



Protecting, Maintaining and Improving the Health of All Minnesotans

Electronically delivered

September 19, 2022

Administrator
New Journey Residence
303 Hat Trick Avenue
Eveleth, MN 55734

RE: Project Number(s) SL20846015

Dear Administrator:

On August 30, 2022, the Minnesota Department of Health completed a follow-up evaluation of your facility to determine correction of orders found on the evaluation completed on June 9, 2022. This follow-up evaluation determined your facility had not corrected all of the state licensing orders issued pursuant to the June 9, 2022 evaluation.

In accordance with Minn. Stat. § 144G.31 Subd. 4 (a), state licensing orders issued pursuant to the last evaluation completed on June 9, 2022, found not corrected at the time of the August 30, 2022, follow-up evaluation and/or subject to penalty assessment are as follows:

0800-Fire Protection And Physical Environment-144g.45 Subd. 2 (a) (4) = \$500

The details of the violations noted at the time of this follow-up evaluation completed on August 30, 2022 (listed above), are on the attached State Form. Brackets around the ID Prefix Tag in the left hand column, e.g., {2 ----} will identify the uncorrected tags.

Therefore, in accordance with Minn. Stat. §§ 144G.01 to 144G.9999, **the total amount you are assessed is \$500**. You will be invoiced after 15 days of the receipt of this notice, subject to appeal.

DOCUMENTATION OF ACTION TO COMPLY

In accordance with Minn. Stat. § 144G.30, Subd. 5(c), by the correction order date, the licensee must document in the provider's records any action taken to comply with the correction order by the correction order date. The commissioner may request a copy of this documentation and the assisted living facility's action to respond to the correction orders in future evaluations, upon a complaint investigation, and as otherwise needed.

IMPOSITION OF FINES:

Level 1: no fines or enforcement.

Level 2: a fine of \$500 per violation, in addition to any enforcement mechanism authorized in §144G.20 for widespread violations;

Level 3: a fine of \$3,000 per violation per incident, in addition to any enforcement mechanism authorized in §144G.20.

Level 4: a fine of \$5,000 per incident, in addition to any enforcement mechanism authorized in §144G.20.

CORRECTION ORDER RECONSIDERATION PROCESS

In accordance with Minn. Stat. § 144G.32, Subd. 2, you have one opportunity to challenge the correction order issued, including the level and scope, and any fine assessed through the correction order reconsideration process. This written request must be received by the Department of Health within 15 calendar days of the correction order receipt date. Please send your written request via email to the following:

Reconsideration Unit
Health Regulation Division
Minnesota Department of Health
P.O. Box 64970
85 East Seventh Place
St. Paul, MN 55164-0970
Health.HRD.Appeals@state.mn.us

REQUESTING A HEARING

Alternatively, in accordance with Minn. Stat. § 144G.31, Subd. 5(d), an assisted living provider that has been assessed a fine under this subdivision has a right to a reconsideration or a hearing under this section and chapter 14. Pursuant to Minn. Stat. § 144G.20, Subd. 14 and Subd. 18, a request for a hearing must be in writing and received by the Department of Health within 15 business days of the correction order receipt date. Requests for hearing may be emailed to **Health.HRD.Appeals@state.mn.us**.

To appeal fines via reconsideration, please follow the procedure outlined above. Please note that you may request a reconsideration **or** a hearing, but not both.

We urge you to review these orders carefully. If you have questions, please contact Jessie Chenze at 218-332-5175.

Please note, it is your responsibility to share the information contained in this letter and the results of this visit with the President of your facility's Governing Body.

Sincerely,

A handwritten signature in black ink that reads "Jessica Chenze". The script is cursive and fluid, with the first name "Jessica" and last name "Chenze" clearly legible.

