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S 000	INITIAL COMMENTS The following represent the findings of an abbreviated survey with review of facility report ##192052 and complaint #188228 at the above assisted living conducted on 12/19/24, 12/23/24, and 12/30/24.	S 000		
S3026 SS=K	26-41-101 (f) (1) Staff Treatment of Residents ANE (f)The administrator or operator shall ensure that all of the following requirements are met: (1) No resident shall be subjected to any of the following: (A) Verbal, mental, sexual, or physical abuse, including corporal punishment and involuntary seclusion; (B) neglect; or (C) exploitation. This REQUIREMENT is not met as evidenced by: KAR 26-41-101(f)(1)(C) The facility reported a census of 44 residents, with four residents sampled for focused reviews. Based on observation, interview, and record review the operator failed to protect ten residents from financial exploitation by the failure to ensure facility staff followed the facility's abuse, neglect, and exploitation policies and procedures, to report suspected exploitation, and to ensure adequate accountability and checks and balances policies and procedures in place to prevent financial exploitation. This placed ten vulnerable residents on fixed incomes in immediate jeopardy from 05/03/24 at first allegation of financial exploitation by Administrative Staff F until 11/25/24 when she was suspended and	S3026		

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

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subsequently terminated from her role in the facility where she had access to residents' financial records.

Findings included:

- Record review for R102 revealed an admission date of 09/05/23 with diagnoses of chronic obstructive pulmonary disease (COPD) and hypertension.

The 06/11/24 "Functional Capacity Screen" (FCS) identified R102 required physical assistance with shopping and was independent with money management.

The "Negotiated Service Agreement" (NSA) identified facility staff provided R102 coordination and assistance with shopping needs weekly and ordering of supplies. R102 managed his own financial matters.

The 11/26/24 facility's "Intake Information" to the department documented the following:

1) R102 reported to facility staff upon interview he suspected something was not right with his finances, but he did not report it because he did not want to get anyone in trouble.

2) Review of R102's bank statements compared to receipts provided revealed withdrawals did not match since 08/01/24. There was a total of 11 automated teller machine (ATM) transactions that R102 had no knowledge of and/or had not received cash for.

3) R102 stated Administrative Staff F shopped for cigarettes and/or soft drinks for him, but he never received cash. Administrative Staff used

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his card to withdraw cash, which he believed she applied to his rent.

4) R102's bank statements revealed the facility automatically withdrew rent payments from R102's account monthly. R102 did not pay rent with cash.

5) It was against the facility's policy for staff to manage residents' funds. If a resident requested or required assistance the facility would initiate payee services. The facility offered payee services to R102 which he declined.

6) Unauthorized cash withdrawals from multiple ATM locations since 08/01/24 totaled $1528.50.

7) Administrative Staff told corporate staff she had assisted R102 with his debit card since 10/01/24. She withdrew money from his account from multiple locations throughout the city. She stated she had only helped R102 and denied any exploitation.

8) Corporate staff suspended Administrative Staff F immediately, reported allegations to the police and initiated an investigation.

The 12/13/24 facility's "Investigation Report" to the department documented the following:

1) Administrative Staff F stated she knew it was against the facility's policy to hold onto resident's credit/debit cards, but she was trying to help. She assisted R102 with his money by managing his debit card. She withdrew cash as needed "from multiple locations throughout the city."

2) Corporate staff discovered upon investigation an individual withdrew cash from multiple ATM

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locations including the local casino, convenience stores, drug store, and liquor store.

3) R102 stated upon interview he had not had possession of his card "for a while." He was unable to specify a date. He stated he did not leave the facility to go to ATM's. He stated Administrative Staff F used his card to buy him cigarettes and soft drinks and used his cash to pay rent. He received cigarettes and soft drinks but had not received any cash.

4) Corporate staff terminated Administrative Staff F on 11/27/24.

