

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 15G792	X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING _____	X3) DATE SURVEY COMPLETED 06/28/2022
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NAME OF PROVIDER OR SUPPLIER BENCHMARK HUMAN SERVICES	STREET ADDRESS, CITY, STATE, ZIP COD 9285 W CR 950 N ELIZABETHTOWN, IN 47232
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W 0000 Bldg. 00	<p>This visit was for the investigation of complaint #IN00381458.</p> <p>Complaint #IN00381458: Unsubstantiated, the allegation did not occur.</p> <p>Unrelated deficiency cited.</p> <p>Dates of Survey: 6/22/22, 6/23/22 and 6/28/22.</p> <p>Facility Number: 012528 Provider Number: 15G792 AIMS Number: 201017060</p> <p>This deficiency reflects state findings in accordance with 460 IAC 9. Quality Review of this report completed by #15068 on 7/15/22.</p>	W 0000		
W 0149 Bldg. 00	<p>483.420(d)(1) STAFF TREATMENT OF CLIENTS</p> <p>The facility must develop and implement written policies and procedures that prohibit mistreatment, neglect or abuse of the client. Based on record review and interview for 2 of 2 sampled clients (A and B), the facility failed to implement its policy and procedures for prohibiting abuse, neglect, exploitation, mistreatment and/or violation of individual's rights to prevent a pattern of client-to-client aggression.</p> <p>Findings include:</p> <p>On 6/23/22 at 9:53 AM, a review of the facility's Bureau of Developmental Disabilities Services (BDDS) reports and accompanying investigation summaries was conducted. The review indicated</p>	W 0149	The team continued meetings with BDDS and was able to get approval to proceed with transition of Client A to another ESN home. Recent investigations had shown proper staff positioning, an activity schedule to keep Client A and B separated as much as possible and retraining with staff on the ANE policy related to peer to peer aggression. All of these attempts decreased the number of peer to peer incidents however, a pattern	07/27/2022

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

TITLE

(X6) DATE

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined other safeguards provide sufficient protection to the patients. (see instructions.) Except for nursing homes, the findings stated above are disclosable following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosed days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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	<p>the following which affected clients A and B:</p> <p>1. BDDS incident report dated 2/25/22 indicated, "[Client A] was walking past [client B] and [client B] smacked [client A] in the arm, [client A] turned around and smacked [client B] in the arm in return. [Client A] went back to her room and [client B] sat and colored. Both were checked for marks and neither one had any marks or bruises".</p> <p>Investigation summary dated 2/26/22 indicated, "Brief summary of the initial allegation: [Client A] was walking past [client B] and [client B] smacked [client A] in the arm, [client A] turned around and smacked [client B] in the arm in return ...Disposition ... Peer to Peer Substantiated ... Recommendations:... Staff were in proper position however were unable to block [client B] from making contact with [client A's] arm".</p> <p>2. BDDS incident report dated 3/13/22 indicated, "Staff and all 3 clients went to [store] to get some activities for the clients to make for Easter. We returned to the house. [Client A] was helping staff bring in the items from the van, another staff member was taking another client's harness off and getting her in the house. [Client B] was standing by the garage door messing with a pencil, [client A] tried to take it from her and [client B] said No and [client A] hit her in the side of the face. After [client B] was checked for marks and made sure she was ok, [client A] went into her room and slammed the door. [Client B] came into the dining room and started to color. [Client B] didn't have any marks on her. She appeared fine. [Client A] came out of her room, made threats to the staff and started to throw her belongings away. Staff tried to calm [client A] down and tried to talk to her. After a few min (minutes). she calmed down retrieved her belongings from the</p>		<p>remained. Client A and BDDS participated in a meeting with the Benchmark BC, QIDP and House Manager on 7/18/22 and all parties were in agreement of the move for Client A. The move is tentatively scheduled for 8/8/22. Until that move occurs, staff will continue to follow the BSP's and maintain proper positioning to decrease the likelihood of peer to peer aggression. This meeting and outcome was documented on IDT notes and will be available for review in Client A's main file. All staff will be retrained on the Abuse and Neglect Policy and complete a post test to ensure their understanding. Spot checks of the home will be completed by the Manager, BC and support staff 3 times weekly to ensure staff's understanding and implementation of proper positioning. House checks will be documented on a Home Visit Report and monitored by the Director to ensure compliance and to identify further training needs.</p>	

