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**C&T REMARKS - CMS 1539 FORM****STATE AGENCY REMARKS**

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CCN: 24-E150

On 03/07/14, a Post Certification Revisit (PCR) was completed by the Department of Health and on 02/12/14, the Minnesota Department of Public Safety completed a PCR. Based on the PCRs, it has been determined that the facility had achieved substantial compliance pursuant to the 01/16/14 standard survey, effective 02/05/14. Refer to the CMS 2567B for both health survey findings and attached Fire Safety Evaluation System (FSES) dated 01/28/14 for life safety code results.

Effective 02/05/14, the facility is certified for 20 skilled nursing facility beds.

The facility's request for a continuing waiver involving the deficiency cited at F458 - Resident Room size requirements is recommended for approval. Documentation supporting the waiver request is attached.



*Protecting, Maintaining and Improving the Health of Minnesotans*

CMS Certification Number (CCN): 24-E150

Electronically Delivered: May 12, 2014

Mr. Allen Soderbeck, Administrator  
Grand Avenue Rest Home  
3956 Grand Avenue South  
Minneapolis, Minnesota 55409

Dear Mr. Soderbeck:

The Minnesota Department of Health assists the Centers for Medicare and Medicaid Services (CMS) by surveying skilled nursing facilities and nursing facilities to determine whether they meet the requirements for participation. To participate as a skilled nursing facility in the Medicare program or as a nursing facility in the Medicaid program, a provider must be in substantial compliance with each of the requirements established by the Secretary of Health and Human Services found in 42 CFR part 483, Subpart B.

Based upon your facility being in substantial compliance, we are recommending to CMS to the Minnesota Department of Human Services that your facility is recertified in the Medicaid program.

Effective February 5, 2014, the above facility is certified for:

20 - Nursing Facility II Beds.

Your facility's Medicare approved area consists of all 20 nursing facility beds.

The facility's request for a continuing waiver involving the deficiency cited under F458 at the time of the January 16, 2014 standard survey has been approved.

You should advise our office of any changes in staffing, services, or organization, which might affect your certification status. Please note, it is your responsibility to share the information contained in this letter and the results of this PCR with the President of your facility's Governing Body.

If, at the time of your next survey, we find your facility to not be in substantial compliance your Medicare and Medicaid provider agreement may be subject to non-renewal or termination. Please contact me if you have any questions about this electronic notice.

Sincerely,

A handwritten signature in cursive script that reads "Anne Kleppe".

Anne Kleppe, Enforcement Specialist  
Licensing and Certification Program  
Division of Compliance Monitoring  
Minnesota Department of Health

Grand Avenue Rest Home

May 12, 2014

Page 2

Telephone: (651) 201-4124 Fax: (651) 215-9697

Email: [anne.kleppe@state.mn.us](mailto:anne.kleppe@state.mn.us)



*Protecting, Maintaining and Improving the Health of Minnesotans*

Electronically delivered: March 19, 2014

Mr. Allen Soderbeck, Administrator  
Grand Avenue Rest Home  
3956 Grand Avenue South  
Minneapolis, Minnesota 55409

RE: Project Number SE150023

Dear Mr. Soderbeck:

On January 29, 2014, we informed you that we would recommend enforcement remedies based on the deficiencies cited by this Department for a standard survey completed on January 16, 2014. This survey found the most serious deficiencies to be widespread deficiencies that constituted no actual harm with potential for more than minimal harm that was not immediate jeopardy (Level F), whereby corrections were required.

On March 7, 2014, the Minnesota Department of Health completed a Post Certification Revisit (PCR) by review of your plan of correction and on February 12, 2014 the Minnesota Department of Public Safety completed a PCR to verify that your facility had achieved and maintained compliance with federal certification deficiencies issued pursuant to a standard survey, completed on January 16, 2014. We presumed, based on your plan of correction, that your facility had corrected these deficiencies as of February 5, 2014. Based on our PCR, we have determined that your facility has corrected the deficiencies issued pursuant to our standard survey, completed on January 16, 2014, effective February 5, 2014 and therefore remedies outlined in our letter to you dated January 29, 2014, will not be imposed.

Your request for a continuing waiver involving the deficiency cited under F458 at the time of the January 16, 2014 standard survey has been approved.

Please note, it is your responsibility to share the information contained in this letter and the results of this visit with the President of your facility's Governing Body. Feel free to contact me if you have questions related to this eNotice.

Sincerely,

A handwritten signature in black ink that reads "Mark Meath".

Mark Meath, Enforcement Specialist  
Licensing and Certification Program  
Division of Compliance Monitoring  
Minnesota Department of Health  
Email: [anne.kleppe@state.mn.us](mailto:anne.kleppe@state.mn.us)  
Telephone: (651) 201-4118  
Fax: (651) 215-9697

**Post-Certification Revisit Report**

Public reporting for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information including suggestions for reducing the burden, to CMS, Office of Financial Management, P.O. Box 26684, Baltimore, MD 21207; and to the Office of Management and Budget, Paperwork Reduction Project (0938-0390), Washington, D.C. 20503.