The 11/25/24 "Incident Statement" by R102, written and signed as witnessed by Administrative Staff B, and initialed by R102 reported Administrative Staff F bought soft drinks, cigarettes, or anything else R102 needed. She also used his card to withdraw cash to pay his rent. R102 felt Administrative Staff F may have used his card wrong sometimes.

The 11/25/24 "Incident Statement" by Administrative Staff F reported she assisted R102, with his permission, on money, debit card, bills, groceries, cigarettes, and cash from ATM's since 10/01/24. She withdrew cash from multiple locations throughout the city to go to the store and buy cigarettes. She kept the receipts locked in the resident director's office. When R102 requested cash she gave it to him, but she did not keep a log of the dates he requested cash. R102 had not requested she return his card to him.

The 11/26/24 notarized "Witness Statement" by Certified Medication Aide (CMA) G reported R102 had requested Administrative Staff F return his

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debit card but Administrative Staff F always talked him out of it. R102 shared with CMA G he was afraid to ask for his card because he wouldn't get it from Administrative Staff F. CMA G informed R102 he could file a grievance if he wanted but he was afraid of retaliation. CMA G worked on 11/25/24 when the mail carrier delivered the residents' mail to the facility. She saw on R102's bank statement there were multiple withdrawals from the local casino and convenience stores.

The 11/26/24 notarized "Witness Statement" by CMA H reported she saw a copy of R102's bank statement and found there were "multiple amounts of money being taken." CMA H stated R102 wanted his money but was afraid to ask for it.

The 11/26/24 notarized "Witness Statement" by Laundry Staff I reported she had a close relationship with R102. He approached her multiple times requesting assistance to find where his money went and to help him get his card back from Administrative Staff F.
Laundry staff I requested Administrative Staff F return R102 his card several times, but Administrative Staff F refused. Laundry Staff I worked on 11/23/24 when the mail carrier delivered residents' mail to the facility. She delivered R102's mail to his apartment and R102 gave Laundry Staff I permission to open his bank statement. She saw "large amounts of money" were withdrawn at the local casino and convenience stores.

Review of the 10/07/24 (before reported allegations) facility's "Education for Abuse and Neglect and Misappropriation of Resident Funds" revealed 15 staff signed they had read and understood the training sheet. The training sheet

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documented no staff except the resident director or medical records staff were to take residents' bank or debit cards or cash to any store for residents. Suspension and/or termination may occur. Administrative Staff F instructed staff to report any concerns to her immediately.

Review of the 11/26/24 (after reported allegations) facility's "In-Service" revealed 20 staff received training regarding abuse, neglect, and exploitation with an emphasis on financial exploitation and facility's policies regarding fiduciary abuse.

On 12/19/24 at approximately 01:50 PM Administrative Staff B stated Administrative Staff F worked in the facility since June 2023. On 11/26/24 CMA H and Laundry Staff I called to report R102 received a bank statement in the mail and they assisted him to open it. They noticed multiple withdrawals from the local casino. Administrative Staff F held his card for him since 10/01/24. Administrative Staff B stated once she reviewed copies of R102's bank statement corporate staff went to the facility and immediately suspended Administrative Staff F. R102 had never complained to anyone and when the police arrived to investigate, he stated he did not want to press charges and get anyone in trouble.

On 12/23/24 at approximately 04:50 PM R102 stated he gave Administrative F his debit card to pay his rent and shop for a few items for him about two to four months ago. He requested Administrative Staff F return his debit card to him several times which she did not do. He never knew she went to the casino. The Social Security Administration direct deposited monthly payments to his bank account.