Jessie Chenze, RN, BSN
Interim HFE Supervisor 1 | State Evaluations Team
Health Regulation Division
85 East Seventh Place, Suite 220
P.O. Box 3879
St. Paul, MN 55101-3879
Office: 218-332-5175 | Mobile: 651-508-2791 | Fax: 218-332-5196

PMB

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED R 08/30/2022
NAME OF PROVIDER OR SUPPLIER NEW JOURNEY RESIDENCE		STREET ADDRESS, CITY, STATE, ZIP CODE 303 HAT TRICK AVENUE EVELETH, MN 55734		
(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
{0 000}	Initial Comments Initial comments *****ATTENTION***** ASSISTED LIVING PROVIDER LICENSING CORRECTION ORDER In accordance with Minnesota Statutes, section 144G.08 to 144G.95 this correction order(s) has been issued pursuant to a survey. Determination of whether a violation has been corrected requires compliance with all requirements provided at the Statute number indicated below. When Minnesota Statute contains several items, failure to comply with any of the items will be considered lack of compliance. INITIAL COMMENTS: Project # SL20846015 On August 30, 2022, the Minnesota Department of Health conducted a revisit at the above provider to follow-up on orders issued pursuant to a survey completed on June 9, 2022. At the time of the survey, there were 17 residents receiving services under the Assisted Living with Dementia Care license. As a result of the revisit, the following orders were reissued and/or issued.	{0 000}	Minnesota Department of Health is documenting the State Licensing Correction Orders using federal software. Tag numbers have been assigned to Minnesota State Statutes for Home Care/Assisted Living License Providers. The assigned tag number appears in the far-left column entitled "ID Prefix Tag." The state Statute number and the corresponding text of the state Statute out of compliance is listed in the "Summary Statement of Deficiencies" column. This column also includes the findings which are in violation of the state requirement after the statement, "This Minnesota requirement is not met as evidenced by." Following the surveyors' findings is the Time Period for Correction. PLEASE DISREGARD THE HEADING OF THE FOURTH COLUMN WHICH STATES, "PROVIDER'S PLAN OF CORRECTION." THIS APPLIES TO FEDERAL DEFICIENCIES ONLY. THIS WILL APPEAR ON EACH PAGE. THERE IS NO REQUIREMENT TO SUBMIT A PLAN OF CORRECTION FOR VIOLATIONS OF MINNESOTA STATE STATUTES. The letter in the left column is used for tracking purposes and reflects the scope and level issued pursuant to 144A.474 subd. 11 (b) (1) (2) -or- 144G.31 subd. 1, 2 and 3.	

Minnesota Department of Health

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

TITLE

(X6) DATE

Minnesota Department of Health

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{0 470}	Continued From page 1	{0 470}		
{0 470} SS=F	144G.41 Subdivision 1 Minimum requirements (11) develop and implement a staffing plan for determining its staffing level that: (i) includes an evaluation, to be conducted at least twice a year, of the appropriateness of staffing levels in the facility; (ii) ensures sufficient staffing at all times to meet the scheduled and reasonably foreseeable unscheduled needs of each resident as required by the residents' assessments and service plans on a 24-hour per day basis; and (iii) ensures that the facility can respond promptly and effectively to individual resident emergencies and to emergency, life safety, and disaster situations affecting staff or residents in the facility; (12) ensure that one or more persons are available 24 hours per day, seven days per week, who are responsible for responding to the requests of residents for assistance with health or safety needs. Such persons must be: (i) awake; (ii) located in the same building, in an attached building, or on a contiguous campus with the facility in order to respond within a reasonable amount of time; (iii) capable of communicating with residents; (iv) capable of providing or summoning the appropriate assistance; and (v) capable of following directions; This MN Requirement is not met as evidenced by: No further action required.	{0 470}		
{0 510} SS=D	144G.41 Subd. 3 Infection control program (a) All assisted living facilities must establish and maintain an infection control program that	{0 510}		

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{0 510}	Continued From page 2 complies with accepted health care, medical, and nursing standards for infection control. (b)The facility's infection control program must be consistent with current guidelines from the national Centers for Disease Control and Prevention (CDC) for infection prevention and control in long-term care facilities and, as applicable, for infection prevention and control in assisted living facilities. (c) The facility must maintain written evidence of compliance with this subdivision. This MN Requirement is not met as evidenced by: No further action required.	{0 510}		
{0 550} SS=F	144G.41 Subd. 7 Resident grievances; reporting maltreatment All facilities must post in a conspicuous place information about the facilities' grievance procedure, and the name, telephone number, and e-mail contact information for the individuals who are responsible for handling resident grievances. The notice must also have the contact information for the state and applicable regional Office of Ombudsman for Long-Term Care and the Office of Ombudsman for Mental Health and Developmental Disabilities, and must have information for reporting suspected maltreatment to the Minnesota Adult Abuse Reporting Center. This MN Requirement is not met as evidenced by: No further action required.	{0 550}		
{0 680} SS=F	144G.42 Subd. 10 Disaster planning and emergency preparedness	{0 680}		