<b>(Y1) Provider / Supplier / CLIA / Identification Number</b> 24E150	<b>(Y2) Multiple Construction</b> A. Building B. Wing	<b>(Y3) Date of Revisit</b> 3/7/2014
<b>Name of Facility</b> GRAND AVENUE REST HOME	<b>Street Address, City, State, Zip Code</b> 3956 GRAND AVENUE SOUTH MINNEAPOLIS, MN 55409	

This report is completed by a qualified State surveyor for the Medicare, Medicaid and/or Clinical Laboratory Improvement Amendments program, to show those deficiencies previously reported on the CMS-2567, Statement of Deficiencies and Plan of Correction that have been corrected and the date such corrective action was accomplished. Each deficiency should be fully identified using either the regulation or LSC provision number and the identification prefix code previously shown on the CMS-2567 (prefix codes shown to the left of each requirement on the survey report form).

(Y4) Item	(Y5) Date	(Y4) Item	(Y5) Date	(Y4) Item	(Y5) Date
ID Prefix <b>F0161</b> Reg. # <b>483.10(c)(7)</b> LSC _____	Correction Completed <b>02/03/2014</b>	ID Prefix <b>F0514</b> Reg. # <b>483.75(l)(1)</b> LSC _____	Correction Completed <b>02/05/2014</b>	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed
ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed
ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed
ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed
ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed

Reviewed By _____ State Agency	Reviewed By GL/AK	Date: 05/12/2014	Signature of Surveyor:  15507	Date: 03/07/2014
Reviewed By _____ CMS RO	Reviewed By	Date:	Signature of Surveyor:	Date:

Followup to Survey Completed on: 1/16/2014	Check for any Uncorrected Deficiencies. Was a Summary of Uncorrected Deficiencies (CMS-2567) Sent to the Facility? <table style="float: right;"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO		

**Post-Certification Revisit Report**

Public reporting for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information including suggestions for reducing the burden, to CMS, Office of Financial Management, P.O. Box 26684, Baltimore, MD 21207; and to the Office of Management and Budget, Paperwork Reduction Project (0938-0390), Washington, D.C. 20503.

<b>(Y1) Provider / Supplier / CLIA / Identification Number</b> 24E150	<b>(Y2) Multiple Construction</b> A. Building <b>01 - MAIN BUILDING 01</b> B. Wing	<b>(Y3) Date of Revisit</b> 2/12/2014
<b>Name of Facility</b> GRAND AVENUE REST HOME		<b>Street Address, City, State, Zip Code</b> 3956 GRAND AVENUE SOUTH MINNEAPOLIS, MN 55409

This report is completed by a qualified State surveyor for the Medicare, Medicaid and/or Clinical Laboratory Improvement Amendments program, to show those deficiencies previously reported on the CMS-2567, Statement of Deficiencies and Plan of Correction that have been corrected and the date such corrective action was accomplished. Each deficiency should be fully identified using either the regulation or LSC provision number and the identification prefix code previously shown on the CMS-2567 (prefix codes shown to the left of each requirement on the survey report form).

(Y4) Item	(Y5) Date	(Y4) Item	(Y5) Date	(Y4) Item	(Y5) Date
ID Prefix _____ Reg. # <b>NFPA 101</b> LSC <u>K0012</u>	Correction Completed <b>01/28/2014</b>	ID Prefix _____ Reg. # <b>NFPA 101</b> LSC <u>K0020</u>	Correction Completed <b>01/28/2014</b>	ID Prefix _____ Reg. # <b>NFPA 101</b> LSC <u>K0032</u>	Correction Completed <b>01/28/2014</b>
ID Prefix _____ Reg. # <b>NFPA 101</b> LSC <u>K0033</u>	Correction Completed <b>01/28/2014</b>	ID Prefix _____ Reg. # <b>NFPA 101</b> LSC <u>K0039</u>	Correction Completed <b>01/28/2014</b>	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed
ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed
ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed
ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed	ID Prefix _____ Reg. # _____ LSC _____	Correction Completed

Reviewed By _____ State Agency	Reviewed By PS/AK	Date: 05/12/2014	Signature of Surveyor:  28120	Date: 02/12/2014
Reviewed By _____ CMS RO	Reviewed By	Date:	Signature of Surveyor:	Date:

Followup to Survey Completed on: 1/17/2014	Check for any Uncorrected Deficiencies. Was a Summary of Uncorrected Deficiencies (CMS-2567) Sent to the Facility? <table style="float: right; margin-left: 20px;"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO		