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S3026	Continued From page 6 On 12/23/24 at 03:02 PM Administrative Staff A stated prior to termination Administrative Staff F worked at the facility as the Resident Director and the Director of Nursing. She was a licensed nurse. The designated person to provide shopping services for the residents was the activity aide but Administrative Staff F was the back-up person if the activity aide was unable. On 12/30/24 at 10:32 AM Activity Aide E stated she was the only person responsible for providing shopping services for the residents. She was the only staff allowed to provide assistance with shopping trips which were weekly on Wednesdays. She posted a sign, passed out a flyer, and/or verbally announced to residents the time and location of the Wednesday shopping trip ahead of time. If a resident could not make that week's shopping trip, they wrote a list of items and gave it the activity aide along with a method of payment, either a debit card or cash. Upon return from shopping Activity Aide E delivered the items requested to the resident and returned their card or gave them left over change. She gave the resident their receipt, which they signed to acknowledge they received, and made a copy to keep for her records. On 12/30/24 at 11:29 AM CMA G stated the following: 1) R102 told her Administrative Staff F kept his debit card because he lost it once, but he wanted it back. CMA G was present when R102 requested Administrative Staff F returned his card and his bank statements to him. She stated Administrative Staff F "blew him off." 2) R102 requested CMA G's assistance to call	S3026		

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his bank (he could not read or write) to cancel his debit card. They called the bank on speaker phone. The bank informed R102 he had two cards attached to his account and asked him which one he wanted to cancel. This baffled R102 because he did not know he had two cards. He told the bank to close both cards.

3) Administrative Staff F made facility staff give her the mail before they delivered it to the residents. Administrative Staff F opened all the checks in her office or on the round table in the conference room and set them aside. When CMA G questioned Administrative Staff F why she opened residents' mail, Administrative Staff F told her she had to cash the residents' checks so she could give them their money. She believed Administrative Staff F gave the money to the residents. She never witnessed Administrative Staff forge resident signatures on checks or steal money.

4) CMA G received a text from Administrative Staff F one time to hold the mail until she got the facility to check it. She was "waiting on something for a resident."

5) The facility terminated Laundry Staff I because she used R102's debit card to order items for herself from an online webstore and terminated CMA H because she knew the exploitation was taking place and did not report it.

On 12/30/24 at 12:41 PM during a phone interview CMA H stated the following:

1) On a Saturday, Administrative Staff F group texted facility staff to hold the residents' mail because she expected something. CMA G and Laundry Staff I reported they saw a bank

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statement for R102 with several withdrawals from the local casino on his card. CMA H instructed CMA G and Laundry Staff I to make a copy of the bank statement. She knew Administrative Staff F for a long time and knew she had a gambling addiction.

2) Once CMA H witnessed a resident (could not remember his name) give seven $100 bills to Administrative Staff F to pay his rent. Administrative Staff F told the resident she would give him a receipt later. When the resident approached Administrative Staff F and requested his receipt, Administrative Staff F told him he had to pay her $100.00 a month for seven months until he paid his back rent. CMA H did not want to confront her boss in front of the resident. She did not report the incidents to corporate staff.

On 12/30/24 at 01:07 PM Administrative Staff C stated she did not handle residents' financial records before she moved to her current role at the facility. Administrative Staff F used to be the resident director and director of nursing. Administrative Staff C witnessed Administrative Staff F examine the residents' mail before giving to other staff to deliver to the residents. When Administrative Staff C questioned Administrative Staff F why she went through residents' mail, Administrative Staff F told her some residents missed their notices from the Social Security Administration to update their information which resulted in the Social Security Administration suspending their payments. Administrative Staff C stated Administrative F's explanation made sense to her at the time. Administrative Staff C never witnessed Administrative F open mail addressed to a resident.

Observation on 12/30/24 at approximately 01:30

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PM revealed a mail carrier entered facility and placed a box of mail on a chair in the conference room near the door. Facility staff acknowledged to the mail carrier they were aware of mail delivery.

The operator failed to protect R102 from financial exploitation.

- Record review for R103 revealed an admission date of 08/31/23 with a diagnosis of Parkinsonism.

The 12/20/24 "FCS" identified R103 required physical assistance with shopping and money management.

The "NSA" identified facility staff provided R103 coordination and assistance with shopping needs weekly and ordering of supplies. An outside payee service provided management of money.