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{0 680}	Continued From page 3 (a) The facility must meet the following requirements: (1) have a written emergency disaster plan that contains a plan for evacuation, addresses elements of sheltering in place, identifies temporary relocation sites, and details staff assignments in the event of a disaster or an emergency; (2) post an emergency disaster plan prominently; (3) provide building emergency exit diagrams to all residents; (4) post emergency exit diagrams on each floor; and (5) have a written policy and procedure regarding missing tenant residents. (b) The facility must provide emergency and disaster training to all staff during the initial staff orientation and annually thereafter and must make emergency and disaster training annually available to all residents. Staff who have not received emergency and disaster training are allowed to work only when trained staff are also working on site. (c) The facility must meet any additional requirements adopted in rule. This MN Requirement is not met as evidenced by: No further action required.	{0 680}		
{0 800} SS=F	144G.45 Subd. 2 (a) (4) Fire protection and physical environment (4) keep the physical environment, including walls, floors, ceiling, all furnishings, grounds, systems, and equipment in a continuous state of good repair and operation with regard to the health, safety, comfort, and well-being of the	{0 800}		

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{0 800}	Continued From page 4 residents in accordance with a maintenance and repair program. This MN Requirement is not met as evidenced by: Based on observation and interview, the licensee failed to provide the physical environment in a continuous state of good repair and operation with regard to the health, safety, and well-being of the residents. This had the potential to directly affect all residents and staff. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: On August 30, 2022, between 1:00 p.m. and 1:45 p.m., survey staff toured the facility with the executive director (ED)-A and maintenance (M)-G. During the facility tour, survey staff observed that the crank mechanism was broken for the egress window in resident room 2. On August 30, 2022, at approximately 2:00 p.m., M-G confirmed during an interview that this egress window was not operable. No further information was provided. TIME PERIOD FOR CORRECTION: Two (2) days	{0 800}		
{0 900} SS=D	144G.50 Subdivision 1 Contract required	{0 900}		

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{0 900}	Continued From page 5 (a) An assisted living facility may not offer or provide housing or assisted living services to any individual unless it has executed a written contract with the resident. (b) The contract must contain all the terms concerning the provision of: (1) housing; (2) assisted living services, whether provided directly by the facility or by management agreement or other agreement; and (3) the resident's service plan, if applicable. (c) A facility must: (1) offer to prospective residents and provide to the Office of Ombudsman for Long-Term Care a complete unsigned copy of its contract; and (2) give a complete copy of any signed contract and any addendums, and all supporting documents and attachments, to the resident promptly after a contract and any addendum has been signed. (d) A contract under this section is a consumer contract under sections 325G.29 to 325G.37. (e) Before or at the time of execution of the contract, the facility must offer the resident the opportunity to identify a designated representative according to subdivision 3. (f) The resident must agree in writing to any additions or amendments to the contract. Upon agreement between the resident and the facility, a new contract or an addendum to the existing contract must be executed and signed. This MN Requirement is not met as evidenced by: No further action required.	{0 900}		

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{0 900}	Continued From page 6	{0 900}		
{01470} SS=F	144G.63 Subd. 2 Content of required orientation (a) The orientation must contain the following topics: (1) an overview of this chapter; (2) an introduction and review of the facility's policies and procedures related to the provision of assisted living services by the individual staff person; (3) handling of emergencies and use of emergency services; (4) compliance with and reporting of the maltreatment of vulnerable adults under section 626.557 to the Minnesota Adult Abuse Reporting Center (MAARC); (5) the assisted living bill of rights and staff responsibilities related to ensuring the exercise and protection of those rights; (6) the principles of person-centered planning and service delivery and how they apply to direct support services provided by the staff person; (7) handling of residents' complaints, reporting of complaints, and where to report complaints, including information on the Office of Health Facility Complaints; (8) consumer advocacy services of the Office of Ombudsman for Long-Term Care, Office of Ombudsman for Mental Health and Developmental Disabilities, Managed Care Ombudsman at the Department of Human Services, county-managed care advocates, or other relevant advocacy services; and (9) a review of the types of assisted living services the employee will be providing and the facility's category of licensure. (b) In addition to the topics in paragraph (a), orientation may also contain training on providing	{01470}		

