STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	N089041	A. BUILDING: _____ B. WING _____	C 03/10/2021

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
LEXINGTON PARK ASSISTED LIVING	1021 SW FLEMING COURT TOPEKA, KS 66604

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S 000	INITIAL COMMENTS The following citations are the result of a survey for re-licensure with attached complaint conducted on 3/8/21, 3/9/21 and 3/10/21 at the above named assisted living facility in Topeka, KS.	S 000		
S3101 SS=F	26-41-202 (h) NSA Signatures (h) Each individual involved in the development of the negotiated service agreement shall sign the agreement. The administrator or operator shall ensure that a copy of the initial agreement and any subsequent revisions are provided to the resident or the resident's legal representative. This REQUIREMENT is not met as evidenced by: KAR 26-41-202(h) The census equaled 44 residents. The sample included 3 residents(308, 309, 310) 1 focus review resident (312) and 1 (311) closed review resident. Based on record review and interview for all residents the operator failed to ensure that each individual involved in the development of the negotiated service agreement (NSA) signed the agreement and failed to ensure that a copy of the initial agreement and any subsequent revisions are provided to the resident or the resident's legal representative, as evidenced by review of resident records for residents (#308, 309, 310, 312) who required health care services. Findings included:	S3101		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE

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S3101	Continued From page 1 - Record review for resident #308 recorded an admission date of 3/26/19 with diagnoses including: cerebral infarction, diabetes mellitus type 2, cognitive communication deficit, quadriplegia, aphasia and hypokalemia. Functional capacity screen (FCS) titled (FCS/NSA V7) dated 9/14/2020 recorded resident unable to perform bathing, dressing, toileting, transfer, walk/mobility, eating and management of medications and treatments. Negotiated service agreement/Health care service plan (NSA/HCSP) titled (negotiated service agreement) recorded facility staff to physically assist resident with bathing, dressing, toileting, transfer, walk/mobility, eating and management of medications and treatments. Negotiated service agreement (NSA) lacked signatures of those participating in the development of the negotiated service agreement. - Record review for resident #309 recorded admission date of 3/31/18 with diagnoses including: Falls/fracture of right pubis, low back pain, spinal stenosis, chronic kidney disease, dementia, anxiety and depression. Functional capacity screen (FCS) titled (FCS/NSA V7) dated 10/22/20 recorded resident required physical assistance with bathing, dressing, toileting, transfer and management of treatments. Negotiated service agreement/Health care service plan (NSA/HCSP) titled (negotiated service agreement) recorded staff to physically assist resident with bathing, dressing, toileting, transfer and management of treatments.	S3101		

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S3101	Continued From page 2 Negotiated service agreement (NSA) lacked signatures of those participating in the development of the negotiated service agreement. - Record review for resident #310 recorded admission date of 2/16/21 with diagnoses including acute respiratory failure, diabetes mellitus type 2, sleep apnea, cerebral infarction, depression, hypertension and anxiety. Functional capacity screen (FCS) titled (FCS/NSA V7) dated 2/16/21 recorded resident unable to perform dressing, toileting, transfer and management of treatments and required physical assistance with bathing and management of medications. Negotiated service agreement/Health care service plan (NSA/HCSP) titled (negotiated service agreement) dated 2/16/21 recorded staff to provide physical assistance with bathing, dressing, toileting, transfer, management of medications and treatments. Negotiated service agreement (NSA) lacked signatures of those participating in the development of the negotiated service agreement. - Record review for resident #312 recorded admission date of 9/3/2020 with diagnoses including: Parkinson's, dysarthia, anorexia, anemia, hyperlipidemia and hypertension. Functional capacity screen (FCS) titled (FCS/NSA V7) dated 9/3/2020 recorded resident required physical assistance with bathing, dressing, toileting and management of medications and	S3101		

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S3101	Continued From page 3	S3101		

treatments.

Negotiated service agreement/Health care service plan (NSA/HCSP) titled (negotiated service agreement) recorded staff to provide physical assistance with bathing, dressing, toileting and management of medications and treatments.

Negotiated service agreement (NSA) lacked signatures of those participating in the development of the negotiated service agreement.