The 11/26/24 facility's "Intake Information" to the department documented the following:

R103 approached facility staff and reported he did not get his check the previous week. Upon investigation corporate staff found R103 did not get his money even though someone processed his check the usual way through the corporate account. Administrative Staff F was the only staff responsible for processing residents' checks through the corporate account. The signature on the check did not look like R103's signature.

Corporate staff suspended Administrative Staff F immediately, reported allegations to the police and continued the investigation.

The 12/13/24 facility's "Investigation Report" to

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S3026	Continued From page 10 the department documented the following: During the investigation of initial report to the department, R103 approached corporate staff on 11/26/24. He reported he spoke with his payee service representative because he had not received a check the previous week. The representative informed R103 she reviewed his records and verified his check was cashed and cleared. Review of transaction logs by corporate staff revealed several checks appeared to have been cashed with a different signature than R103's. R103 confirmed it was not his signature on three of the checks. R103 also reported he signed at least one check over to Administrative Staff F to add to his rent which did not occur. The facility provided check cashing services for residents unable to cash checks themselves. The facility's procedure to cash checks was Administrative Staff F notified the corporate office regarding any checks to be cashed with the amounts. Corporate staff took the specified amounts of money to the facility. Administrative Staff F obtained resident's signatures on the checks and gave residents the cash as indicated. The checks were given to corporate staff to deposit. Corporate staff terminated Administrative Staff F on 11/27/24 and reported allegations to the police. Corporate staff immediately changed the check cashing procedure to include corporate staff would witness each resident sign their check, provide the money to the resident, and ensure the resident signed a cash receipt they had received their money for their check. Facility staff would provide assistance to residents to obtain identification cards so they could cash their own checks independently outside of the facility.	S3026		

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S3026	Continued From page 11 On 12/19/24 at 01:21 PM R103 stated the Social Security Administration paid him monthly and an outside payee service managed his money. The payee service paid his rent and gave him the rest of the money. Activity Aide E went shopping for him. She bought the items he requested, delivered them to him, and gave him a receipt and any left-over change. He never had money go missing when Activity Aide E did his shopping. R103 stated Administrative Staff F told him she was informed he was "going over $2,000.00" and she was going to use the money for his rent. Since his payee already paid his rent, he did not know where the money went. He had a check for $190.00 and Administrative Staff F told him he needed to sign over the check to apply to his rent. On 12/19/24 at approximately 01:50 PM Administrative Staff B stated she and other corporate staff were in Administrative Staff F's office on 11/27/24. R103 came to the office and reported he did not get his check for $190.00 from his payee service. R103 had called the payee service and they told him the check had been sent and cashed. Administrative Staff B stated it was the facility's policy that Administrative Staff F requested corporate staff to bring a specified amount of cash to the facility for her to then pass on to the residents. The signed checks were deposited into the corporate account from which the cash was withdrawn. At the time, the resident did not have to be present during this transaction and were not required to sign they had received the money. The operator failed to protect R103 from financial exploitation. - Record review for R105 revealed an admission	S3026		

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date of 11/16/23 with a diagnosis of hemiplegia and hemiparesis.

The 11/16/24 "FCS" identified R105 required physical assistance with shopping and was independent with money management.

The 11/26/24 "NSA" identified facility staff provided R107 assistance as requested with shopping. R105 managed his own ordering of supplies and self-managed his money.

The 12/13/24 facility's "Investigation Report" to the department documented the following:

Corporate staff searched Administrative F's office during the investigation of the allegations. They found multiple bank statements, a debit card, and receipts for R107. There were multiple cash withdrawals from ATMs unaccounted for. His rent payments were paid by debit card.

Upon interview, R105 reported Administrative Staff F held his debit card to help him. His rent was paid for but was unsure if it was paid with cash or card. Sometimes Activity Aide E took him to an ATM to get cash out of his account to pay rent.

Activity Aide E stated she never took the R105's card without him present for any purchases. She never took R105 to any other ATM location, other than his bank, to withdraw money. Activity Aide E verified any other transactions made were not by her. The total amount unaccounted for from R105's account was $8595.00.