Minnesota Department of Health

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{01470}	Continued From page 7 services to residents with hearing loss. Any training on hearing loss provided under this subdivision must be high quality and research based, may include online training, and must include training on one or more of the following topics: (1) an explanation of age-related hearing loss and how it manifests itself, its prevalence, and the challenges it poses to communication; (2) health impacts related to untreated age-related hearing loss, such as increased incidence of dementia, falls, hospitalizations, isolation, and depression; or (3) information about strategies and technology that may enhance communication and involvement, including communication strategies, assistive listening devices, hearing aids, visual and tactile alerting devices, communication access in real time, and closed captions. This MN Requirement is not met as evidenced by: No further action required.	{01470}		
{01640} SS=D	144G.70 Subd. 4 (a-e) Service plan, implementation and revisions to (a) No later than 14 calendar days after the date that services are first provided, an assisted living facility shall finalize a current written service plan. (b) The service plan and any revisions must include a signature or other authentication by the facility and by the resident documenting agreement on the services to be provided. The service plan must be revised, if needed, based on resident reassessment under subdivision 2. The facility must provide information to the resident about changes to the facility's fee for services	{01640}		

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{01640}	Continued From page 8 and how to contact the Office of Ombudsman for Long-Term Care. (c) The facility must implement and provide all services required by the current service plan. (d) The service plan and the revised service plan must be entered into the resident record, including notice of a change in a resident's fees when applicable. (e) Staff providing services must be informed of the current written service plan. This MN Requirement is not met as evidenced by: No further action required.	{01640}		
{01650} SS=F	144G.70 Subd. 4 (f) Service plan, implementation and revisions to (f) The service plan must include: (1) a description of the services to be provided, the fees for services, and the frequency of each service, according to the resident's current assessment and resident preferences; (2) the identification of staff or categories of staff who will provide the services; (3) the schedule and methods of monitoring assessments of the resident; (4) the schedule and methods of monitoring staff providing services; and (5) a contingency plan that includes: (i) the action to be taken if the scheduled service cannot be provided; (ii) information and a method to contact the facility; (iii) the names and contact information of persons the resident wishes to have notified in an emergency or if there is a significant adverse change in the resident's condition, including	{01650}		

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{01650}	Continued From page 9 identification of and information as to who has authority to sign for the resident in an emergency; and (iv) the circumstances in which emergency medical services are not to be summoned consistent with chapters 145B and 145C, and declarations made by the resident under those chapters. This MN Requirement is not met as evidenced by: No further action required.	{01650}		
{01790} SS=F	144G.71 Subd. 10 Medication management for residents who will (2) for unplanned time away, when the pharmacy is not able to provide the medications, a licensed nurse or unlicensed personnel shall provide medications in amounts and dosages needed for the length of the anticipated absence, not to exceed seven calendar days; (3) the resident must be provided written information on medications, including any special instructions for administering or handling the medications, including controlled substances; and (4) the medications must be placed in a medication container or containers appropriate to the provider's medication system and must be labeled with the resident's name and the dates and times that the medications are scheduled. (b) For unplanned time away when the licensed nurse is not available, the registered nurse may delegate this task to unlicensed personnel if: (1) the registered nurse has trained the unlicensed staff and determined the unlicensed staff is competent to follow the procedures for giving medications to residents; and (2) the registered nurse has developed written	{01790}		