MEDICARE/MEDICAID CERTIFICATION AND TRANSMITTAL
PART I - TO BE COMPLETED BY THE STATE SURVEY AGENCY

ID: TEIL
Facility ID: 00208

1. MEDICARE/MEDICAID PROVIDER NO. (L1) 24E150
2. STATE VENDOR OR MEDICAID NO. (L2) 950842200
3. NAME AND ADDRESS OF FACILITY (L3) GRAND AVENUE REST HOME
(L4) 3956 GRAND AVENUE SOUTH
(L5) MINNEAPOLIS, MN (L6) 55409
4. TYPE OF ACTION: 2 (L8)
5. EFFECTIVE DATE CHANGE OF OWNERSHIP (L9)
6. DATE OF SURVEY 01/16/2014 (L34)
7. PROVIDER/SUPPLIER CATEGORY 10 (L7)
8. ACCREDITATION STATUS: (L10)
10. THE FACILITY IS CERTIFIED AS:
11. LTC PERIOD OF CERTIFICATION
12. Total Facility Beds 20 (L18)
13. Total Certified Beds 20 (L17)
14. LTC CERTIFIED BED BREAKDOWN
15. FACILITY MEETS
1861 (e) (1) or 1861 (j) (1): (L15)

16. STATE SURVEY AGENCY REMARKS (IF APPLICABLE SHOW LTC CANCELLATION DATE):

See Attached Remarks

17. SURVEYOR SIGNATURE Date:
Susan Miller, HFE NE II 2/11/2014 (L19)
18. STATE SURVEY AGENCY APPROVAL Date:
Shellae Dietrich, Certification Specialist 04/29/2014 (L20)

PART II - TO BE COMPLETED BY HCFA REGIONAL OFFICE OR SINGLE STATE AGENCY

19. DETERMINATION OF ELIGIBILITY
20. COMPLIANCE WITH CIVIL RIGHTS ACT:
21. 1. Statement of Financial Solvency (HCFA-2572)
2. Ownership/Control Interest Disclosure Stmt (HCFA-1513)
3. Both of the Above :
22. ORIGINAL DATE OF PARTICIPATION 03/31/1974 (L24)
23. LTC AGREEMENT BEGINNING DATE (L41)
24. LTC AGREEMENT ENDING DATE (L25)
25. LTC EXTENSION DATE: (L27)
26. TERMINATION ACTION: (L30)
27. ALTERNATIVE SANCTIONS
28. TERMINATION DATE: (L28)
29. INTERMEDIARY/CARRIER NO. (L31)
30. REMARKS
31. RO RECEIPT OF CMS-1539 (L32)
32. DETERMINATION OF APPROVAL DATE (L33)
DETERMINATION APPROVAL



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**C&T REMARKS - CMS 1539 FORM****STATE AGENCY REMARKS**

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CCN: 24E150

At the time of the standard survey completed January 17, 2014, the facility was not in substantial compliance and the most serious deficiencies were found to be widespread deficiencies that constitute no actual harm with potential for more than minimal harm that is not immediate jeopardy (Level F) whereby corrections are required. The facility has been given an opportunity to correct before remedies are imposed. See attached CMS-2567 for survey results.

The facility's request for a continuing waiver involving the deficiency cited at F458 - Resident Room size requirements is recommended for approval. Documentation supporting the waiver request is attached.

Also, see attached Fire Safety Evaluation System (FSES) dated January 28, 2014 for Life Safety Code results.

Post Certification Revisit to follow.



*Protecting, Maintaining and Improving the Health of Minnesotans*

Electronically delivered  
January 29, 2014

Mr. Allen Soderbeck, Administrator  
Grand Avenue Rest Home  
3956 Grand Avenue South  
Minneapolis, Minnesota 55409

RE: Project Number SE150023

Dear Mr. Soderbeck:

On January 16, 2014, a standard 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 widespread deficiencies that constitute no actual harm with potential for more than minimal harm that is not immediate jeopardy (Level F), as evidenced by the attached CMS-2567 whereby corrections are required. A copy of the Statement of Deficiencies (CMS-2567) is enclosed.

**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.**

This letter provides important information regarding your response to these deficiencies and addresses the following issues:

**Opportunity to Correct - the facility is allowed an opportunity to correct identified deficiencies before remedies are imposed;**

**Electronic Plan of Correction - when a plan of correction will be due and the information to be contained in that document;**

**Remedies - the type of remedies that will be imposed with the authorization of the Centers for Medicare and Medicaid Services (CMS) if substantial compliance is not attained at the time of a revisit;**

**Potential Consequences - the consequences of not attaining substantial compliance 3 and 6 months after the survey date; and**

**Informal Dispute Resolution - your right to request an informal reconsideration to dispute the attached deficiencies.**

Please note, it is your responsibility to share the information contained in this letter and the results of this visit with the President of your facility's Governing Body.

## **DEPARTMENT CONTACT**

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

Gayle Lantto, Unit Supervisor  
Metro D Survey Team  
Minnesota Department of Health  
gayle.lantto@state.mn.us

Telephone: (651) 201-3790

Fax: (651) 201-3792

## **OPPORTUNITY TO CORRECT - DATE OF CORRECTION - REMEDIES**

As of January 14, 2000, CMS policy requires that facilities will not be given an opportunity to correct before remedies will be imposed when actual harm was cited at the last standard or intervening survey and also cited at the current survey. Your facility does not meet this criterion. Therefore, if your facility has not achieved substantial compliance by February 25, 2014, the Department of Health will impose the following remedy:

- State Monitoring. (42 CFR 488.422)

