



**AGENCY OF HUMAN SERVICES**  
**DEPARTMENT OF DISABILITIES, AGING AND INDEPENDENT LIVING**

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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

July 2, 2021

Ms. Helen Bishop, Manager  
Our House At Park Terrace  
196 Mussey Street  
Rutland, VT 05701-4163

Dear Ms. Bishop:

Enclosed is a copy of your acceptable plans of correction for the survey conducted on **May 12, 2021**. 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 cursive script that reads "Pamela M. Cota RN".

Pamela M. Cota, RN  
Licensing Chief

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>0146</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>05/12/2021</b>
NAME OF PROVIDER OR SUPPLIER  <b>OUR HOUSE AT PARK TERRACE</b>		STREET ADDRESS, CITY, STATE, ZIP CODE <b>196 MUSSEY STREET RUTLAND, VT 05701</b>	
(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)
R100	Initial Comments  An unannounced re-licensure survey was conducted by the Division of Licensing and Protection on 5/12/2021. The following regulatory violations were identified.	R100	
R128 SS-E	V. RESIDENT CARE AND HOME SERVICES  5.5 General Care  5.5.c Each resident's medication, treatment, and dietary services shall be consistent with the physician's orders.  This REQUIREMENT is not met as evidenced by Based on staff interview and record review, the Registered Nurse (RN) failed to ensure that medications were administered per physician's orders for two of four residents in the applicable sample (Resident #2, and Resident #3). Findings include:  1. Per record review Resident #2 has a facility standing order for Benadryl (an antihistamine that can cause drowsiness and/or sedation) 25 mg every 6 hours for itching/congestion PRN (as needed) Per review of the residents Medication Administration Record (MAR), on 2/22/2021 at 10 12 PM and 2/26/2021 at 9 00 PM a Med Tech (an unlicensed staff member who has been trained and found competent by, and under the direction of an RN to administer medications to residents) administered Benadryl 25 MG "to help [Resident #2] sleep."  A Facility Nurse Note signed by a Med Tech dated 3/18/2021, states that Resident #2 had been	R128	RN's have been re-educated to the definition of PRN orders- If a PCP directs RN to use PRN meds "regularly" RN must obtain a detailed order, i.e. "temporary order" with detailed instructions. Further, when approving an OTC medication it must be used for the reason on the standing orders, any difference also requires a physicians order. RN's and Managers will monitor monthly or when med changes occur.  5/10/21

Division of Licensing and Protection

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

TITLE

(X5) DATE



Owner

5/27/21

R128 - R198 POC's accepted 7/1/21 SFreeman RN/PMC

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R128	<p>Continued From page 1</p> <p>complaining of not being able to sleep. The Med Tech administered 25 mg of Benadryl. The RN responded on 3/19/2021 requesting that the Med Tech let her/him know when the resident cannot sleep, and that the Benadryl was given with positive effect.</p> <p>2 Per record review Resident #3 has a facility standing order for Benadryl 25 mg every 6 hours for itching/congestion PRN. A Facility Nurse Note written by a Med Tech on 4/21/2021 states that Resident #3 was very restless, and waking up her/his roommate. Per the Nurse Call Report completed by the RN on 4/21/2021 the resident had been experiencing anxiety, restless, and pacing. Staff requested a PRN due to these behaviors. The report states "PRN Benadryl offered to assist [with] relaxation - this was not immediately effective, with encouragement and redirection, finally began to relax and watch TV."</p> <p>Per interview with the facility RN on 5/12/2021 at approximately 4:10 PM she/he confirmed that Benadryl is a facility standing order prescribed for itching and congestion. However, it was administered as a sleep aid. S/he also confirmed that Benadryl should not be used for sleep or behaviors.</p>	R128	
R184 SS=F	<p>V. RESIDENT CARE AND HOME SERVICES</p> <p>5.11 Staff Services</p> <p>5.11 g The licensing agency may require a home to have specified staffing levels in order to meet the needs of residents</p> <p>This REQUIREMENT is not met as evidenced</p>	R184	

