

Lisa Romberg

From: 30 March, 2001 3:53 PM
To: 'mcg995@northern.dss.state.va.us'
Subject: FW: Sunrise investigation

-----Original Message-----

From:
Sent: 30 March, 2001 3:49 PM
To: Margaret Allworth (E-mail)
Subject: Sunrise investigation

Interviewed staff at Sunrise Assisted Living who were on duty on March 19th when the incident between resident [REDACTED] and 4 other residents, [REDACTED] Sue Elliott, care manager was administering to residents on the 2nd floor hall/vestibule. She heard a thump, went into the TV room and found [REDACTED] holding [REDACTED] up in the air and the three other residents were laying on the floor. She called for help while coaxing [REDACTED] to release [REDACTED] which he did. He was removed from the area and staff remained with him at all times. He was transferred to Loudoun Hospital. Staff took vitals of all residents involved in the incident. [REDACTED] had a skin tear above left eye and on left arm. 911 was called and she was transported to the Fauquier Hospital.

Facility did not notify Licensing at any time and did not notify APS until 3/21/01. The Administrator did notify [REDACTED] husband immediately following the incident.

Facility had no admitting or discharge information on [REDACTED] from Pinebrook Psychiatric Unit at Culpeper Memorial Hospital. The physician's report stated [REDACTED] had an "uncharacteristic outburst" resulting in his admission with Huntington's listed under physical condition. He had the requisite chest x-ray done on 3/1/2001 and all barrier conditions to admission to an ALF were answered in the negative.

met briefly with Detective Junger who will be providing me with information regarding his findings and more information from his previous placement at Manor House in Charlottesville on his aggressive behavior. Detective Junger is gathering information to determine whether [REDACTED] is competent to stand trial.

My investigation continues on this case.

COMPLAINT RECORD

SUBJECT:

Name of the Facility: Sunrise Assisted Living

Type of Facility ALF

Address: Warrenton

Complainant: (If person unwilling to give name, check "anonymous" _____)

Name: [REDACTED]

Phone: (H) () _____ (W) (540) 347-2316

Address

Report:

Check Method of Report: Telephone Letter In Person

Received By: Elissa L. Romberg Date: 3/26/01

Regional APS Program Specialist: Sandra Mercer Date Notified On:

DESCRIPTION OF COMPLAINTS (Date, times, place, events, persons involved, witnesses, etc.)

Resident, [REDACTED] was lifted up in the air by a new resident, [REDACTED] and she dropped to the floor. She was found laying on her side. Had impact fracture, left shoulder. Case being investigated by Eric Junger from the Sheriff's office. 351-1081

ACTION TAKEN NARRATIVE: See Attached Not Required

Date Investigation Initiated: 3/26/01 Date Investigation Completed: 4/13/01

Findings Notification Date: Licensee 4/13/01 Phone _____ or In Person

Complainant 4/16/01 Phone X _____ or Letter _____

Date Investigation Closed: 4/16/01 Investigated by: Lisa Romberg

Reviewed by: _____ Date: _____

INVESTIGATION REPORT

(Use Supplemental Form or Additional Sheets, in Needed)
PAGE

Standard(s) # 420.C, 430, 170.D Issue: Failure to report, Service plan omission

Category: 10-Staff Qual 20-Staff Quan 30-Food Ser/Nutr 40-Housekep/Sani 50-Abuse/Neglect
60-Equip 70-Phy Plant 80-Program 99-Other

Findings: 1. Unfounded 2. Founded 3. Not Rep/Founded
4. Rep/No Violation 5. Not Clearly Det. 6. Corr. Act. Taken

Actions: N – No Action C – Consultation S – Close Supervision R – Deny/Revoke O – Other

Person(s) Interviewed: Melody Snow-Brown, Jackie Colvin, Sue Elliott, Judy Brown, Ken Kady, Detective Erich Junger

Basis of Determination, Including Significant Dates and Investigative Methods:

3/23/01 – 5:30 pm. Checked voice mail at home. Sandra faxed APS report and is not opening case because she expired on 3/21/01.