Interview on 3/9/21 at 12:40pm with operator #A and licensed nurse #B confirmed the document titled "negotiated service agreement" lacked signatures of any of the participants in the development of the document and stated the Functional capacity screen (FCS) titled (FCS/NSA V7) was signed by the licensed nurse and resident and/or responsible party and confirmed it is the coding for the resident and not details for resident care. Licensed nurse # B stated they started the new electronic system in July of 2020 and that is how they were trained to do it by the corporation. She confirmed all resident NSAs lacked signatures of those participating in the development of the NSA.

Interview on 3/10/21 at 8:40am with licensed nurse #B stated she sent copies of the Functional capacity screen (FCS) titled (FCS/NSA V7) to residents/families, not the negotiated service agreement.

For all residents of the facility, the operator failed to ensure that each individual involved in the development of the negotiated service agreement (NSA) signed the agreement and failed to ensure

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S3101	Continued From page 4 that a copy of the initial agreement and any subsequent revisions are provided to the resident or the resident's legal representative.	S3101		
S3165 SS=F	26-41-204 (d) Health Care Services (d) The negotiated service agreement shall contain a description of the health care services to be provided and the name of the licensed nurse responsible for the implementation and supervision of the plan. This REQUIREMENT is not met as evidenced by: KAR 26-41-204(d) The facility reported a census of 44 residents. The sample included 3 residents (308, 309, 310),1 focus review resident (312) and 1 (311) closed review resident. Based on record review and interview for all residents, the operator failed to ensure the negotiated service agreement shall contain a description of the health care services to be provided and the name of the licensed nurse responsible for the implementation and supervision of the plan as evidenced by review of resident records for residents (#308, 309, 310, 312) who required health care services. Findings included: - Record review for resident #308 recorded an admission date of 3/26/19 with diagnoses including: cerebral infarction, diabetes mellitus type 2, cognitive communication deficit, quadriplegia, aphasia and hypokalemia.	S3165		

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S3165	Continued From page 5 Functional capacity screen (FCS) titled (FCS/NSA V7) dated 9/14/2020 recorded resident unable to perform bathing, dressing, toileting, transfer, walk/mobility, eating and management of medications and treatments. Negotiated service agreement/Health care service plan (NSA/HCSP) titled (negotiated service agreement) recorded facility staff to physically assist resident with bathing, dressing, toileting, transfer, walk/mobility, eating and management of medications and treatments. The NSA lacked the name of the licensed nurse responsible for the implementation and supervision of the plan. - Record review for resident #309 recorded admission date of 3/31/18 with diagnoses including: Falls/fracture of right pubis, low back pain, spinal stenosis, chronic kidney disease, dementia, anxiety and depression. Functional capacity screen (FCS) titled (FCS/NSA V7) dated 10/22/20 recorded resident required physical assistance with bathing, dressing, toileting, transfer and management of treatments. Negotiated service agreement/Health care service plan (NSA/HCSP) titled (negotiated service agreement) recorded staff to physically assist resident with bathing, dressing, toileting, transfer and management of treatments. The NSA lacked the name of the licensed nurse responsible for the implementation and supervision of the plan. - Record review for resident #310 recorded	S3165		

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S3165	Continued From page 6 admission date of 2/16/21 with diagnoses including acute respiratory failure, diabetes mellitus type 2, sleep apnea, cerebral infarction, depression, hypertension and anxiety. Functional capacity screen (FCS) titled (FCS/NSA V7) dated 2/16/21 recorded resident unable to perform dressing, toileting, transfer and management of treatments and required physical assistance with bathing and management of medications. Negotiated service agreement/Health care service plan (NSA/HCSP) titled (negotiated service agreement) dated 2/16/21 recorded staff to provide physical assistance with bathing, dressing, toileting, transfer, management of medications and treatments. The NSA lacked the name of the licensed nurse responsible for the implementation and supervision of the plan. - Record review for resident #312 recorded admission date of 9/3/2020 with diagnoses including: Parkinson's, dysarthia, anorexia, anemia, hyperlipidemia and hypertension. Functional capacity screen (FCS) titled (FCS/NSA V7) dated 9/3/2020 recorded resident required physical assistance with bathing, dressing, toileting and management of medications and treatments. Negotiated service agreement/Health care service plan (NSA/HCSP) titled (negotiated service agreement) recorded staff to provide physical assistance with bathing, dressing, toileting and management of medications and treatments.	S3165		

