



**AGENCY OF HUMAN SERVICES**  
**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

May 6, 2024

Raeleen Bedard, Manager  
22 Upper Welden  
107 Fisher Pond Road  
Saint Albans, VT 05478-1836

Dear Ms. Bedard:

Enclosed is a copy of your acceptable plans of correction for the survey conducted on **April 16, 2024**. 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.

If you have any questions, please feel free to contact me at (802) 585-0995.

Sincerely,

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


Carolyn Scott, LMHC, MS  
State Long Term Care Manager  
Division of Licensing & Protection

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>0528</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>04/16/2024</b>
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NAME OF PROVIDER OR SUPPLIER  <b>22 UPPER WELDEN</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>107 FISHER POND ROAD SAINT ALBANS, VT 05478</b>
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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
T 001	Initial Comments	T 001		
T 054 SS=F	<p>V.5.9.d Resident Care and Services</p> <p>5.9 Staff Services</p> <p>5.9.d The licensee shall not have on staff a person who has had a charge of abuse, neglect or exploitation substantiated against him or her, as defined in 33 V.S.A. Chapters 49 and 69, or one who has been convicted of an offense for actions related to bodily injury, theft or misuse of funds or property, or other crimes inimical to the public welfare, in any jurisdiction whether within or outside of the State of Vermont. This provision shall apply to the manager of the residence as well, regardless of whether the manager is the licensee or not. The licensee shall take all reasonable steps to comply with this requirement, including, but not limited to, obtaining and checking personal and work references and contacting the Division of Licensing and Protection and the Department for Children and Families in accordance with 33 V.S.A. §6911 and 33 V.S.A. §4919 to see if prospective employees are on the abuse registry or have a record of convictions.</p> <p>This REQUIREMENT is not met as evidenced by: Based on staff interview and record review there was a failure to protect residents of the home by ensuring all staff are without substantiated Child Protection Registry findings indicative of a prior history of abuse, neglect, or exploitation of a</p>	T 054	<p>T054: Director, reviewed results of background check and found the substantiation to exist. In consultation with Human Resources Director it was relayed to employee at the time of hire that a variance was found and employee was informed of the process to expunge. The employee did not initiate process to expunge this from their record. Director revisited the variance expectation with employee, given no action toward this employment was ended with employee on 4/24/2024.</p> <p>Policy pertaining to hiring and background check was reviewed on 4/23/2024 to ensure to compliance with DAIL regulations. Per NCSS Human Resources policy The Human Resources Department will facilitate all criminal background, abuse registry checks and motor vehicle checks, and will be responsible for reviewing all data produced. Background checks are completed at the time of hire and annually to determine ongoing employability. Team Leader/ hiring manager will be notified of any significant findings including, but not limited to criminal convictions revealed to NCSS will be reviewed on a case-by-case basis. In each case, appropriate action, including withdrawal of a conditional offer of employment or ending employment, will be taken to protect consumers from risks to health, safety or exploitation."</p> <p>T054 Plan of Correction accepted by Jo A Evans RN on 5/3/24.</p>	4/24/2024

Division of Licensing and Protection LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE 	TITLE House Manager	(X6) DATE 5/3/24
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NAME OF PROVIDER OR SUPPLIER  <b>22 UPPER WELDEN</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>107 FISHER POND ROAD</b> <b>SAINT ALBANS, VT 05478</b>
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T 054	<p>Continued From page 1</p> <p>child. Findings include:</p> <p>The facility's Background Checks &amp; Changes Affecting Ongoing Employability policy effective 1/2018 states, "[The organization] will not employ, contract with, facilitate payment to, or support anyone providing care for consumers where significant findings would suggest a risk to the consumer, including, but not limited to, any individual that has been convicted of abuse or neglect of a disabled individual, child, or other vulnerable person, nor conviction of a violent felony." This policy was provided for review by the Community Rehabilitation and Treatment Services (CRT) Team Lead for the organization that manages the home on the afternoon of 4/16/24.</p> <p>Per record review, one out of five sampled staff member's Vermont Child Protection Registry check conducted prior to hire in 2023 returned two substantiated results. On the document with the substantiated Child Abuse findings was a statement made by the facility, "Variance on file with HR". At approximately 3:04 PM on 4/16/24 this finding was confirmed by the CRT Team Lead.</p> <p>During an interview commencing at approximately 3:10 PM on 4/16/24, a Human Resources (HR) representative for the organization that manages the home confirmed the facility was aware of the substantiated abuse findings during the applicable staff member's hiring process. The HR representative conveyed the organization's Director of Human Resources interviewed the staff member regarding the child abuse substantiation and issued a "variance" allowing the staff member to begin employment as a direct care provider for the vulnerable adults</p>	T 054		

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T 054	Continued From page 2  residing at the home.  In conclusion, this deficient practice has the potential for more than minimal harm to all residents as the facility policy effective 1/2018, the Vermont Licensing and Operating Regulations for Therapeutic Community Residences effective 3/1/2022, and Vermont State Law prohibit the home from employing staff who have a substantiated charge of abuse, neglect or exploitation in the interest of protecting the vulnerable individuals who reside in the home from harm.	T 054		