3/26/01 – TC to Sandra Mercer in response to fax on resident, [REDACTED]

Incident occurred on on 3/19 at 1:30 p.m. Detective Junger's # 347-6870. Resident died the night of the 20th. No competent witnesses. Staff person, Sue, was in the hallway. Detective Junger spoke with Idella Marshall and a housekeeper, Judy Brown (employed there for 3 months). Sue came in when he was lifting another resident. Three residents on the floor when Judy came in. [REDACTED] was recently released from Pinebrook. Admitted to Pinebrook for Medication Management. He came from Charlottesville. Uncharacteristic outbursts resulted in his placement at Pinebrook. Had Huntington's disease. Melody looking at getting the history of the group home in Charlottesville. [REDACTED] at Loudoun Behavioral Medicine Unit, Loudoun Hospital, S>W> Joan 703-771-2894

3/30/01 – TC to Detective Junger. Left message to call me back. Tc back from Sargeant Junger. 349-2219. Missed him, Went to Sunrise to interview the administrator and staff on duty the day of the incident. Melody reviewed the referral from Pinebrook. She got the referral from Debbie, the discharge planner at Pinebrook while Patty Gardiner Jackson was on vacation, stating that [REDACTED] came from a group home in Charlottesville and that he came in to Pinebrook for medication management and some aggressive tendencies, needed a pureed diet. He had shown no agression in his 10 days at Pinebrook. Stated he was a very pleasant gentleman. He was supposed to go to Massachusetts and Debbie asked Melody if Sunrise could do respite until [REDACTED] could be transferred to Massachusetts. She gave Melody the telephone number of his family there. He came to Sunrise on March 3rd. On the day of the incident, Melody called Wayne Weaver to have [REDACTED] readmitted to Pinebrook. He would not take him back. Melody made arrangements for him to be admitted to Loudoun Hospital. Says she followed procedures. Called 911 for [REDACTED], got [REDACTED] placed out of Sunrise, she thought the immediate emergency waqs no longer an emergency. Melody then left for two days of training the next day. Told Brenda to be sure and call APS. Said she tried to call but didn't get voice to voice contact with Nancy Reeves until Wednesday, the 21st. Interviewed Sue Elliott, the care manager on hall duty and Judy Brown, housekeeper. Sue was sitting in the hall with a resident who was becoming agitated as she was trying to get up and walk, forgetting that she

couldn't walk. Sue was trying to calm her. She was sitting across from the dining room area. A resident's daughter, [REDACTED] was sitting in the hallway. Sue heard a bang coming from the area of the TV room, pretty loud. At about the same time, [REDACTED] said, come quick. When she got to the door, [REDACTED] was standing at the door to the sunroom and had [REDACTED] up in the air. Sue yelled Jerry, walked up to him and said please put her down. She told [REDACTED] to go to the other room. She yelled for help. Judy Brown from housekeeping came in. Sue sat and held [REDACTED] hand. She stated she could see he was in a rage, breathing heavily, veins stood out in his neck. She asked Judy to sit and take care of [REDACTED]. Sue then looked around and observed that [REDACTED] was the most seriously hurt. She wasn't moving, there was blood. The other three appeared to be OK. [REDACTED] was taken to the hospital. Sue said he never showed any aggression while at Sunrise though at times he would get nervous but it would disappear in 5 or so seconds.

Met with Detective Junger who was completing his investigation at Sunrise. He stated [REDACTED] will be charged with homicide and will stand trial if it is determined he is capable of doing so.

4/3/01 TC to Ken Kady at UVA 804-924-8747 Pager 804 924 0000 ext. 4134. Left message

TC to Wayne Weaver at Pinebrook. Left message

TC back from Chris Elliott, Licensing Inspector covering Manor House. Chris told Manor House when they called for technical assistance re emergency discharge of [REDACTED] that she didn't consider it an emergency. However he was admitted to Pinebrook on 2/22, the son in Mass. received discharge notification on 2/26. Chris talked to the facility and she was told that he was a danger to others which meets the requirement for emergency discharge. They had a physician write a statement that he was a danger to the health and safety of others. She had talked to Ken Kady, SW at UVA who stated he might make it in a residential place but thought it better to get him away from folks with dementia.