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S3165	Continued From page 7 The NSA lacked the name of the licensed nurse responsible for the implementation and supervision of the plan. Interview on 3/10/21 at 8:40am with licensed nurse #B confirmed all resident NSA's lacked the name of the licensed nurse responsible for the implementation and supervision of the HCSP. For all residents, the operator failed to ensure the negotiated service agreement shall contain a description of the health care services to be provided and the name of the licensed nurse responsible for the implementation and supervision of the plan as evidenced by review of resident records for residents (#308, 309, 310, 312) who required health care services.	S3165		
S3290 SS=D	26-41-206 (a) (b) Dietary Services (a) Provision of dietary services. The administrator or operator of each assisted living facility or residential health care facility shall ensure the provision or coordination of dietary services to residents as identified in each resident ' s negotiated service agreement. If the administrator or operator of the facility establishes a contract with another entity to provide or coordinate the provision of dietary services to the residents, the administrator or operator shall ensure that entity ' s compliance with these regulations. (b) Staff. The supervisory responsibility for dietetic services shall be assigned to one employee. (1) A dietetic services supervisor or licensed dietician shall provide scheduled on-site supervision in each facility with 11 or more	S3290		

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S3290	Continued From page 8	S3290		

residents.
(2) If a resident ' s negotiated service agreement includes the provision of a therapeutic diet, mechanically altered diet, or thickened consistency of liquids, a medical care provider ' s order shall be on file in the resident ' s clinical record, and the diet or liquids, or both, shall be prepared according to instructions from a medical care provider or licensed dietitian.

This REQUIREMENT is not met as evidenced by:
KAR 26-42-206(a)(2)

The facility reported a census of 44 residents. The sample included 3 residents (308, 309, 310), 1 focus review resident (312) and 1 (311) closed review resident. Based on interview and record review for 1 (312) focus review resident receiving a mechanically altered diet and/or thickened liquids, the operator failed to ensure a medical care provider's order shall be on file in the resident's clinical record and the diet or liquids, or both, shall be prepared according to instructions from a medical care provider or licensed dietitian.

Findings included:

- Record review for resident #312 recorded admission date of 9/3/2020 with diagnoses including: Parkinson's, dysarthia, anorexia, anemia, hyperlipidemia and hypertension.

Functional capacity screen (FCS) titled (FCS/NSA V7) dated 9/3/2020 recorded resident required physical assistance with bathing, dressing,

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S3290	Continued From page 9	S3290		

toileting and management of medications and treatments. Resident required supervision with eating.

Negotiated service agreement/Health care service plan (NSA/HCSP) titled (negotiated service agreement) recorded staff to provide physical assistance with bathing, dressing, toileting and management of medications and treatments, and supervision with eating. "Due to [resident's] history of silently aspirating, he is on a mechanical soft diet with
thin liquids. Speech has recommended he stay away from breads and drink his fluids with a straw."

Physician's order dated 1/5/21 recorded: "regular diet mechanical soft texture, may have chips at bedside, no breads, thin liquids with straws needed for new admit."

Resident record lacked instructions for preparation of a mechanical soft diet.

Interview on 3/9/21 at 1:30pm in facility kitchen, with dietary staff #C stated the recipe book usually contained instructions for mechanical soft diets, confirmed it did not contain instructions. When asked how she prepared the mechanical soft diet, she stated "I just grind it up."

Interview on 3/9/21 at 3:00pm with operator #A confirmed the recipe book lacked instructions for mechanical soft diets, stating "They forgot to print them when they made the book."

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S3290	Continued From page 10 For resident #312, the operator failed to ensure a medical care provider's order shall be on file in the resident's clinical record and the diet or liquids, or both, shall be prepared according to instructions from a medical care provider or licensed dietitian.	S3290		