In addition, the Department of Health is recommending to the CMS Region V Office that if your facility has not achieved substantial compliance by February 25, 2014 the following remedy will be imposed:

- Per instance civil money penalties. (42 CFR 488.430 through 488.444)

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

An ePoC for the deficiencies must be submitted within **ten calendar days** of your receipt of this letter. Your ePoC must:

- Address how corrective action will be accomplished for those residents found to have been affected by the deficient practice;
- Address how the facility will identify other residents having the potential to be affected by the same deficient practice;
- Address what measures will be put into place or systemic changes made to ensure that the deficient practice will not recur;
- Indicate how the facility plans to monitor its performance to make sure that solutions are sustained. The facility must develop a plan for ensuring that correction is achieved and sustained. This plan must be implemented, and the corrective action evaluated for its effectiveness. The plan of correction is integrated into the quality assurance system;
- Include dates when corrective action will be completed. The corrective action completion dates must be acceptable to the State. If the plan of correction is unacceptable for any reason, the State will notify the facility. If the plan of correction is acceptable, the State will notify the facility. Facilities should be cautioned that they are ultimately accountable for their own compliance, and that responsibility is not alleviated in cases where notification about the acceptability of their plan of correction is not made timely. The plan of correction will serve as the facility's allegation of compliance; and,
- Include electronic acknowledgement signature of provider and date.

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:

- Optional denial of payment for new Medicare and Medicaid admissions (42 CFR 488.417 (a));
- Per day civil money penalty (42 CFR 488.430 through 488.444).

Failure to submit an acceptable ePoC could also result in the termination of your facility's Medicare and/or Medicaid agreement.

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

The facility's ePoC will serve as your allegation of compliance upon the Department's acceptance. Your signature at the bottom of the first page of the CMS-2567 form will be used as verification of compliance. 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, an onsite revisit of your facility may be conducted to validate that substantial compliance with the regulations has been attained in accordance with your verification. A Post Certification Revisit (PCR) will occur after the date you identified that compliance was achieved in your plan of correction.

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.

### **Original deficiencies not corrected**

If your facility has not achieved substantial compliance, we will impose the remedies described above. If the level of noncompliance worsened to a point where a higher category of remedy may be imposed, we will recommend to the CMS Region V Office that those other remedies be imposed.

### **Original deficiencies not corrected and new deficiencies found during the revisit**

If new deficiencies are identified at the time of the revisit, those deficiencies may be disputed through the informal dispute resolution process. However, the remedies specified in this letter will be imposed for original deficiencies not corrected. If the deficiencies identified at the revisit require the imposition of a higher category of remedy, we will recommend to the CMS Region V Office that those remedies be imposed.

### **Original deficiencies corrected but new deficiencies found during the revisit**

If new deficiencies are found at the revisit, the remedies specified in this letter will be imposed. If the deficiencies identified at the revisit require the imposition of a higher category of remedy, we will recommend to the CMS Region V Office that those remedies be imposed. You will be provided the required notice before the imposition of a new remedy or informed if another date will be set for the imposition of these remedies.

### **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 April 16, 2014, (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). This mandatory denial of payments will be based on the failure to comply with deficiencies originally contained in the Statement of Deficiencies, upon the identification of new deficiencies at the time of the revisit, or if deficiencies have been issued as the result of a complaint visit or other survey conducted after the original statement of deficiencies was issued. This mandatory denial of payment is in addition to any remedies that may still be in effect as of this date.

We will also recommend to the CMS Region V Office and/or the Minnesota Department of Human Services that your provider agreement be terminated by July 16, 2014, (six months after the identification of noncompliance) if your facility does not achieve substantial compliance. 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.

## **INFORMAL DISPUTE RESOLUTION**

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  
Division of Compliance Monitoring  
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: [http://www.health.state.mn.us/divs/fpc/profinfo/ltc/ltc\\_idr.cfm](http://www.health.state.mn.us/divs/fpc/profinfo/ltc/ltc_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: <http://www.health.state.mn.us/divs/fpc/profinfo/infobul.htm>

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.

Questions regarding all documents submitted as a response to the Life Safety Code deficiencies (those preceded by a "K" tag), i.e., the plan of correction, request for waivers, should be directed to:

Mr. Patrick Sheehan, Supervisor  
Health Care Fire Inspections  
State Fire Marshal Division  
444 Cedar Street, Suite 145  
St. Paul, Minnesota 55101-5145

Telephone: (651) 201-7205

Fax: (651) 215-0541

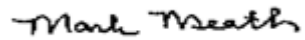
Grand Avenue Rest Home

January 29, 2014

Page 6

Feel free to contact me if you have questions related to this eNotice.

Sincerely,

A handwritten signature in black ink that reads "Mark Meath". The signature is written in a cursive style with a horizontal line underlining the first name.