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R184	<p>Continued From page 2</p> <p>by:</p> <p>Based on observation, staff interview, and record review, the facility failed to provide specified staffing levels to meet the needs of residents requiring nursing home level of care for six (6) of ten (10) residents in the applicable sample (Resident #s 2, 4, 5, 6, 7, and # 8).</p> <p>A memorandum from the Division of Licensing and Protection sent to Residential Care Providers on February 14, 2019 states "The Division of Licensing and Protection will now require Residential Care Home Residences to staff your home with at least two (2) caregivers per shift if you maintain six (6) or more nursing home level of care residents."</p> <p>Per review of the facility's Quarterly Level of Care (LOC) Variance Update dated April 1, 2021 and signed by the facility Administrator, the facility requested, and received approval of LOC variances for 6 residents in their care. Per review of the facilities Daily Shift Assignment for 5/8/2021- 5/14/2021 there is one Caregiver assigned per shift for eighteen (18) of Twenty-one (21) shifts.</p> <p>On 5/12/2021 at approximately 10:00 AM the House Manager confirmed that she/he was the only staff member on duty to care for the residents who reside at the home. Some days there is another staff member assigned to the day shift, but she/he is often the only staff on duty during the day</p> <p>Per direct observation throughout the survey, residents were observed lined in a row of recliners in one room and a recliner and couch in a joining room, with two televisions on. When the residents were awake, none of them showed</p>	R184	<p>Staffing has been a challenge, especially during the pandemic. we interview weekly if not twice weekly with minimal results. We have offered incentives and continue to do so. Prior to the survey and a COVID outbreak, we had discussed moving one of the residents mentioned but had delayed the move due to "testing" which ended on 5/17/21. One resident was transferred out of this house on 5/14/21 and is doing well.</p> <p>There are two residents who do activities independently, and another who's daily activity is packing and unpacking her belongings daily, she brings her bags down every afternoon to wait for "him" and most every morning also, after a time she just takes her bags back to her room and unpacks them, she also helps to prepare dinner several times a week and has daily video chats with her children (in her room) otherwise these residents will not normally join in when others are, we have a few families who like to help with their loved ones "activities" planting, going for walks etc, and the pandemic has not been helpful with that, Visits are back on and some residents are getting out more even if it's just on the deck to get some sun. Another who's activity is word puzzles and talking on her phone several times a day. Activities, are person centered and it must be realized that having "company" sitting in their view of the television for nine hours does make a difference in what we are able to offer on that day. Some like to help fold laundry, some like to help set or clear the table, or make cookies, these are activities. Reading the newspaper. We continue to find activities that make each resident happy, like the floor bb. We continue to stimulate our residents with things that make them happy.</p> <p>We have entered contracts with TLC and DNA with no help available. We have contacted Bayada, Rutland area Visiting Nurses and they have nothing and are short-handed also- We have called the SWVCOA, they no longer have a list of private duty caregivers- We have called Working Fields with no results, have a running ad in indeed, we have joined "Handshake" a job platform through UVM reaching students and alum across the country. We continue our efforts recruiting people from Jamaica, renewal of VISA's is the hold up there, we reached out to Leahy's office to look for help to expedite those but have not had a response from that office. We have contacted the Department of Labor and have been asked to report people who interview but dont show up for training to their "fraud hotline". We contacted At Home Senior Care, spoke with Mark who told me they were short handed but would see if he could put something together and he would send me an email, I have not received an email and I have called a second time with no results. We have contacted past employees with no results, we have emailed residents legal reps twice asking for any referrals with no results (except the info for "handshake"). We have and continue to do everything we can to find caregivers. We hope that once the unemployment program corrects itself we will see more applicants.</p> <p>ongoing</p> <p>ongoing</p>

