



Protecting, Maintaining and Improving the Health of All Minnesotans

Electronically Delivered
December 4, 2024

Administrator
New Richland Care Center
312 Northeast 1st Street
New Richland, MN 56072

RE: CCN: 245316
Cycle Start Date: September 16, 2024

Dear Administrator:

On November 10, 2024, the Minnesota Department 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.

A handwritten signature in black ink, appearing to read 'Melissa Poepping'.

Melissa Poepping, Compliance Analyst
Federal Enforcement | Health Regulation Division
Minnesota Department of Health
P.O. Box 64900
Saint Paul, Minnesota 55164-0970
Phone: 651-201-4117
Email: Melissa.Poepping@state.mn.us



Protecting, Maintaining and Improving the Health of All Minnesotans

Electronically delivered
October 3, 2024

Administrator
New Richland Care Center
312 Northeast 1st Street
New Richland, MN 56072

RE: CCN: 245316
Cycle Start Date: September 16, 2024

Dear Administrator:

On September 16, 2024, a survey was completed at your facility by the Minnesota Department of Health 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 isolated deficiencies that constituted no actual harm with potential for more than minimal harm that was not immediate jeopardy (Level D), 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:

New Richland Care Center

October 3, 2024

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- 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" and/or an "E" tag), i.e., the plan of correction should be directed to:

Elizabeth Silkey, Regional Operations Supervisor
Mankato District Office
Health Regulation Division
Minnesota Department of Health
12 Civic Center Plaza, Suite #2105
Mankato, Minnesota 56001
Email: elizabeth.silkey@state.mn.us
Office: (507) 344-2742 Mobile: (651) 368-3593

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 December 16, 2024 (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 March 16, 2025 (six months after the identification of noncompliance) your provider agreement will be terminated. This action is mandated by the

New Richland Care Center

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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/ltr_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

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,



Melissa Poepping, Compliance Analyst
Federal Enforcement | Health Regulation Division
Minnesota Department of Health
P.O. Box 64900
Saint Paul, Minnesota 55164-0970
Phone: 651-201-4117
Email: Melissa.Poepping@state.mn.us



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October 3, 2024

Administrator
New Richland Care Center
312 Northeast 1st Street
New Richland, MN 56072

Re: Event ID: LNPZ11

Dear Administrator:

The above facility survey was completed on September 16, 2024 for the purpose of assessing compliance with Minnesota Department of Health Nursing Home Rules. At the time of the survey, the survey team from the Minnesota Department of Health - Health Regulation Division noted no violations of these rules promulgated under Minnesota Stat. section 144.653 and/or Minnesota Stat. Section 144A.10.

Electronically posted is the Minnesota Department of Health order form stating that no violations were noted at the time of this survey. The Minnesota Department of Health is documenting the State Licensing Correction Orders using federal software. Please disregard the heading of the fourth column which states, "Provider's Plan of Correction." This applies to Federal deficiencies only. There is no requirement to submit a Plan of Correction.

Please feel free to call me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Poepping'.

Melissa Poepping, Compliance Analyst
Federal Enforcement | Health Regulation Division
Minnesota Department of Health
P.O. Box 64900
Saint Paul, Minnesota 55164-0970
Phone: 651-201-4117
Email: Melissa.Poepping@state.mn.us

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

PRINTED: 10/22/2024
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 245316	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 09/16/2024
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NAME OF PROVIDER OR SUPPLIER NEW RICHLAND CARE CENTER	STREET ADDRESS, CITY, STATE, ZIP CODE 312 NORTHEAST 1ST STREET NEW RICHLAND, MN 56072
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(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
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F 000	<p>INITIAL COMMENTS</p> <p>On 9/16/24, a standard abbreviated survey was conducted at your facility. Your facility was NOT in compliance with the requirements of 42 CFR 483, Subpart B, Requirements for Long Term Care Facilities.</p> <p>The following complaints were reviewed with NO deficiencies cited: H53168204C (MN00098725), H53168208C (MN00103520), H53168206C (MN00103796).</p> <p>The following complaints was reviewed. H53168205C (MN00102250). Deficient practice was identified related to incidental finding at F609 and F610.</p> <p>The facility's plan of correction (POC) will serve as your allegation of compliance upon the Departments acceptance. Because you are enrolled in ePOC, your signature is not required at the bottom of the first page of the CMS-2567 form. Your electronic submission of the POC will be used as verification of compliance.</p> <p>Upon receipt of an acceptable electronic POC, an onsite revisit of your facility may be conducted to validate that substantial compliance with the regulations has been attained.</p>	F 000		
F 609 SS=D	<p>Reporting of Alleged Violations CFR(s): 483.12(b)(5)(i)(A)(B)(c)(1)(4)</p> <p>§483.12(c) In response to allegations of abuse, neglect, exploitation, or mistreatment, the facility must:</p> <p>§483.12(c)(1) Ensure that all alleged violations involving abuse, neglect, exploitation or</p>	F 609		10/31/24