Mark Meath, Enforcement Specialist  
Program Assurance Unit  
Licensing and Certification Program  
Division of Compliance Monitoring  
mark.meath@state.mn.us

Telephone: (651) 201-4118

Fax: (651) 215-9697

Enclosure

cc: Licensing and Certification File

E150s14.rtf

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

PRINTED: 03/25/2014  
FORM APPROVED  
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>24E150</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____  B. WING _____		(X3) DATE SURVEY COMPLETED  <b>01/16/2014</b>
NAME OF PROVIDER OR SUPPLIER  <b>GRAND AVENUE REST HOME</b>			STREET ADDRESS, CITY, STATE, ZIP CODE <b>3956 GRAND AVENUE SOUTH MINNEAPOLIS, MN 55409</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	
F 000	INITIAL COMMENTS  The facility's plan of correction (POC) will serve as your allegation of compliance upon the Department's acceptance. Your signature at the bottom of the first page of the CMS-2567 form will be used as verification of compliance.  Upon receipt of an acceptable POC an on-site revisit of your facility may be conducted to validate that substantial compliance with the regulations has been attained in accordance with your verification.	F 000			
F 161 SS=E	483.10(c)(7) SURETY BOND - SECURITY OF PERSONAL FUNDS  The facility must purchase a surety bond, or otherwise provide assurance satisfactory to the Secretary, to assure the security of all personal funds of residents deposited with the facility.  This REQUIREMENT is not met as evidenced by: Based on interview and document review, the facility failed to ensure the current surety bond was of an amount to cover the funds held by the facility for 9 of 9 residents (R1, R5, R7, R8, R10, R11, R12, R13, R20) whose funds were managed by the facility.  Findings include:  On 1/14/14, at 5:00 p.m. evidence of a surety bond for resident funds held by the facility was requested. The surety bond provided by the office manager was for \$1000.00 and the office manager was asked how much was currently held by the facility in the resident trust fund	F 161	A much larger surety bond has been purchased. The value of the new bond is \$8000. To ensure that we do not overrun the bond we will review this quarterly. When the quarterly interest calculations are made for the resident funds held, we will ensure the sum of the resident funds held is less than the value of the bond. If the sum of the funds held approaches the value of the bond, we will secure a larger value bond. This process will be monitored by both the Office Manager and the Administrator.	2/3/14	

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

TITLE

(X6) DATE

Electronically Signed

02/07/2014

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.



STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>24E150</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____  B. WING _____		(X3) DATE SURVEY COMPLETED  <b>01/16/2014</b>
NAME OF PROVIDER OR SUPPLIER  <b>GRAND AVENUE REST HOME</b>			STREET ADDRESS, CITY, STATE, ZIP CODE <b>3956 GRAND AVENUE SOUTH MINNEAPOLIS, MN 55409</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	
F 161	Continued From page 1 account.  On 1/14/14, at 5:38 p.m. the office manager stated R20's parent had asked the facility to hold onto a social security check R20 had received for around \$2000.00. A tabulation of R20's funds by the office manager and the observer revealed \$2709.00 was currently held by the facility. The office manager was then asked to provide the total amount of money held by the facility for residents. The office manager provided documentation indicating that a total of \$5056.00 was held in trust by the facility for R1, R5, R7, R8, R10, R11, R12, R13, and R20. The office manager verified the surety bond was only for \$1000.00 and acknowledged the surety bond needed to be increased to cover the funds held by the facility.	F 161			
F 458 SS=B	483.70(d)(1)(ii) BEDROOMS MEASURE AT LEAST 80 SQ FT/RESIDENT  Bedrooms must measure at least 80 square feet per resident in multiple resident bedrooms, and at least 100 square feet in single resident rooms.  This REQUIREMENT is not met as evidenced by: Based on observation and interview, the facility failed to provide at least 80 square feet per resident in multiple resident bedrooms for triple resident rooms 101, 102, and 103 affecting nine residents whose bedrooms had fewer than the required footage.  Findings include:  Three residents resided in room #101 that had	F 458	A waiver is requested for rooms 101, 102 and 103 because they do not meet the requirements of 80 square feet per resident. We are requesting the waiver because: We have operated over 40 years in the same facility. During this time, there have been no adverse effects due to the room sizes. Our residents are generally satisfied. Our resident concerns are minimal. When a resident does have	<del>2/5/14</del>	

