

Case Two

Intermediate Care Facility/Individuals with Intellectual Disabilities Learning Activity

Item	Description
Objective:	Given a scenario, the surveyor will identify areas of concern, potential citations, and related regulatory requirements.
Prior to Class:	Print copies of the scenarios. Have the ICF/IID regulations available. Have flip charts and markers available.
Total Time for Activity:	60 minutes (The time given is approximate.)
Set-Up:	Set class up for small groups if appropriate.*

Step:	Preceptor Instructions:	Activity Time:
1.	Divide the class into small groups. Provide each group a set of scenarios.*	5 min.
2.	Each group should select someone to take notes on the flip charts and be prepared to report to class. Groups must answer the questions provided for each of their scenarios.	5 min.
3.	Give the teams time to read and discuss the scenario.	25 min.
4.	As the groups are completing this task, walk around the room and listen to the conversations. Provide direction where appropriate. Warn the class when the time available is down to the last five minutes.	
5.	Debrief each scenario by discussing key points contained in the Preceptor Answer Sheet.	25 min.

\*For individual assignment, provide the worksheet and support where appropriate during the completion of the activity. Once completed, review answers against the answer sheet, and discuss the key points together from the scenario.

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Directions: Read each scenario and working as a team (if able), document your answers on the flip chart provided.

#### Steak for Dinner Scenario

It is dinnertime. You observe Client B taking extremely large bites of food and shoving them into his mouth. Several times it appears that he is going to choke, but he doesn't. You ask staff and they say, "This is the way he always is; nothing works to correct it, so we make sure we watch him closely during eating." During the meal, you did notice that staff sat close to him.

Survey Team Questions:

1. What areas of concern do you have?
2. If you noticed any areas, explain why you are concerned.
3. How would you continue to investigate your concerns?
4. Do you think there will be potential deficiencies cited? Defend your answer.

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Preceptor Answer Sheet

1. What areas of concern do you have?
  - Client safety during dining
  - Dietary assessment
  - Areas of concern include the potential for aspiration and/or choking without adequate prevention and staff training.
  
2. If you noticed any areas, explain why you are concerned?
  - Client safety during dining due to potential for choking
  - A dietary assessment to determine portion size and potential modifications
  - This has the potential for Immediate Jeopardy (IJ); this patient may be at risk.
  - There is concern because the person could aspirate and/or choke.
  
3. How would you continue to investigate your concerns?
  - During debrief, initiate discussion regarding intervening with this client as he shovels huge bites of steak into his mouth at the time of discovery.
  - Ask staff sitting next to patient, “What is the client’s prescribed diet?” Provide this information to the new surveyors.
    - Staff responded, “Gee, I’m not sure. I seem to remember they changed it last week, but I don’t recall what they did. I’ve been on vacation.”
    - Ask the class what you would do now.
      - Review the Individual Program Plan (IPP) to determine the plan of treatment for Client B related to diet.
  - Provide this information to the new surveyors:
    - IPP does not indicate any modifications to the client’s diet.
    - Ask class, “Now what?” Solicit answers.
  - Inform the class: We look for the dietary assessment and any dietary recommendations and physician orders. We discover that the dietician recommended pureed food and a barium swallow study, for which the physician wrote the order a week ago.
  - Ask class: “What would you do now?”
    - Answers should be to return to the dining room and intervene for the patient’s safety.
  - Ask class to define and/or demonstrate “bite sized.”
    - Interview facility staff to determine how they define “bite sized.”
    - Interviews with direct care, nursing, and dietary staff should be conducted. Record review should include the nutritional evaluation, physician orders, eating and dietary programs, the comprehensive functional assessment, the

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behavior assessment, and the behavior plan. Review previous eating and dietary programs, as they relate to prior interventions, progress and/or regression. Also review policies related to neglect, staff training, and dietary and medical services.

4. Do you think there will be potential deficiencies cited? Defend your answer.
- Incident has met criteria for IJ.
  - Cite (W149) for neglect of safety during dining.
  - W149 provides the definition of neglect. This meets the criteria for IJ as facility is culpable, there is potential for harm for Client B, and the harm is likely to occur right now as client is currently eating. Client has the potential to aspirate during the current meal.
  - W485 as it relates to supervision and staff dining rooms appropriately
  - W189, W190, W191 as they relate to staff training and competency
  - W122, Condition of Participation for Client Protections
  - W127 as it relates to ensuring individuals are not subject to neglect
  - W149 as it relates to failing to provide necessary services
  - W165 as it relates to the dietician working directly with the individual
  - W190, 191–194, and W342 as they relate to staff training to meet the individual's needs
  - W214 as it relates to assessment of rapid eating behavior
  - W217 as it relates to assessment of rapid eating
  - W227 as it relates to developing objectives to meet dining needs
  - W242 as it relates to programmatic training to address eating needs
  - W249 as it relates to implementing eating and dietary plans
  - W318, Condition of Participation for Health Care Services
  - W322 as it relates to providing preventive health care services
  - W331 as it relates to providing nursing services
  - W338 as it relates to taking necessary action to address health problems
  - W344 and W345 as they relate to nursing personnel, monitoring, and oversight
  - W459, Condition of Participation for Dietetic Services
  - W474 as it relates to providing food consistent with the developmental level of the individual
  - W488 as it relates to ensuring each individual eats in a manner consistent with their developmental level