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE Electronically Signed	TITLE	(X6) DATE 10/11/2024
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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 609	<p>Continued From page 1</p> <p>mistreatment, including injuries of unknown source and misappropriation of resident property, are reported immediately, but not later than 2 hours after the allegation is made, if the events that cause the allegation involve abuse or result in serious bodily injury, or not later than 24 hours if the events that cause the allegation do not involve abuse and do not result in serious bodily injury, to the administrator of the facility and to other officials (including to the State Survey Agency and adult protective services where state law provides for jurisdiction in long-term care facilities) in accordance with State law through established procedures.</p> <p>§483.12(c)(4) Report the results of all investigations to the administrator or his or her designated representative and to other officials in accordance with State law, including to the State Survey Agency, within 5 working days of the incident, and if the alleged violation is verified appropriate corrective action must be taken. This REQUIREMENT is not met as evidenced by:</p> <p>Based on interview and document review, the facility failed to ensure allegations of abuse/neglect were reported to the State Agency (SA), in accordance with established policies and procedures, for 2 of 3 residents (R2 and R5) reviewed for allegations of abuse.</p> <p>Findings include:</p> <p>R2's face sheet printed 9/16/24, indicated diagnoses of mild cognitive impairment, unspecified intracranial injury (brain injury), unspecified intellectual disabilities, and need for assistance with personal care.</p>	F 609	<p>1. Social Worker or Designee will open an individual discussion with each resident (R2 and R5) to talk about any concerns they have regarding similar situations with staff members. Discussions will be held weekly for one month and bi-weekly for two months. SW or designee will forward to the IDT and QAPI committee for review. Staff member NA-A was counseled about the actions involving residents in question, suspended until investigation involving R2 was complete. Educated on Resident Rights, Communication, and Abuse/Reporting. Staff member was also</p>	

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F 609	<p>Continued From page 2</p> <p>R2's quarterly Minimum Data Set (MDS) dated 8/16/24, indicated Brief Interview for Mental Status (BIMS) score of 15, which indicated intact cognition.</p> <p>R2's care plan focus area for ADLs dated 6/16/23, included the need for staff assistance related to traumatic brain injury (TBI) and muscle weakness. R2 care plan for focus area elimination dated 11/14/19, included need for staff assistance due to incontinence of bladder and bowel.</p> <p>Review of a vulnerable adult (VA) report submitted to the SA on 4/5/24 at 8:18 p.m., indicated a nursing assistant (NA)-A had slapped R2 on the foot and R2 was crying about the incident.</p> <p>Review of a document titled MAARC (Minnesota Adult Abuse Reporting Center Report) Notification dated 4/8/24, indicated facility was informed via email of an allegation of abuse for R2 by local police chief on 4/8/24 at 9:46 a.m. The email stated the police chief had received a MAARC report indicating alleged abuse to R2 and was inquiring if the facility was aware and had investigated.</p> <p>During interview on 9/16/24 at 12:52 p.m., family member (FM)-A indicated R2 had called her and told her NA-A had lifted R2's foot up and then slapped it and dropped it on the bed. FM-A was not able to identify date.</p> <p>R5's face sheet printed 9/16/24, indicated diagnoses of end stage renal disease, post-traumatic stress disorder, panic disorder, and generalized anxiety disorder.</p>	F 609	<p>transferred to a work area not involving the residents in question before a complete transition to the day shift.</p> <p>2. All staff were educated on Resident Rights, Communication, and Abuse/Reporting in the second quarter with 100% completion rate.</p> <p>3. All staff reeducated on the Recognizing Signs and Symptoms of Abuse/Neglect and Reporting Policy by Oct 31, 2024 to prevent future incidents. Social Worker, Administrator, and DON will complete the training for staff.</p> <p>4. Review all Grievance forms upon receipt, and forward to QAPI.</p>	

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F 609	<p>Continued From page 3</p> <p>R5's quarterly MDS dated 7/24/24, indicated BIMS score of 15, which indicated intact cognition.</p> <p>R5's care plan focus area for elimination dated 5/24/23, indicated R5 was incontinent of bowel and bladder and required assistance of one staff for toileting hygiene and R5 was not aware of when he was incontinent.</p> <p>Review of a document titled Grievance Response Form dated 4/4/24, and filled out by social services director (SSD), indicated R5 reported the night shift staff, NA-A, yelled at him due to having loose stools and that made him mad.</p> <p>During interview on 9/16/24 at 11:46 a.m., with SSD she confirmed R2's allegation of abuse, was reported to the facility on 4/8/24 at 9:46 a.m., by local police chief and further confirmed the facility did not report the alleged abuse to the SA. SSD stated she couldn't confirm whether the facility considered reporting the alleged abuse. SSD further confirmed she had not reported alleged abuse related to R5 and was unsure why that was not reported.</p> <p>During interview on 9/16/24 at 3:01 p.m., with director of nursing (DON) confirmed the facility should have reported the alleged abuse for R2 and R5 and was unsure why it was not reported due to SSD usually handling that.</p> <p>During interview on 9/16/24 at 3:35 p.m., with administrator confirmed the facility did not report the alleged abuse for R2 and R5 and was unsure why it was not reported.</p>	F 609		

