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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.

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F 880	<p>Continued From page 1</p> <p>designed to provide a safe, sanitary and comfortable environment and to help prevent the development and transmission of communicable diseases and infections.</p> <p>§483.80(a) Infection prevention and control program. The facility must establish an infection prevention and control program (IPCP) that must include, at a minimum, the following elements:</p> <p>§483.80(a)(1) A system for preventing, identifying, reporting, investigating, and controlling infections and communicable diseases for all residents, staff, volunteers, visitors, and other individuals providing services under a contractual arrangement based upon the facility assessment conducted according to §483.70(e) and following accepted national standards;</p> <p>§483.80(a)(2) Written standards, policies, and procedures for the program, which must include, but are not limited to:</p> <ul style="list-style-type: none"> <li>(i) A system of surveillance designed to identify possible communicable diseases or infections before they can spread to other persons in the facility;</li> <li>(ii) When and to whom possible incidents of communicable disease or infections should be reported;</li> <li>(iii) Standard and transmission-based precautions to be followed to prevent spread of infections;</li> <li>(iv) When and how isolation should be used for a resident; including but not limited to: <ul style="list-style-type: none"> <li>(A) The type and duration of the isolation, depending upon the infectious agent or organism involved, and</li> <li>(B) A requirement that the isolation should be the</li> </ul> </li> </ul>	F 880			

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F 880	<p>Continued From page 2</p> <p>least restrictive possible for the resident under the circumstances.</p> <p>(v) The circumstances under which the facility must prohibit employees with a communicable disease or infected skin lesions from direct contact with residents or their food, if direct contact will transmit the disease; and</p> <p>(vi) The hand hygiene procedures to be followed by staff involved in direct resident contact.</p> <p>§483.80(a)(4) A system for recording incidents identified under the facility's IPCP and the corrective actions taken by the facility.</p> <p>§483.80(e) Linens. Personnel must handle, store, process, and transport linens so as to prevent the spread of infection.</p> <p>§483.80(f) Annual review. The facility will conduct an annual review of its IPCP and update their program, as necessary. This REQUIREMENT is not met as evidenced by: Based on observation and interview, the facility failed to ensure staff wore the appropriate personal protective equipment (PPE) and failed to ensure staff doffed (removed) PPE and place into appropriate receptacles according to Centers for Disease Control (CDC) and Centers for Medicare and Medicaid Services (CMS) guidelines for mitigating transmission of COVID-19. This had the potential to affect all residents on the transitional care unit.</p> <p>Findings include:</p> <p>Observation on 6/22/20, at 1:20 p.m., identified housekeeper (H)-A who removed trash on 2nd</p>	F 880			

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
CENTERS FOR MEDICARE & MEDICAID SERVICES

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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>245439</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____  B. WING _____		(X3) DATE SURVEY COMPLETED  <b>06/22/2020</b>
NAME OF PROVIDER OR SUPPLIER  <b>CATHOLIC ELDERCARE ON MAIN</b>			STREET ADDRESS, CITY, STATE, ZIP CODE <b>817 MAIN STREET NORTHEAST MINNEAPOLIS, MN 55413</b>		
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F 880	<p>Continued From page 3</p> <p>floor of the long term care unit. She was in the resident hallways and did not wear a face shield or goggles. She identified staff were not required to wear eye protection unless they went into a quarantined room.</p> <p>Observation and interview on 6/22/20, at 2:28 p.m., registered nurse (RN)-A was in the hallway of the 2nd floor long term care unit. He did not wear eye protection. RN-A identified all staff were required to wear a face shield or goggles when they went into every resident room. Staff were not required to wear eye protection in the hallways.</p> <p>Observation and interview on 6/22/20, at 1:59 p.m., with registered nurse (RN)-B identified she was in the hallway of the transitional care unit (TCU) and did not wear eye protection in the hallways and her respirator mask was around her right upper arm. RN-A identified staff were to wear eye protection when in direct contact with residents and when they provided care. There were three residents on quarantine in the TCU, Resident (R2) tested positive for COVID-19 and was asymptomatic.</p> <p>Observation on 6/22/20, at 2:26 p.m., of nursing assistant (NA)-A who exited R2's room, wore a gown, surgical mask and prescription eye glasses. She did not wear a face shield. NA-A exited the room and removed her gown in the hallway. NA-A draped the gown over her arm and carried it across the hallway and placed it in the soiled utility room linen bin. NA-A identified R2 was on quarantine status. NA-A said, gowns were hung on the inside of the doorway and used for an entire shift. At the end of the shift, gowns were removed from the rooms and placed in the</p>	F 880			

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F 880	<p>Continued From page 4</p> <p>soiled utility rooms to be laundered. Quarantined rooms had a blue sign on the door. PPE carts were not placed outside the rooms. Staff acquired PPE supplies from the soiled utility room. Staff wore face shields or goggles when they provided care to residents. NA-A identified she wore glasses while in the room. She had not worn a face shield and had not changed her mask prior to her exit from the room.</p> <p>Interview on 6/22/20, at 2:35 p.m., with RN-C identified staff were expected to wear eye protection at all times because there were several residents on quarantine status in the TCU.</p> <p>Interview on 6/22/20, at 5:00 p.m. with RN-D identified gowns were reused for a shift and stored in resident rooms. Staff were to bag the gowns prior to their exit of the room to transport to the soiled utility room for to be laundered.</p> <p>Interview on 6/22/20, at 3:57 p.m., with infection preventionist (IP)-A and the director of nursing (DON) identified direct care staff were expected to wear a surgical mask and face shield. The exception to this would be if staff charted behind the nurse desk. Housekeeping staff were expected to wear a face shield and surgical mask while on the resident units. Gowns were reused in quarantine rooms and were changed at the end of each shift. IP-A expected staff to doff gowns and place them into clear trash bags to transport to the soiled utility room for laundering.</p>	F 880			