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>24E150</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____  B. WING _____		(X3) DATE SURVEY COMPLETED  <b>01/16/2014</b>
NAME OF PROVIDER OR SUPPLIER  <b>GRAND AVENUE REST HOME</b>			STREET ADDRESS, CITY, STATE, ZIP CODE <b>3956 GRAND AVENUE SOUTH MINNEAPOLIS, MN 55409</b>		
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F 458	Continued From page 2 211.33 square feet of floor space. A large wooden wardrobe was built into the room, which measured 13.5 square feet, leaving 197.83 square feet of usable space or 66 square feet for each resident.  Three residents resided in room #102 that had 232 square feet of floor space or 77.3 square feet per resident.  Three residents resided in room #103. The room had 238.26 square feet of floor space. Three wooden wardrobes were built into the room. One wardrobe measured 6 square feet; another measured 5.3 square feet and the third measured 6.25 square feet. That resulted in 220.71 square feet of useable floor space or 73.7 square feet per resident.  On the afternoon of 1/12/14, and the morning of 1/13/14, all residents (R1, R2, R4, R5, R7, R8, R10, R13 and R19) residing in the three rooms were interviewed. The residents all reported they were satisfied with the space provided in their rooms.  On 1/15/14, at 1:30 p.m. the office manager verified the facility was aware of the space requirements, and the requirement to request an annual waiver related to the room sizes.	F 458	a concern it is generally because they came to our facility from an apartment or home and we cannot accommodate as many of their belongings as they would prefer. We do try to accommodate them to the extent possible. All of our residents are ambulatory. We do not have wheel chairs in the facility and have not encountered any safety or health problems due to the existing room sizes. The residents have the opportunity to decorate their room and put up different personal items of enjoyment. Our residents have ample room for personal possessions. Each resident has a custom-made locking wardrobe cabinet. There is enough room for chairs and other preferred furniture to the extent possible. The beds in our rooms fit the space very well and allow for exit and entry without issue. Nursing has not had any problems providing nursing care.		
F 514 SS=D	483.75(l)(1) RES RECORDS-COMPLETE/ACCURATE/ACCESSIBLE  The facility must maintain clinical records on each resident in accordance with accepted professional standards and practices that are complete; accurately documented; readily accessible; and	F 514		2/5/14	

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F 514	<p>Continued From page 3 systematically organized.</p> <p>The clinical record must contain sufficient information to identify the resident; a record of the resident's assessments; the plan of care and services provided; the results of any preadmission screening conducted by the State; and progress notes.</p> <p>This REQUIREMENT is not met as evidenced by: Based on interview and document review, the facility failed to ensure the medical record was complete for 1 of 5 residents (R18) with a mental illness who routinely visited a physician.</p> <p>Findings include:</p> <p>R18's psychiatric physician notes dated 8/13/13, were not obtained from the physician in a timely manner. The rationale for medication increases/changes in antipsychotic, anti-anxiety, and antidepressant medications was not present in the medical record.</p> <p>R18's face sheet indicated diagnoses of anxiety disorder, benzodiazepine (tranquilizer) abuse, depression, alcohol abuse, panic disorder with agoraphobia, schizophrenia, impulsivity, and easily angered. R18's clonazepam (a narcotic used to treat seizure and panic disorders) for anxiety and restless leg syndrome was changed on 6/25/13, from 1 milligram (mg) during the day and 1.5 mg at bedtime (HS) to 1 mg three times a day. On 9/24/13, R18 had additional medication changes; Zoloft (an antidepressant) was discontinued and Prozac (antidepressant) 10 mg daily was started. Risperdal (antipsychotic) was</p>	F 514	<p>The root cause of this issue was a missing physician notes from an appointment. We have created a new tracking system for resident appointments that tracks an appointment from scheduling through all of the follow up actions that may occur from an appointment. Each appointment is tracked using a form for each appointment and maintained in a book until all actions have been completed. The Director of Nursing (DON) will monitor this book for completion. This monitoring task has been added to the weekly DON checklist. This new system will be monitored and assessed during the next four quality assurance committee meetings for effectiveness and if any minor changes need to be made to make the system better.</p>		

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F 514	<p>Continued From page 4</p> <p>changed from 5 mg daily to 1 mg in the morning and 4 mg at HS.</p> <p>An interview was conducted with the director of nursing (DON) on 1/15/14, at 1:00 p.m. regarding the rationale for the medication increases/changes on 6/25/13, and 9/24/13. The DON stated the psychiatrist made the medication changes and referral forms were sent to the physician's office during resident medical appointments. When asked if psychiatric visit notes of R18's visit were obtained, the DON stated would try to get them.</p> <p>On 1/15/14, by 2:00 p.m. R18's psychiatric visit notes were faxed to the facility by the clinic and reviewed with the DON. The review indicated a rationale for all the medication changes/increases, and also revealed at the time of the 8/13/13, physician visit, R18 had informed the psychiatrist that during an altercation with another resident at the facility, R18 had choked the resident. At 3:00 p.m. neither the office manager nor the DON had been aware R18 had choked another resident, as the psychiatric notes were not obtained at the time of the visit and placed in R18's chart. As a result of the information in the psychiatric visit notes dated 8/13/13, the office manager made an immediate report to the appropriate State agency regarding the choking incident and began to investigate the incident. The information in the psychiatric visit notes dated 8/13/13, related to the choking incident with R18 was not maintained in the medical record and readily accessible for the facility to assess and develop interventions to assist R18 in maintaining or improving mental and psychosocial abilities.</p>	F 514			

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

FE150022

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FORM APPROVED  
OMB NO. 0938-0391