TC back from Wayne Weaver. Said he was told not to discuss this case unless subpoenaed in court. He did say [REDACTED] was well behaved at Pinebrook. And that Manor House refused to take him back so that Pinebrook had to find a place for him.

TC back from Ken Kady. UVA had no bed for [REDACTED] when Manor House called and that they said he had to be out that day and if UVA couldn't take him they would drop him off at the emergency room. Ken spoke to Patti Gardiner Jackson at Debbie Griffith (the latter actually handled discharge planning to Sunrise as Patti went on vacation. Ken says he did stress that they go the mental health route, like Western State, even though he knew it was difficult to get someone in. Says he suggested Debbie talk to Alison Bell, Special Projects Coordinator at Western State 540-332-80000 and Dr. Madeleine Harrison, 804-924-2706 who has experience with difficult patients. In a later phone call Ken said Debbie told him there is a nurse who works at Pinebrook and has a close connection to Sunrise and that this nurse though Sunrise could handle him.

4/4/01 TC to Sandra Mercer. Reviewed status. [REDACTED] still at Loudoun.

TC to Detective Junger. Gave him Alison Bell's number at Western State. He is looking at putting [REDACTED] under a detention order to keep him at a state facility - either Western or Central State if he is judged incompetent to stand trial. He has also been in touch with Trish Alvashere, Albemarle APS who is following up on incidents not reported by Manor House to APS (804-972-4010)

4/13/01 Met with Jackie Colvin, D.O.N. at Sunrise. She did not deal with discharge planning although she said Melody asked her what he was like at Pinebrook. Jackie said she only saw him on the night shift and that he was calm. She did have the admission summary but was in Virginia Beach when the actual admission to Sunrise occurred. Jackie also noted that Idella Marshall who handles staff coordination at Sunrise said she had worked in a Huntingtons clinic and that the residents were sweet. Reviewed the history and input of the UVA social worker. Reviewed the UAI inclusion of aggressive behavior which was not addressed on the Service Plan.

VIOLATION NOTICE

Facility Name Sunrise Assisted Living Inspection & Exit Interview Date 4/13/01 Findings Review Date _____

Inspection Type (Circle One): Initial Renewal Monitoring Complaint (Check One): Announced Unannounced Follow-up: Date 5-15-02 By KL

STANDARD NUMBER	DESCRIPTION OF VIOLATION	DESCRIPTION OF ACTION TO BE TAKEN (Preventative actions & Staff Responsible)		DATE TO BE CORRECTED	VERIFICATION OF CORRECTIONS Yes/No; NA; or ND
		Description required: (Inspector initials) <u>el</u> YES ___ NO	Not Required but facility chooses to complete: (Facility Representative initials) ___ YES ___ NO		
430	Facility failed to report injury inflicted by resident B on Resident A to Licensure	Retraining of staff as to the time frame importance and standard.		Immediate 4/13/01	Y
420.c	Facility failed to report injury inflicted by resident B on Resident A to Adult Protective Services within 24 hrs.	Retraining of staff as to the time frame importance and standard.		Immediate 4/13/01	Y
170.D	Resident B's ISP does not reflect assessed need on VAP of abusive/aggressive behavior	Resident no longer here - will address on all future behaviors on ISP		Immediate 4/13/01	Y

It is agreed that these violations will be corrected by the dates shown and that compliance will be maintained with all regulations. If the number, nature and/or repetition of violations warrant, the licensing inspector may require the facility to develop a written plan for actions to be taken.

If the facility representative wants further discussion of the findings, a conference with the licensing inspector and his or her supervisor may be requested. Please contact your licensing office within fifteen days of the findings review date.

[Signature] 4/13/01
Inspector Signature Date

[Signature] 4-13-2001 4-13-2001
Facility/Program Representative Signature Date Received Date Completed