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#### The Bus Driver Scenario

Client D is getting into the van to go to the Day Center. When he sees the driver, he starts shrieking uncontrollably and runs back in to the facility. Other clients start yelling. Back in the facility, Client D has started to pound his head against the wall. Staff is unable to control him, and they call for assistance. The staff members call the doctor and he gives the patient sedation intramuscularly. The other clients are reassured and get in the van. You notice several clients cry during the ride. When the driver went to assist them off the van, you noticed three of the men shrink away from him. You did not notice this with any of the female clients.

Survey Team Questions:

1. What areas of concern do you have?
2. If you noticed any areas, explain why you are concerned.
3. How would you continue to investigate your concerns?
4. Do you think there are potential deficiencies to cite? Defend your answer.

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Preceptor Answer Sheet

1. What areas of concern do you have?
  - There is concern as to what triggered the client's change in behavior. There is also concern about the other clients' behavior changes, i.e., crying and shrinking from staff approach.
  - Is this usual behavior or is this the first occurrence?
  - Has the client said anything to staff about being afraid of the driver?
  - Areas of concern include potential abuse, neglect and mistreatment, behavioral interventions, and staff training.
  
2. If you noticed any areas, explain why you are concerned. (Document on the flip chart provided.)
  - This behavior could be reflection of abuse and/or mistreatment.
  - Does the client always respond to bus drivers this way?
  - Has the facility explored other transportation options?
  - Has the facility discussed other calming techniques for the client?
  - There is concern because of the observed reactions of individuals to the bus driver and lack of intervention to protect the individual during self-abusive behavior.
  
3. How would you continue to investigate your concerns?
  - Interview all clients about their time with the van driver. Interview staff about incidents that have occurred on the van and/or with the driver. Review clients' records for any incidents during the van ride to day programming. Check with day programming staff about incidents or behavior concerns and van driver interaction with clients. Review any behavior management Plan of Care (POC). Check clients for possible signs of injuries. Review records for documentation of incidents and/or injuries. Review policies and procedures for client mistreatment and abuse.
  - Interview the van driver, ride the van unannounced, ask to review van driver's personnel record to check if other instances of similar type have occurred in the past.
  - Interview all of the individuals. Conduct additional observations and interviews with direct care staff, including the Day Center. Interview the bus driver. Record review should include incident reports and investigations, behavior assessments, behavior plans, raw behavior data, and IPPs. Review policies related to abuse, neglect, mistreatment, staff training, and behavioral interventions.
  
4. Do you think there will be potential deficiencies cited? Defend your answer.

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- W120 as it relates to outside services meeting the needs of individuals
- W122, Condition of Participation for Client Protections
- W127 as it relates to ensuring individuals are not subject to abuse, neglect, and mistreatment
- W148–W157 as they relate to prompt notifications, investigations, protection, and corrective action
- W159 as it relates to sufficient monitoring and oversight from the Qualified Intellectual Disabilities Professional (QIDP)
- W149 as it relates to failing to implement and monitor policies for protection
- W191 and W193 as they relate to staff training to meet individuals' behavioral needs
- W214 as it relates to assessment of self-abusive behavior
- W227 as it relates to developing objectives to meet behavioral needs
- W249 as it relates to implementing behavior plans
- W266, Condition of Participation for Client Behavior and Facility Practices
- W276 and W277 as they relate to behavioral interventions being incorporated in policy
- W285 as it relates to behavioral interventions being sufficient to keep individuals safe
- W288 as it relates to techniques used as a substitute for an active treatment plan
- W289 as it relates to incorporating behavioral interventions into a plan
- W370 as it relates to unlicensed staff administering drugs

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#### Can I Get a Little Privacy? Scenario

Several of the clients are in the common area watching TV after dinner. Staff lets one of the residents know that it is time for her tube feeding and connects the tube feeding with the client's consent. Staff tells you that she does not want to be separate from the group so they honor her wishes. You note that staff members did not expose any of the client's body while connecting the feeding.

Survey Team Questions:

1. What areas of concern do you have?
2. If you noticed any areas, explain why you are concerned.
3. How would you continue to investigate your concerns?
4. Do you think there will be potential deficiencies cited? Defend your answer.