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	<p>trash, staff disinfected all items and was able to talk to [client A]. She calmed down and started to listen to her music she also apologized to [client B] and staff".</p> <p>Investigation summary dated 3/15/22 indicated, "Brief summarization of the initial incident: On 3/12/22 at 6:30 PM, [client A] was physically aggressive toward [client B] by hitting her in the side of the face ... Disposition ... Peer to Peer Substantiated ... Recommendations: The team met to debrief the incident on 3/14/22 ... discussed making changes to [client A's] BSP (Behavior Support Plan). The BC (Behavior Clinician) is adding a reinforcement plan/ticket program to encourage appropriate behavior/social interactions ... Any potential patterns were discussed with the team, and the only pattern noted was more of the peer to peer in the afternoon/evening time. The BC will also increase his time in [client A's] home more during these times for observation and support. The management team will assign a staff person to [client B] each shift who will be responsible for knowing [client B's] whereabouts at all times. This staff person will be responsible for being proactive at the first signs of [client A] and [client B] starting a verbal conflict that they will intervene and be in close proximity to [client B] (within 5 feet). Staff will be training on this plan and the BC and management will observe for compliance ... All staff have been recently trained on Abuse and Neglect and staff positioning to prevent peer to peer abuse. Staff were also retrained that [client A] is an opportunist and when staff are not present or not looking is going to be a time when she may attempt to be physically aggressive".</p> <p>3. BDDS incident report dated 4/12/22 indicated,</p>			
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	<p>"On 4/11/22 staff was helping [client A] put something away in the closet. [Client B] approached staff and [client A] and asked to look at the item. [Client A] responded to [client B] with verbal aggression and staff placed themselves between [client A] and [client B] in an attempt to prevent peer to peer aggression. [Client A] then reached over staff and hit [client B] on the top of the head with an open hand. Staff were able to separate the individuals before any further aggression occurred. [Client A] continued to engage in property destruction within the house, however, did not engage in any continued physical aggression. [Client B] was assessed for injuries and none were noted. Staff continued to provide separation to the individuals throughout the evening".</p> <p>Investigation summary dated 4/12/22 indicated, "Introduction: ... On 4/12/22 staff was helping [client A] put something away in the closet. [Client B] approached staff and [client A] and asked to look at the item. [Client A] responded to [client B] with verbal aggression and staff placed themselves between [client A] and [client B] in an attempt to prevent peer to peer aggression. [Client A] then reached over staff and hit [client B] on the top of the head with an open hand ... Disposition: ... Peer to Peer substantiated ... Recommendations: The IDT (interdisciplinary team) was notified of the incident. The staff will continue to follow both individuals behavior support plans. The BC will continue to monitor the behavior of both individuals and make changes to the plans as necessary".</p> <p>4. BDDS incident report dated 5/6/22 indicated, "On 5/5/2022, [client B] was sitting at the kitchen table and [client A] was in the kitchen helping staff prepare dinner. Another staff was helping</p>			

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	<p>another individual with toileting, however asked the staff that was supervising [client A] and [client B] to get briefs out of the garage and (sic) she was providing supervision to [client B] and [client A]. During this time, another individual became agitated, and the staff provided redirection to that individual. At this time, [client A] walked over to [client B] and hit her on the head with an open hand. [Client B] then retaliated and hit [client A] in the back with a closed fist. Staff were able to quickly separate and redirect the two individuals away from each other. Staff were able to talk to both individuals and helped to eventually calm the situation. There were no further incidents of aggression the remainder of the evening. Both individuals were assessed for injury, and none were noted".</p> <p>Investigation summary dated 5/6/22 indicated, "Introduction: ... On 5/5/22, [client B] was sitting at the kitchen table and [client A] was in the kitchen helping staff prepare dinner ... At this time, [client A] walked over to [client B] and hit her on the head with an open hand. [Client B] then retaliated and hit [client A] in the back with a closed fist... Disposition: ... Peer to Peer to substantiated ... Recommendations: The IDT (interdisciplinary team) was notified of the incident ... discussed the importance of maintaining separation ... discussed with the staff after the debriefing, brainstorm scenarios of importance, and to ensure they are maintaining separation of these individuals regardless of other things happening within in the home".</p> <p>5. BDDS incident report dated 5/20/22 indicated, "On 5/19/22 [client B] was sitting in her recliner and [client A] had handed [client B] a notebook. [Client A] then walked back to her room and [client B] began to make comments to [client A].</p>			

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	<p>[Client A] then came out of her room and quickly walked towards [client B] and hit her with an open hand on the face. Staff were able to quickly separate the two individuals and [client A] went to her room and was able to calm down. Staff assessed [client B] for injury and none were noted. Staff will continue to monitor for any injury related to the incident".</p> <p>Investigation summary dated 5/20/22 indicated, "Introduction: ... On 5/19/22 [client B] was sitting in her recliner and [client A] handed [client B] a notebook. [Client A] then walked back to her room and [client B] began to ake (sic) comments to [client A]. [Client A] then came out of her room and quickly walked towards [client B] and hit her with an open hand on the face ... Disposition: ... Peer to Peer substantiated ... Recommendations: The IDT was notified of the incident ... staff will be retrained to ensure that while providing supervision to position themselves in the path of the two individuals when they are in the common areas and not just within close proximity to the individuals. The BC will continue to monitor the behavior of both individuals and make changes to their BSP's as needed".</p> <p>6. BDDS incident report dated 6/3/22 indicated, "On 6/2/22, [client B] was flicking the lights on and off in the common areas of the home. [Client A] then began doing the same thing on the other side of the room. [Client B] became verbally aggressive with [client A] and staff placed themselves between [client B] and [client A]. [Client B] then became aggressive with staff attempting to hit, scratch and bite staff. [Client A] then reached around staff and kicked [client B] in the left leg and hit her in the face with a closed hand. Staff were able to redirect [client A] out of the area and engaged [client B] in another activity.</p>			