On 12/19/24 at approximately 01:50 PM Administrative Staff B stated she and other corporate staff were in Administrative Staff F's

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office on 11/27/24. They found a copy of a debit card for R105 along with his mail in the office.

On 12/23/24 at 03:51 PM R105 stated one of the workers that used to work at the facility told him she would set some money aside for him without his request. He did not know what she did with the money. Another resident told him she had a gambling problem. He did not ask for his money back. He received payments from the Veteran's Administration and Social Security Administration.

The operator failed to protect R105 from financial exploitation.

- Record review for R104 revealed an admission date of 02/24/23 with diagnoses of cerebral infarction and muscle weakness.

The 09/30/24 "FCS" identified R104 required physical assistance with shopping and was independent with money management.

The 09/30/24 "NSA" identified facility staff provided R104 assistance with shopping and ordering of supplies. R104 self-managed his money.

The 12/13/24 facility's "Investigation Report" to the department documented the following:

R104 received a monthly check from the Social Security Administration for $986.00. His rent was $766.50, and he was on a $100.00 per month repayment agreement due to losing Medicaid for a period of time. R104's total monthly obligation to the facility was $866.50. R104 stated upon interview facility staff usually took his whole check to pay his rent and he did not receive any money or cash back. Administrative Staff F requested on

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	N087058	A. BUILDING: _____ B. WING _____	C 12/30/2024

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four occasions $100.00 for R104 through the facility's check cashing process. The corporate office gave the money to Administrative Staff F for R104. R104 confirmed he did not receive any cash. Review of cash back records revealed Administrative Staff F received $120.00 per month for R104 which she failed to give him. Administrative Staff F failed to give him at total of over $2000.00 that corporate cash records show was given to her to pass on to R104.

On 12/19/24 at 01:50 PM R104 stated another resident did his shopping for him with no concerns. Whoever asked him to sign over his check he signed it. Most of his check was to pay his rent. He was supposed to get back $32.00 a month but had never received it. He "was broke all the time."

The operator failed to protect R104 from financial exploitation.

The 12/13/24 facility's "Investigation Report" to the department documented the following six other residents with potential for financial exploitation were:

R106 stated Administrative Staff F held her debit card. She was not sure if rent was paid with her card or with cash. Corporate staff found multiple bank statements and receipts for R106 in Administrative Staff F's office. Records revealed multiple cash withdrawals from ATMs that were unaccounted for, and rent was paid by debit card. Someone withdrew a total of $1240.00 from multiple ATM locations from R106's account. R106 confirmed she never received cash back from Administrative Staff F or off her card.

R107 received checks from his legal guardian.

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He verified he did not receive at least one check and the signature on the back was not his. He stated upon interview when he cashed his checks, the money was withheld from him, and he did not receive the full amount.

R108 received $40.00 per month from his outside payee service. Facility staff reported Administrative Staff F requested R108's signature several times. She then told R108 his check was "in the bank" or "being held" for him. R108 stated had not received cash for at least eight months with total amount missing at $320.00.

R109 passed away on 09/04/24. She received $40.00 every two weeks plus additional money sent by a family member. Her boyfriend stated R109 requested her checks and Administrative Staff F would not give them to her.

R110 stated her check was put toward her rent. Review of records revealed R110's rent was not paid with a check. The facility cash logs show corporate staff gave Administrative Staff F cash to deliver to R110.

R111 received weekly checks for $30.00 for spending money through an outside payee service. He was alert and oriented but due to diagnosis would not answer questions and became suspicious and angry.

