



**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

August 5, 2024

Rachel Darby, Manager  
Battelle House  
348 Dewey Street  
Bennington, VT 05201-2255

Dear Ms. Darby:

Enclosed is a copy of your acceptable plans of correction for the survey conducted on **June 24, 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>0531</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>06/24/2024</b>
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NAME OF PROVIDER OR SUPPLIER  <b>BATTELLE HOUSE</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>348 DEWEY STREET BENNINGTON, VT 05201</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  An unannounced onsite relicensure survey was conducted by the Division of Licensing and Protection on 6/24/24. Regulatory deficiencies were identified. Findings include:	T 001		
T 062 SS=F	V.5.10.b.4 Resident Care and Services  5.10 Records/Reports  5.10.b.4 The results of the criminal record and abuse registry checks for all staff.  This REQUIREMENT is not met as evidenced by: Based on record review and interview the TCR failed to obtain criminal background and abuse registry checks on an annual basis for 4 out of 5 staff of the applicable sample.  Per staff record review of background check requirements were incomplete for 4 out of 5 staff of the applicable sample. Criminal background checks and Abuse registry checks were not completed in compliance with the updated guidance provided by the licensing agency on 10/24/22 and additional guidance on 5/4/23.  On 10/4/22 the Agency of Human Services, Department of Licensing and Protection issued guidance indicating the "Required Background Check Protocol 1. Prior to employing an individual and at least annually thereafter, a Facility must query the following entities regarding the prospective / current employee: Vermont Adult Abuse Registry, Vermont Child Abuse Registry, Vermont Criminal Information Center Background Check and National Background Checks".  On 5/1/23 the Agency of Human Service, Division	T 062	V.5.10.b.4  A) Background checks are completed upon hire.  B) Updated procedure ensures that Human Resources (HR) is conducting a background check annually including: Vermont Adult Abuse Registry, Vermont Child Abuse Registry, Vermont Criminal Information Center Background Check, and National Background Checks.  C) These changes will be monitored by updating our Background Check Report to reflect that Battelle House employees receive background checks annually. The report is run monthly to ensure that background checks are completed by the due date noted in the report.  <b>T 062 Accepted Jenielle Shea, RN 8/5/24</b>	Started 7/25/24 Completed by 9/1/24

Division of Licensing and Protection

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

TITLE

(X6) DATE

*[Signature]* PM/HUP-BC Assistant Medical Director 7/26/24

STATE FORM

6899

25LM11

If continuation sheet 1 of 3

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Division of Licensing and Protection

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T 062	<p>Continued From page 1</p> <p>of Licensing and Protection issued additional guidance stating, "The licensing agency (the Survey and Certification Unit) plans to review compliance for all background check requirements beginning January 1, 2024 (an extension of the October memo) and may enforce requirements after that date."</p> <p>The facility policy titled "Background Check", stated "6. The Human Resource Department with conduct background checks on all candidates for employment following a conditional offer of employment and the prospective employees acceptance. These will include by not limited to, VCIC criminal records, and registries checks, including abuse and sex offender registries." The policy continues to state " Background checks will be repeated on all employees on a three year cycle. An exception is employees who work in group homes who will have their background checks repeated annually in accordance with DAIL requirements."</p> <p>An interview in the morning of 6/24/24 the Manager confirmed the staff records were incomplete of annual background checks. The HR Manager was contacted by the Manager and communication of background checks was continued with HR.</p> <p>In follow-up emails on 6/24/24 and 6/27/24 with Human Resource staff, the records were confirmed to not include the annual requirement of Vermont Criminal Information Center Background Checks, Abuse Registry Checks, and National Criminal Background Checks (applicable to new hires and/or staff whom live outside of Vermont.)</p> <p>This deficient practice is a potential risk of more</p>	T 062		

Division of Licensing and Protection

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T 062	Continued From page 2  than minimal harm to residents of the facility, due to the need to ensure staff can maintain a safe and caring environment.	T 062		