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	<p>Staff assessed [client B] for injury and noted minor discoloration on the inside and underside her left eye. Staff were able to maintain separation of the two individuals for the remainder of the evening. On 6/3/22, [client B] was again assessed for injury and bruising less than 3" (inches) in size was noted under her left eye".</p> <p>Investigation summary dated 6/3/22 indicated, "Introduction: ... On 6/2/22, [client B] was flicking the lights on and off ... [Client A] then began doing the same thing ... [Client B] became verbally aggressive with [client A] and staff placed themselves between [client B] and [client A]. [Client B] then became aggressive toward staff ... [Client A] then reached around staff and kicked [client B] in the left leg and hit her in the face with a closed hand ... Staff assessed [client B] for injury and noted minor discoloration on the inside and underside her left eye ... On 6/3/22, [client B] was again assessed for injury and bruising less than 3" (inches) in size was noted under her left eye ... Disposition: Peer to Peer substantiated Recommendations: The IDT was notified of the incident ... the manager will create a schedule of activities to increase engagement and activities for both individuals to decrease the likelihood of peer to peer aggression. The BC will continue to monitor the rates of behavior and make changes to the individuals support plans as necessary".</p> <p>7. BDDS incident report dated 6/17/22 indicated, "On 6/16/22, [client B] and [client A] were both in the dining room area. [Client A] went towards [client B] and pushed her. [Client B] then grabbed [client A's] shirt. Staff were able to put themselves between the individuals and separate them. [Client B] and [client A] both went to different areas of the home and no further incidents occurred. Staff assessed both individuals for injuries, and none</p>			

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	<p>were noted".</p> <p>Investigation summary dated 6/17/22 indicated, "Introduction: On 6/16/22, [client B] and [client A] were both in the dining room area. [Client A] went toward [client B] and pushed her. [Client B] then grabbed [client A's] shirt. Staff were able to put themselves between the individuals and separate them ... Disposition: Peer to Peer substantiated ... Recommendations: The IDT was notified of the incident. The Residential Manager and BC will continue to complete observations while in the home. The BC will continue to monitor rates of behavior and make changes to the individuals Behavioral Support Plans as necessary".</p> <p>On 6/28/22 at 3:41 PM, the Vice President (VP) was interviewed. The VP was asked about the pattern of client-to-client aggression and the lack of implementation of the Abuse, Neglect and Exploitation (ANE) policy. The VP indicated an awareness of a client-to-client aggression pattern had been identified by the team. The VP stated, "We have been meeting and focused on positioning. We have talked with BDDS about a switch (moving client A) to one of our other homes. We are thinking they just don't like each other". The VP indicated a switch to a new home could provide client A with a different environment that could enable more success in meeting her discharge criteria, as client B's medical issues around her dementia and negative comments toward client A, triggered negative behavioral outcomes. The VP stated, "I don't know, if it's the dementia with [client B] that gets them going and [client A] has a hard time with it (controlling aggression). We're in the initial stages of that (transfer of client A with BDDS). We asked BDDS to drop the peer to peer from her (client A's) discharge. They were not in agreement. If</p>			

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	<p>you take the peer to peer out, she is meeting the discharge. We meet with BDDS every month. We're feeling somewhat unsuccessful and until we stop the peer to peer, we're not going to be successful". The VP was asked about the implementation of the ANE policy. The VP indicated the implementation of the ANE policy should be at all times. The VP stated, "Oh yeah. For sure. During our investigations we were looking at positioning (staff being close to redirect and block aggression before it occurred), but we're beyond that now. At our last meeting we talked about changes if positioning does not work (to prevent a pattern of client-to-client aggression)".</p> <p>On 6/23/22 at 11:17 AM, the Abuse, Neglect, and Exploitation (ANE) Policy dated 5/17/21 was reviewed. The ANE policy indicated, "Benchmark Human Services (Benchmark) does not tolerate abuse, neglect, or exploitation in any form by any person. Benchmark strives to be proactive in preventing incidents of abuse, neglect, and exploitation (A-N-E) against the individuals served".</p> <p>9-3-2(a)</p>				