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R184	<p>Continued From page 3</p> <p>interest in what was on the television. The Caregiver was observed administering medications, preparing meals, and assisting residents with toileting. At 12:02 PM seven (7) residents were observed sleeping in recliners and on the couch while the Caregiver was in the kitchen preparing the lunch meal. Residents were left unsupervised and were not engaged in any sort of activity. Staff did converse with residents who were awake in passing, and the Administrator did attempt to engage residents in a game of floor basketball for a short period of time. However, there was no evidence of planned activity or supervision throughout the survey.</p> <p>Per interview on 5/12/2021 at 4:20 PM a Caregiver who works evening shift confirmed that she/he is the only care giver assigned to care for the 10 residents who reside at the home. The Caregiver stated that she/he gets 3 residents ready for bed before diner and then the rest after. She/he stated that many of the residents have increased behaviors in the evening hours and it can be difficult to manage with one Caregiver.</p> <p>On 5/12/2021 at approximately 6:00 PM the Administrator confirmed that there were 6 residents with LOC variances and that there was only one Caregiver scheduled on most shifts.</p>	R184	<p>We have contacted local colleges with no results. We have banners at three locations advertising for help. We have implemented a referral bonus for staff, we are paying extra money to existing staff and have implemented a monthly stay bonus. ongoing</p> <p>Our census is low and must remain this way until we have proper staffing to accomodate needs as new residents arrive.</p>
R198 SS=D	<p>V. RESIDENT CARE AND HOME SERVICES</p> <p>5 14 Restraints</p> <p>5 14 e. Residents shall have a right to be free from chemical restraints and unnecessary mechanical restraints. Residents shall be notified at the time a restraint is applied of their right to</p>	R198	

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R198	<p>Continued From page 4</p> <p>challenge the use of the restraint. A resident has the right to meet with and discuss the challenge with the following individuals:</p> <p>(1) The home manager; (2) The licensing agency; (3) The Commissioner of the licensing agency. In the event that a resident does challenge the use of a restraint, the home operator shall inform the licensing agency at the time the challenge is raised.</p> <p>This REQUIREMENT is not met as evidenced by: Based on staff interview, and record review the facility failed to ensure that one (1) of four (4) residents in the applicable sample (Resident #3) was free from chemical restraints used for convenience. Findings include:</p> <p>1. Per record review Resident #3 has a facility standing order for Benadryl 25 mg every 6 hours for itching/congestion PRN [as needed]. A Facility Nurse Note written by a Med Tech on 4/21/2021 states that Resident #3 was very restless, and waking up her/his roommate. Per a Nurse Call Report completed by the RN on 4/21/2021 the resident had been experiencing anxiety, restless, and pacing. Staff requested a PRN [a medication that is given on an as needed basis to treat symptoms] due to these behaviors. The report states "PRN Benadryl offered to assist [with] relaxation - this was not immediately effective, with encouragement and redirection, finally began to relax and watch TV "</p> <p>Per interview with the facility RN on 5/12/2021 at approximately 4:10 PM she/he confirmed that Benadryl is a facility standing order prescribed for itching and congestion. However, it was</p>	R198	<p>RN's have been re-educated to the definition of PRN orders- If a PCP directs RN to use PRN meds "regularly" RN must obtain a detailed order i.e. "temporary order" with detailed instructions. Further, when approving an OTC medication it must be used for the reason on the standing orders, any difference also requires a physicians order. RN's and Managers will monitor monthly or when med changes occur.</p> <p>5/10/21</p>

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R198	Continued From page 5  administered to help the resident "relax". S/he also confirmed that Benadryl should not be used for sleep or to manage behaviors.  "Chemical Restraint" is defined as any drug that is used for discipline or convenience and not required to treat medical symptoms. "Convenience" is defined as any action taken by the facility to control a resident's behavior or manage a resident's behavior with a lesser amount of effort by the facility and not in the resident's best interest.	R198		