On 12/19/24 at approximately 01:50 PM Administrative Staff B stated she and other corporate staff were in Administrative Staff F's office on 11/27/24. They found a "Direct Express Card" for R106. R106 requested Administrative Staff F buy her soft drinks and cigarettes. Administrative Staff F bought the items and withdrew money out ATMs and kept all the

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S3026	Continued From page 16 receipts. On 12/29/24 at 02:50 PM Administrative Staff B stated administrative staff completed the following to prevent future financial exploitation of residents: 1) Separated the role of Resident Director from the nurse to increase checks and balances. 2) A corporate representative must be present when a resident signed a check in exchange for cash received. 3) Re-educated staff regarding signs of exploitation. 4) Staff assisted R102 with disputing charges to his account and requesting new debit card. The payee service reported they could not do anything as the check was sent and someone cashed it. 5) Began working on new policy and procedure regarding finances and what steps to follow. Once it was completed all residents would be educated. The 12/23/24 "Resident Education" documented the facility would provide check cashing for residents unable to cash their checks outside the facility. The activity director was the only staff member permitted to go or assist with shopping. Facility staff would never ask for the resident's PIN number, hold checks, or credit cards, open mail without consent, ask residents to put spending money toward rent payments, or withhold money from check cashing. If any of the above things happened, residents were informed to report it immediately to the corporate office with phone number, email address, and physical address provided on the form. The undated facility's "Cashing Spending Checks" policy documented check cashing	S3026		

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services were provided to assist in promoting independence. Facility staff would never hold or manage residents' funds. The policy included the following steps:
1) There would be one designated banking day per week.
2) The resident would show the check amount to the resident director.
3) The resident would keep the check until the money was obtained. The resident director would not hold the check.
4) The resident director would request cash from the corporate office.
5) The corporate office staff would being the exact amount of cash needed to the facility on check cashing day.
6) The resident would sign the back of the check and exchange the check for the exact amount of the check.
7) The check would be taken back to the corporate office and deposited in the facility bank account by the accounts receivable clerk.
8) Facility staff were not permitted to withdraw cash from a resident's bank card at any time.

The undated facility's "Resident Shopping with Facility Assistance" policy documented the following:
1) The facility shopping representative would be a designated person educated on the shopping procedure.
2) The facility shopping representative would be available to assist with shopping designated days.
3) The facility representative would transport resident to the designated store and assist as needed with collecting items.
4) The resident was responsible for payment of their items.
5) If transportation was not available, the facility

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representative would collect lists of items needed and the form of payment from residents.
6) All forms of payment would be kept in safe location during transport and shopping. All forms of payment would be returned to the resident immediately upon returning to the facility.
7) The resident and the facility representative would sign the receipts for items purchased and given to the resident. Facility staff would keep a copy for records.

The updated 12/19/24 facility's "Cashing Spending Checks" policy documented a change that a corporate representative and a facility representative must witness resident endorsement.

The operator failed to protect ten residents from financial exploitation by the failure to ensure facility staff followed the facility's abuse, neglect, and exploitation policies and procedures, to report suspected exploitation, and to ensure adequate accountability and checks and balances policies and procedures in place to prevent financial exploitation.

Jeopardy was removed on 11/25/24 when Administrative Staff F was suspended pending investigation and terminated on 11/27/24. The following actions were documented by the facility in the "Immediate Jeopardy Abatement" and accepted by the department on 12/30/24 at 02:26 PM.

1) Alleged staff member suspended immediately on 11/25/24 and terminated on 11/27/24. All residents were identified as safe from financial exploitation as of 11/25/24.
2) Investigations initiated by facility on 11/25/24. All investigations submitted to the local police

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S3026	Continued From page 19 department on 12/12/24. 3) The Resident Director position has been split into two separate roles to ensure checks and balances. 4) Check cashing policy updated to ensure a corporate representative and a facility representative both witnessed check endorsements and ensured the entire amount of checks were given to the resident. Facility and corporate staff trained on policy. 5) Fiduciary abuse and reporting abuse, neglect, and exploitation education completed with all staff on 11/26/24. 6) All residents educated on new check cashing procedures, fiduciary abuse, and reporting on 12/23/24. 7) Resident shopping will be completed with resident present or by utilizing an online service to deliver items directly to the resident. 8) All residents educated on rent auto pay procedures and shopping procedures to be completed by 01/07/25. 9) All staff educated on resident finances, shopping procedures, and check cashing procedures to be completed by 01/07/25.	S3026		