

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

November 13, 2017

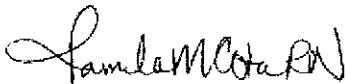
Ms. Allyson Sweeney, Manager
The Residence At Shelburne Bay East
185 Pine Haven Shores Road
Shelburne, VT 05482-7805

Dear Ms. Sweeney:

Enclosed is a copy of your acceptable plans of correction for the survey conducted on October 3, 2017. 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,



Pamela M. Cota, RN
Licensing Chief



NOV 02 2017

PRINTED: 10/18/2017
FORM APPROVED

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 1009	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 10/03/2017
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NAME OF PROVIDER OR SUPPLIER THE RESIDENCE AT SHELburne BAY EAST	STREET ADDRESS, CITY, STATE, ZIP CODE 185 PINE HAVEN SHORES ROAD SHELburne, VT 05482
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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
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R100	Initial Comments: An unannounced on-site survey was conducted from 10/2/17 - 10/3/17 by the VT Division of Licensing and Protection to investigate a facility mandated self report and complaint. There were no regulatory violations related to the self-report. The following regulatory violation is from the complaint.	R100		
R297 SS=E	IX. PHYSICAL PLANT 9.9 Ventilation 9.9.a Homes shall be adequately ventilated to provide fresh air and shall be kept free from smoke and objectionable odors. This REQUIREMENT is not met as evidenced by: Based on interview and document review, the facility failed to assure that all spaces within the footprint of the building (the Assisted Living Residence (ALR)), were adequately ventilated at all times to assure that there was sufficient fresh air and that the areas were free from objectionable odors. This failure had the potential to affect multiple areas of the building. Findings include: The Division of Licensing and Protection received a complaint related to the existence of potentially harmful vapors in the building during the 4 day period in September, 2017, when the indoor pool painting was being completed. It was reported that the fumes were overwhelming in the second floor resident dining room, which includes a secure dementia unit. The complaint stated that overwhelming smell/fumes caused some persons to experience headaches, blurry eyes and other	R297	Effective immediately, prior to any, painting, renovations or capital improvement projects The Residence at Shelburne Bay will implement a pre-planning meeting with contractors and our multi-disciplinary team to review all safety and ventilation related questions and concerns. This will include a thorough review of all SDS sheets and safety recommendations. We will put proper precautionary measures in place and keep our resident and associate safety as our highest priority. The Administrator will monitor for compliance.	11/1/17

Division of Licensing and Protection

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Allyson Sweeney

Executive Director

11/2/2017

STATE FORM

6899

C1L511

If continuation sheet 1 of 4

R297 POC accepted 11/8/17 mbcitnaw/mca

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R297	Continued From page 1 symptoms, mostly on the second floor of the facility. The complaint alleged that the facility failed to take timely action to immediately mitigate the strong fumes and initiate a plan to adequately ventilate the affected areas. During interviews with facility staff, one staff person stated that a resident had complained to them of dizziness. Some staff reported that they had experienced symptoms of headaches and other symptoms. (It should be noted that the residents on this unit have cognitive impairments and may not have the ability to express any concerns clearly.) The pool is located on the first floor of the building and is accessed from a hallway, via a set of french doors and then a set of double steel doors. A tour of the pool area and heat/air exchange room with the Interim Director of Maintenance took place on the morning of 10/2/17. Per observations of the pool room (2 stories in height) and the air exchange room (energy recovery unit) on the second floor, the ventilation duct system intersects with the air exchange system in this 2nd floor room. The ducts located in the pool room carry fresh air in from the outside, through the pool room walls and into the air exchange room, after which the air ducts re-enter the pool room and exit out through the pool room wall to the outside. The pool room had fixed windows high up on the outside wall, with no direct way to ventilate the air to the outside directly. A wall vent on an inside wall was observed high up on the pool room wall. When asked if that vent was sealed prior to initiation of painting, the staff didn't know the answer, since they stated that they weren't apprised of the ventilation plans. The pool was painted by a contracted painting company. During interviews with facility leadership staff regarding actions that were taken in response to	R297		

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R297	Continued From page 2 the odors/fumes, they stated that at the time of the painting, there was an Interim Director of Maintenance. It was stated that the previous Director of Maintenance and the owner's Regional Director of Operations handled the oversight of the painting of the pool job. When asked what his/her role was in planning for the pool painting, the Interim Director said he wasn't involved in any planning for the project. Staff stated that the job took 4 days and during that period, the energy recovery unit was turned off to prevent fumes from entering the ventilation system. The Executive Director stated that 'there was a smell, quite strong' for the 1st two floors near the elevators and in the hallways. The second floor dining room had a very strong objectionable smell/fumes and the residents were relocated to a art room for dining for some of the days. The Executive Director stated the painters gave him/her copies of the product Safety Data Sheets from the manufacturer for the 2 paints/sealants used. Per review, the products are hazardous and should only be used in well ventilated areas and vapors can cause symptoms including headache, dizziness and other symptoms. During interview with an environmental representative of the manufacturing company on 10/3/17 at 11:30 AM, s/he stated that precautions when using these 2 products include: sealing of all ducts, outlets, doors etc. and a need to vent the room being painted to the outside. The owner of the painting company was contacted and confirmed that there was a shared responsibility for the safe ventilation of the area during the painting of the pool. S/he stated that their staff were responsible for sealing off the double sets of doors at the entrance to the pool (on the first floor) and that the facility was responsible for the	R297		

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R297	<p>Continued From page 3</p> <p>ventilation of the facility, due to their management and control of the air handling system for the building. The owner stated that he confirmed with his staff who completed the job that this information was planned and exchanged with the Director of Maintenance prior to the start of the job.</p> <p>On day 2, after the fumes/vapors had been present for over 24 hours, the facility took additional measures to attempt to remove the odors and fumes, by setting up reverse action fans for the ducts, to draw the indoor pool air to the outside; however, the process took several days to completely eliminate the issue. During this time, staff were caring for residents and assuring their comfort, per the Executive Director.</p> <p>In summary, facility staff were not knowledgeable about their responsibilities prior to the start of the painting of the pool and the potentially harmful, objectionable odors/vapors did enter the resident areas in limited locations of the building and took an extended period of time to fully exhaust/remove the odors, per interviews with staff and involved persons/professionals as well as observations in the building, including part of the ventilation system.</p>	R297			