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F 609	Continued From page 4 The facility Reporting Abuse to State Agencies and Other Entities/Individuals policy revised 1/25/24, indicated all suspected violations and substantiated incidents of abuse occurring at New Richland Care Center will be immediately reported to appropriate state agencies and other entities or individuals as required by law. The policy further indicated the following: Should a suspected violation or substantiated incident of mistreatment, neglect, injuries of unknown source, or abuse be reported, the facility administrator, or designee, will promptly notify the following persons or agencies of such incident: The State licensing/certification agency responsible for surveying/licensing the facility. The facility Recognizing Signs and Symptoms of Abuse/Neglect policy revised 1/25/24, indicated abuse was defined as willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain, on mental anguish.	F 609		
F 610 SS=D	Investigate/Prevent/Correct Alleged Violation CFR(s): 483.12(c)(2)-(4) §483.12(c) In response to allegations of abuse, neglect, exploitation, or mistreatment, the facility must: §483.12(c)(2) Have evidence that all alleged violations are thoroughly investigated. §483.12(c)(3) Prevent further potential abuse, neglect, exploitation, or mistreatment while the investigation is in progress. §483.12(c)(4) Report the results of all investigations to the administrator or his or her	F 610		10/31/24

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F 610	<p>Continued From page 5</p> <p>designated representative and to other officials in accordance with State law, including to the State Survey Agency, within 5 working days of the incident, and if the alleged violation is verified appropriate corrective action must be taken. This REQUIREMENT is not met as evidenced by:</p> <p>Based on interview and document review, the facility failed to thoroughly investigate following an allegation of staff to resident abuse for 1 of 3 residents (R5) reviewed for allegation of abuse.</p> <p>Findings include:</p> <p>R5's face sheet printed 9/16/24, indicated diagnoses of end stage renal disease, post-traumatic stress disorder, panic disorder, depression, and generalized anxiety disorder.</p> <p>R5's quarterly Minimum Data Set (MDS) dated 7/24/24, indicated the resident's Brief Interview for Mental Status (BIMS) score of 15, which indicated intact cognition.</p> <p>R5's care plan focus area for elimination dated 5/24/23, indicated R5 was incontinent of bowel and bladder and required assistance of one staff for toileting hygiene and R5 was not aware of when he was incontinent.</p> <p>Review of a document titled Grievance Response Form dated 4/4/24, and filled out by social services director (SSD), indicated R5 reported the night shift staff, nursing assistant (NA)-A, yelled at him due to having loose stools and that made him upset and mad. An untitled attachment to the document dated 4/5/24, indicated a phone conversation with NA-A regarding attitude with R5, abrasive and inappropriate tone. NA-A had</p>	F 610	<ol style="list-style-type: none"> 1. Social Worker or Designee will open an individual discussion with each resident (R2 and R5) to talk about any concerns they have regarding similar situations with staff members. Discussions will be held weekly for one month and bi-weekly for two months. SW or designee will forward to the IDT and QAPI committee for review. Staff member NA-A was counseled about the actions involving residents in question, suspended until investigation involving R2 was complete. Educated on Resident Rights, Communication, and Abuse/Reporting. Staff member was also transferred to a work area not involving the residents in question before a complete transition to the day shift. 2. All staff were educated on Resident Rights, Communication, and Abuse/Reporting in the second quarter with 100% completion rate. 3. All staff reeducated on the Recognizing Signs and Symptoms of Abuse/Neglect and Reporting Policy by Oct 31, 2024 to prevent future incidents. Social Worker, Administrator, and DON will complete the training for staff. 4. Review all Grievance forms upon receipt, and forward to QAPI. 	

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F 610	<p>Continued From page 6</p> <p>been working 100 hours each pay period. NA-A's hours were decreased as a result. NA-A was instructed to work a different hallway and avoid R5.</p> <p>During interview on 9/16/24 at 11:46 a.m., SSD confirmed there was no thorough investigation completed regarding the report of alleged abuse. SSD confirmed according to policy this should have been investigated as potential abuse and was unsure why an investigation was not completed.</p> <p>During interview on 9/16/24 at 3:01 p.m., director of nursing (DON) stated she was unsure if a thorough investigation was completed for the alleged verbal abuse of R5 because SSD did those investigations.</p> <p>During interview on 9/16/24 at 3:35 p.m., administrator, DON, and SSD confirmed a thorough investigation should have been completed.</p> <p>The facility Preventing Resident Abuse policy revised 1/25/24, includes definitions of signs/symptoms of psychological abuse/neglect as resident reacting negatively to a specific caregiver, paranoia, depression, and anger.</p> <p>The facility Abuse Investigations policy revised 1/25/24, indicated all reports of resident abuse shall be promptly and thoroughly investigated by management. The policy further stated that individuals conducting the investigation will, at a minimum, interview staff members, other residents provided care by the accused, roommates, family members. In addition, the policy states employees who have been accused</p>	F 610		

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F 610	Continued From page 7 of resident abuse will be suspended immediately pending the outcome of the investigation.	F 610		