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K 000	<p><b>INITIAL COMMENTS</b></p> <p><b>FIRE SAFETY</b></p> <p>THE FACILITY'S POC WILL SERVE AS YOUR ALLEGATION OF COMPLIANCE UPON THE DEPARTMENT'S ACCEPTANCE. YOUR SIGNATURE AT THE BOTTOM OF THE FIRST PAGE OF THE CMS-2567 FORM WILL BE USED AS VERIFICATION OF COMPLIANCE.</p> <p>UPON RECEIPT OF AN ACCEPTABLE POC, AN ONSITE REVISIT OF YOUR FACILITY MAY BE CONDUCTED TO VALIDATE THAT SUBSTANTIAL COMPLIANCE WITH THE REGULATIONS HAS BEEN ATTAINED IN ACCORDANCE WITH YOUR VERIFICATION.</p> <p>A Life Safety Code Survey was conducted by the Minnesota Department of Public Safety. At the time of this survey, Grand Avenue Rest Home was found not in substantial compliance with the requirements for participation in Medicare/Medicaid at 42 CFR, Subpart 483.70(a), Life Safety from Fire, and the 2000 edition of National Fire Protection Association (NFPA) Standard 101, Life Safety Code (LSC), Chapter 19 Existing Health Care Occupancies.</p> <p>PLEASE RETURN THE PLAN OF CORRECTION FOR THE FIRE SAFETY DEFICIENCIES (K-TAGS) TO:</p> <p>Healthcare Fire Inspections State Fire Marshal Division 445 Minnesota St., Suite 145 St. Paul, MN 55101-5145, OR</p> <p>By email to:</p>	K 000		
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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE  <b>Electronically Signed</b>	TITLE	(X6) DATE <b>02/05/2014</b>
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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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K 000	Continued From page 1 Marian.Whitney@state.mn.us  THE PLAN OF CORRECTION FOR EACH DEFICIENCY MUST INCLUDE ALL OF THE FOLLOWING INFORMATION:  1. A description of what has been, or will be, done to correct the deficiency.  2. The actual, or proposed, completion date.  3. The name and/or title of the person responsible for correction and monitoring to prevent a reoccurrence of the deficiency.  This 2-story building was determined to be of Type V(000) construction. It has a basement and is fully fire sprinklered throughout. The facility has a fire alarm system with smoke detection in the corridors and spaces open to corridors which is monitored for automatic fire department notification. The facility has a capacity of 20 beds and had a census of 20 at the time of the survey.  The requirement at 42 CFR, Subpart 483.70(a) is NOT MET as evidenced by:	K 000			
K 012 SS=F	NFPA 101 LIFE SAFETY CODE STANDARD  Building construction type and height meets one of the following. 19.1.6.2, 19.1.6.3, 19.1.6.4, 19.3.5.1  This STANDARD is not met as evidenced by: Based on observation and interview, this building does not meet the requirements for construction	K 012	This facility conducts an annual FSES and achieved a passing FSES score.	1/28/14	

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K 012	Continued From page 2 type and height. This deficient practice could affect all residents.  Findings include:  During a tour of the facility between 9:30 AM and 11:45 AM on 01/17/2014, observation revealed that this 1903, 2-story, fully fire sprinklered building of Type V(000) construction does not meet the minimum construction requirements of the code for type and height.  This deficient practice was verified by the administrator at the time of the inspection.  Note: This deficiency need not be corrected if an FSES can establish that the facility has an overall level of fire safety equivalent to that required by the Life Safety Code.	K 012			
K 020 SS=F	NFPA 101 LIFE SAFETY CODE STANDARD  Stairways, elevator shafts, light and ventilation shafts, chutes, and other vertical openings between floors are enclosed with construction having a fire resistance rating of at least one hour. An atrium may be used in accordance with 8.2.5.6. 19.3.1.1.  This STANDARD is not met as evidenced by: Based on observation and interview, the facility failed to maintain vertical openings as required by LSC(00) Section 19.3.1.1. This deficient practice could affect all residents.  Findings include:	K 020	Door closers were added to the office and bathroom doors.	1/28/14	

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K 020  K 032 SS=F	<p>Continued From page 3</p> <p>On facility tour between 9:30 AM and 11:45 AM on 01/17/2014, observation revealed that the first floor office and bathroom doors, which open into the enclosed second floor stairwell, do not have door closers to automatically close the doors.</p> <p>This deficient practice was verified by the administrator at the time of the inspection.</p> <p><b>NFPA 101 LIFE SAFETY CODE STANDARD</b></p> <p>Not less than two exits, remote from each other, are provided for each floor or fire section of the building. Only one of these two exits may be a horizontal exit. 19.2.4.1, 19.2.4.2</p> <p>This STANDARD is not met as evidenced by: Based on observation and interview, two approved remote exits are not provided from the second floor. This deficient practice could affect all residents.</p> <p>Findings include:</p> <p>During a tour of the facility between 9:30 AM and 11:45 AM on 01/17/2014, observation revealed that the outside fire escape stairs do not provide the required two (2) remote exits from the second floor.</p> <p>This deficient practice was verified by the administrator at the time of the inspection.</p> <p>Note: This deficiency need not be corrected if an FSES can establish that the facility has an overall</p>	K 020  K 032	<p>This facility conducts an annual FSES and achieved a passing FSES score.</p>	1/28/14