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Preceptor Answer Sheet

1. What areas of concern do you have?
  - Impact of activity on other clients in the setting
  - Is the client capable of making such a decision and has the client been appropriately informed of the nature of the choice she is making?
  - Areas of concern include using the words “tube feeding” versus dinner and lack of providing privacy.
  
2. If you noticed any areas, explain why you are concerned. (Document on the flip chart provided.)
  - Vary the choice with the client and other clients. Although the client receiving the tube feeding is comfortable, this does not mean others are comfortable.
  - Did staff inform the client that she may have this treatment performed in privacy?
  - There is concern because of the individual’s privacy and using “tube feeding” versus “dinner” is a respect and dignity issue.
  
3. How would you continue to investigate your concerns?
  - Continued observations, record review, and interviews
  - Conduct additional observations and interviews including interviews with the individuals as peers may feel uncomfortable. Record review should include the Individual Program Plan and eating programs. Review policies related to staff training and conduct.
  
4. Do you think there will be potential deficiencies cited? Defend your answer.
  - W123, W124, W262, and W263
  - W190 and W194 as they relate to staff training
  - W249 as it relates to implementing eating programs
  - W267 as it relates to staff conduct

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#### He Hit Me! Scenario

The State Agency (SA) received a report of client-to-client abuse at a facility. When visiting the facility, the surveyor sees both clients eating breakfast. The atmosphere is pleasant and calm. Staff tells the surveyor that both clients are usually fine during the day; however, after dinner the behaviors escalate until staff redirects one of the clients to get ready for bed. Staff state that this happens “all the time.”

Survey Team Questions:

1. What areas of concern do you have?
2. If you noticed any areas, explain why you are concerned.
3. How would you continue to investigate your concerns?
4. Do you think there will be potential deficiencies cited? Defend your answer.

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Preceptor Answer Sheet

1. What areas of concern do you have?
  - Client safety
  - Client rights
  - Dignity
  - Supervision
  - Does this happen only when certain staff is working?
  - Is the other client taking food items from the client?
  - Areas of concern include ongoing resident-to-resident abuse and staff training.
  
2. If you noticed any areas, explain why you are concerned. (Document on the flip chart provided.)
  - Make an effort to see what the dinner meal is like. Determine what is in place to prevent this behavior, since staff is already aware of the issue.
  - Review behavioral management plan.
  - Check to see if all staff is aware of plan and/or root cause of the behavior at dinner time.
  - Is there a favorite show on that the client wishes to view at this time?
  - Something is happening during the dinner meal to upset the client. Investigate this.
  - There is concern because ongoing abuse is occurring without intervention and corrective action.
  
3. How would you continue to investigate your concerns?
  - Observe the dinner meal.
  - Interview staff.
    - What else have they tried?
    - Does every staff member handle the situation in this way?
    - Do they shut the door, lock the door, or station a person outside the door?
    - What happened or happens? When does it happen? Why does it happen?
    - Is there one constant? Is it always this one client and various others?
  - Interview client and family.
  - Record review:
    - Review the IPP.
    - Review the Behavior Support Plan.
    - Is there a consent signed?
    - Does the client's program outline this response?
    - What other interventions are there? Where are the results of those interventions documented?

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- Have the teams met?
  - What are the goals for this client? Did the IPP help the client meet goals?
  - Interview the individuals. Conduct additional observations and interviews with direct care staff. Record review should include incident reports and investigations, behavior assessments, behavior plans, raw behavior data, IPP, and active treatment schedules. Review policies related to abuse, neglect, mistreatment, staff training, and behavioral interventions.
4. Do you think there will be potential deficiencies cited? Defend your answer.
- W191, W181
  - W159: Integrate, coordinate, and have a QIDP monitor each client's active treatment program.
  - W193: Staff must be able to demonstrate the skills and techniques necessary to administer interventions to manage the inappropriate behavior of clients.
  - W249: Program Implementation if the dining plan is not carried out correctly
  - W127: Ensure clients are not subject to abuse.
  - W273: Clients must not discipline other clients.
  - W122, Condition of Participation for Client Protections
  - W127 as it relates to ensuring individuals are not subject to abuse, neglect, and mistreatment
  - W148–W157 as they relate to prompt notifications, investigations, protection, and corrective action
  - W159 as it relates to sufficient monitoring and oversight from the QIDP
  - W149 as it relates to failing to implement and monitor policies for protection
  - W191 and W193 as they relate to staff training to meet individuals' behavioral needs
  - W214 as it relates to assessment of abusive behavior
  - W227 as it relates to developing objectives to meet behavioral needs
  - W249 as it relates to implementing behavior plans
  - W266, Condition of Participation for Client Behavior and Facility Practices
  - W285 as it relates to behavioral interventions are sufficient to keep individuals safe
  - W289 as it relates to behavioral interventions are incorporated into a plan