



HUMAN SERVICES

AGENCY OF

DEPARTMENT OF DISABILITIES, AGING AND INDEPENDENT LIVING

Division of Licensing and Protection

HC 2 South, 280 State Drive

Waterbury, VT 05671-2060

<http://www.dail.vermont.gov>

Survey and Certification Voice/TTY (802) 241-0480

Survey and Certification Fax (802) 241-0343

Survey and Certification Reporting Line: (888) 700-5330

To Report Adult Abuse: (800) 564-1612

September 13, 2023

Ms. Mary Belanger, Manager
St Joseph's Residential Care Home
243 North Prospect Street
Burlington, VT 05401-1609

Dear Ms. Belanger:

Enclosed is a copy of your acceptable plans of correction for the survey conducted on **June 27, 2023**. Please post this document in a prominent place in your facility.

We may follow up to verify that substantial compliance has been achieved and maintained. If we find that your facility has failed to achieve or maintain substantial compliance, remedies may be imposed.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn Scott".

Carolyn Scott, LMHC, M.S.
State long Term Care Manager

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 0155	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 06/27/2023
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NAME OF PROVIDER OR SUPPLIER ST JOSEPH'S RESIDENTIAL CARE HOME	STREET ADDRESS, CITY, STATE, ZIP CODE 243 NORTH PROSPECT STREET BURLINGTON, VT 05401
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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) COMPLETE DATE
R100	Initial Comments: On 6/27/23 the Division of Licensing and Protection conducted an unannounced on-site investigation of four complaints. The following regulatory deficiency was identified during the investigation process:	R100		
R116 SS=D	<p>V. RESIDENT CARE AND HOME SERVICES</p> <p>5.3 Discharge and Transfer Requirements</p> <p>5.3.b Emergency Discharge or Transfer of Residents</p> <p>(1) An emergency discharge or transfer may be made with less than thirty (30) days notice under the following circumstances:</p> <p>i. The resident's attending physician documents in the resident's record that the discharge or transfer is an emergency measure necessary for the health and safety of the resident or other residents; or</p> <p>ii. A natural disaster or emergency necessitates the evacuation of residents from the home; or</p> <p>iii. The resident presents an immediate threat to the health or safety of self or others. In that case, the licensee shall request permission from the licensing agency to discharge or transfer the resident immediately. Permission from the licensing agency is not necessary when the immediate threat requires intervention of the police, mental health crisis personnel, or emergency medical services personnel who render the professional judgement that discharge or transfer must occur immediately. In such cases, the licensing agency shall be notified on the next business day; or</p>	R116		

Division of Licensing and Protection
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Mary Belanger
Mary Belanger

Administrator

7/20/2023

STATE FORM

6899 JGRZ11

If continuation sheet 1 of 2

updated

7/24/23

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 0155	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____		(X3) DATE SURVEY COMPLETED C 06/27/2023
NAME OF PROVIDER OR SUPPLIER ST JOSEPH'S RESIDENTIAL CARE HOME		STREET ADDRESS, CITY, STATE, ZIP CODE 243 NORTH PROSPECT STREET BURLINGTON, VT 05401		
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R116	<p>Continued From page 1</p> <p>iv. When ordered or permitted by a court. This REQUIREMENT is not met as evidenced by: Based on staff interview an record review there was a failure to notify the licensing agency regarding the emergency discharge of one applicable resident (Resident #1). Findings include:</p> <p>Per record review, on 10/18/22 Resident #1 was transported to the emergency department following changes in behavior indicating a potential safety risk to self or others; and was subsequently discharged emergently from the home on 10/22/22.</p> <p>The Director confirmed Resident #1 was emergently discharged from the home on 10/22/22, and documentation of a report to the Licensing Agency regarding Resident #1's emergency discharge was not on file and available for review on 6/27/23.</p>	R116	<p>Plan of correction R116: 5.3 & 5.3b Whenever an emergency discharge occurs, DON or Administrator will alert the Licensing Agency within 24 hours of discharge. Notification will be via telephone with documentation noted in the resident chart at to time of call and name of person notified. Please see attached updated discharge policy. Effective 7/24/2023</p> <p>u k " " # O</p>	

VCC Residential Care Homes

Code: Admin-006

Subject: Discharges

POLICY

All residents shall be given a thirty (30) day advance written notice in the event of discharge, except in the case of an emergency involuntary discharge (Pursuant to the Division of Licensing and Protection, Residential Care Home Regulations, Section V, 5.3.a (1) (2) (3) and Section V, 5.4).

PURPOSE

To specify the conditions under which the Home may discharge a resident with less than a thirty-day notice, and to clarify the resident's responsibility to provide the Home with a thirty-day notice prior to voluntary discharge.

PROCEDURE

An involuntary discharge or transfer may occur only when:

- The resident's care needs exceed those which the home is licensed or approved through a variance to provide; or
- The home is unable to meet the resident's assessed needs; or
- The resident presents a threat to the resident's self or the welfare of other residents or staff; or
- The discharge or transfer is ordered by a court; or
- The resident has failed to pay monthly charges for room, board and care in accordance with the admission agreement.

A resident may be discharged with less than a thirty-day notice under the following circumstances:

- The resident's attending physician documents in the resident record that the transfer is an emergency measure necessary for the health and safety of the resident or other residents in the facility;
 - A natural disaster or emergency necessitates the evacuation of residents from the Home.
 - The resident presents an immediate threat to the health or safety of self or others. In that case, the home shall request permission from the licensing agency to discharge or transfer the resident immediately. Permission from the licensing agency is not necessary when the immediate threat requires emergency medical services personnel who render the professional judgment that discharge or transfer must occur immediately. **In such cases, the licensing agency shall be notified on the next business day via telephone by the Administrator or Director of Nursing. Documentation in chart will include name and title of person taking report and the date of conversation; or**
 - When ordered or permitted by a court
- In the case of an involuntary discharge or transfer, the Administrator or Director of Nursing of the home shall notify the resident, family member and/or legal representative of the discharge or transfer and

the specific reasons for the move in writing and in a language and manner that the resident understands.

The notice of discharge must be given at least 30 days prior to the discharge from the home, or at least 72 hours prior to a transfer within the home. A copy of the notice will be placed in the resident's clinical record.

The written notice must be on the form prescribed by the licensing agency and must include:

- A statement in large print that the resident has the right to appeal the home's decision with the appropriate information regarding how to do so.
- A statement that the resident may remain in the room or home during the appeal

Residents discharged involuntarily shall receive a refund, within 15 days of discharge, for any funds paid in advance for room and board, for any day room and board was not provided. In the case of a discharge to a hospital or other temporary placement, the effective date for this provision shall be the day the Home is notified that the resident is not returning. For the purpose of providing refunds, "day of discharge" shall be considered the day the resident's room is empty of belongings, if those belongings are too large or difficult for the Home to store temporarily. The facility shall temporarily store small items such as clothing and other personal items if necessary.

All residents shall provide the Home with thirty (30) days' notice prior to *voluntary* discharge. Failure to give notice obligates the resident or responsible person to a full month's payment. Notice is waived when a discharge is involuntary or otherwise due to change of status of resident or licensee.