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K 032	Continued From page 4 level of fire safety equivalent to that required by the Life Safety Code.	K 032			
K 033 SS=F	NFPA 101 LIFE SAFETY CODE STANDARD  Exit components (such as stairways) are enclosed with construction having a fire resistance rating of at least one hour, are arranged to provide a continuous path of escape, and provide protection against fire or smoke from other parts of the building. 8.2.5.2, 19.3.1.1  This STANDARD is not met as evidenced by: Based on observation and interview, the stairway enclosure of this facility does not meet the required one (1) hour fire resistive construction. This deficient practice could affect all residents.  Findings include:  During a tour of the facility between 9:30 AM and 11:45 AM on 01/17/2014, observation revealed that wall construction of the stair enclosure is constructed of plaster on wood lath on wood studs, which does not meet the one (1) hour fire resistive construction requirements for this type of facility.  This deficient practice was verified by the administrator at the time of the inspection.  Note: This deficiency need not be corrected if an FSES can establish that the facility has an overall level of fire safety equivalent to that required by the Life Safety Code.	K 033	This facility conducts an annual FSES and achieved a passing FSES score.	1/28/14	

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K 039 SS=F	<p><b>NFPA 101 LIFE SAFETY CODE STANDARD</b></p> <p>Width of aisles or corridors (clear and unobstructed) serving as exit access is at least 4 feet. 19.2.3.3</p> <p>This STANDARD is not met as evidenced by: Based on observation and interview, the second floor corridor does not meet the minimum 48" width requirement. This deficient practice could affect all residents.</p> <p>Findings include:</p> <p>During a tour of the facility between 9:30 AM and 11:45 AM on 01/17/2014, observation revealed that the second floor corridor is only 39 inches in clear width and not the 48 inches required for this type of facility.</p> <p>This deficient practice was verified by the administrator at the time of the inspection.</p> <p>Note: This deficiency need not be corrected if an FSES can establish that the facility has an overall level of fire safety equivalent to that required by the Life Safety Code.</p>	K 039	This facility conducts an annual FSES and achieved a passing FSES score.	1/28/14



*Protecting, Maintaining and Improving the Health of Minnesotans*

Electronically delivered  
January 29, 2014

Mr. Allen Soderbeck, Administrator  
Grand Avenue Rest Home  
3956 Grand Avenue South  
Minneapolis, Minnesota 55409

Re: Enclosed State Boarding Care Home Licensing Orders - Project Number SE150023

Dear Mr. Soderbeck:

The above facility survey was completed on January 16, 2014 for the purpose of assessing compliance with Minnesota Department of Health Boarding Care Home Rules. At the time of the survey, the survey team from the Minnesota Department of Health, Compliance Monitoring Division, noted one or more violations of these rules that are issued in accordance with Minnesota Stat. section 144.653 and/or Minnesota Stat. Section 144A.10. If, upon reinspection, it is found that the deficiency or deficiencies cited herein are not corrected, a civil fine for each deficiency not corrected shall be assessed in accordance with a schedule of fines promulgated by rule of the Minnesota Department of Health.

The State licensing orders are delineated on the attached Minnesota Department of Health order form (attached). The Minnesota Department of Health is documenting the State Licensing Correction Orders using federal software. Tag numbers have been assigned to Minnesota state statutes/rules for Boarding Care Homes.

The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state statute/rule number and the corresponding text of the state statute/rule out of compliance is listed in the "Summary Statement of Deficiencies" column and replaces the "To Comply" portion of the correction order. This column also includes the findings that are in violation of the state statute after the statement, "This Rule is not met as evidenced by." Following the surveyors findings is Time Period For Correction.

**PLEASE DISREGARD THE HEADING OF THE FOURTH COLUMN WHICH STATES, "PROVIDER'S PLAN OF CORRECTION." THIS APPLIES TO FEDERAL DEFICIENCIES ONLY. THIS WILL APPEAR ON EACH PAGE.**

**THERE IS NO REQUIREMENT TO SUBMIT A PLAN OF CORRECTION FOR VIOLATIONS OF MINNESOTA STATE STATUTES/RULES.**

When all orders are corrected, the order form should be acknowledged electronically and submitted to this office at Minnesota Department of Health.

Grand Avenue Rest Home

January 29, 2014

Page 2

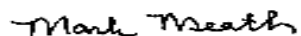
We urge you to review these orders carefully, item by item, and if you find that any of the orders are not in accordance with your understanding at the time of the exit conference following the survey, you should immediately contact Gayle Lantto at (651) 201-3794, or email at: [gayle.lantto@state.mn.us](mailto:gayle.lantto@state.mn.us).

You may request a hearing on any assessments that may result from non-compliance with these orders provided that a written request is made to the Department within 15 days of receipt of a notice of assessment for non-compliance.

Please note it is your responsibility to share the information contained in this letter and the results of this visit with the President of your facility's Governing Body.

Feel free to contact me if you have questions related to this eNotice.

Sincerely,



Mark Meath, Enforcement Specialist  
Program Assurance Unit  
Licensing and Certification Program  
Division of Compliance Monitoring  
[mark.meath@state.mn.us](mailto:mark.meath@state.mn.us)

Telephone: (651) 201-4118

Fax: (651) 215-9697

Enclosure(s)

cc: Original - Facility  
Licensing and Certification File

E1500s14.rtf