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{01790}	Continued From page 10 procedures for the unlicensed personnel, including any special instructions or procedures regarding controlled substances that are prescribed for the resident. The procedures must address: (i) the type of container or containers to be used for the medications appropriate to the provider's medication system; (ii) how the container or containers must be labeled; (iii) written information about the medications to be provided; (iv) how the unlicensed staff must document in the resident's record that medications have been provided, including documenting the date the medications were provided and who received the medications, the person who provided the medications to the resident, the number of medications that were provided to the resident, and other required information; (v) how the registered nurse shall be notified that medications have been provided and whether the registered nurse needs to be contacted before the medications are given to the resident or the designated representative; (vi) a review by the registered nurse of the completion of this task to verify that this task was completed accurately by the unlicensed personnel; and (vii) how the unlicensed personnel must document in the resident's record any unused medications that are returned to the facility, including the name of each medication and the doses of each returned medication. This MN Requirement is not met as evidenced by: No further action required.	{01790}		

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{01820}	Continued From page 11	{01820}			
{01820} SS=D	144G.71 Subd. 13 Prescriptions There must be a current written or electronically recorded prescription as defined in section 151.01, subdivision 16a, for all prescribed medications that the assisted living facility is managing for the resident. This MN Requirement is not met as evidenced by: No further action required.	{01820}			
{01830} SS=D	144G.71 Subd. 14 Renewal of prescriptions Prescriptions must be renewed at least every 12 months or more frequently as indicated by the assessment in subdivision 2. Prescriptions for controlled substances must comply with chapter 152. This MN Requirement is not met as evidenced by: No further action required.	{01830}			
{01890} SS=E	144G.71 Subd. 20 Prescription drugs A prescription drug, prior to being set up for immediate or later administration, must be kept in the original container in which it was dispensed by the pharmacy bearing the original prescription label with legible information including the expiration or beyond-use date of a time-dated drug. This MN Requirement is not met as evidenced by: No further action required.	{01890}			

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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
{01940}	Continued From page 12	{01940}			
{01940} SS=D	144G.72 Subd. 3 Individualized treatment or therapy managemen For each resident receiving management of ordered or prescribed treatments or therapy services, the assisted living facility must prepare and include in the service plan a written statement of the treatment or therapy services that will be provided to the resident. The facility must also develop and maintain a current individualized treatment and therapy management record for each resident which must contain at least the following: (1) a statement of the type of services that will be provided; (2) documentation of specific resident instructions relating to the treatments or therapy administration; (3) identification of treatment or therapy tasks that will be delegated to unlicensed personnel; (4) procedures for notifying a registered nurse or appropriate licensed health professional when a problem arises with treatments or therapy services; and (5) any resident-specific requirements relating to documentation of treatment and therapy received, verification that all treatment and therapy was administered as prescribed, and monitoring of treatment or therapy to prevent possible complications or adverse reactions. The treatment or therapy management record must be current and updated when there are any changes. This MN Requirement is not met as evidenced by: No further action required.	{01940}			

Minnesota Department of Health

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{02110}	Continued From page 13	{02110}		
{02110} SS=F	144G.82 Subd. 3 Policies (a) In addition to the policies and procedures required in the licensing of all facilities, the assisted living facility with dementia care licensee must develop and implement policies and procedures that address the: (1) philosophy of how services are provided based upon the assisted living facility licensee's values, mission, and promotion of person-centered care and how the philosophy shall be implemented; (2) evaluation of behavioral symptoms and design of supports for intervention plans, including nonpharmacological practices that are person-centered and evidence-informed; (3) wandering and egress prevention that provides detailed instructions to staff in the event a resident elopes; (4) medication management, including an assessment of residents for the use and effects of medications, including psychotropic medications; (5) staff training specific to dementia care; (6) description of life enrichment programs and how activities are implemented; (7) description of family support programs and efforts to keep the family engaged; (8) limiting the use of public address and intercom systems for emergencies and evacuation drills only; (9) transportation coordination and assistance to and from outside medical appointments; and (10) safekeeping of residents' possessions. (b) The policies and procedures must be provided to residents and the residents' legal and designated representatives at the time of move-in.	{02110}		

Minnesota Department of Health

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{02110}	Continued From page 14 This MN Requirement is not met as evidenced by: No further action required.	{02110}			
{02170} SS=F	144G.84 SERVICES FOR RESIDENTS WITH DEMENTIA (b) Each resident must be evaluated for activities according to the licensing rules of the facility. In addition, the evaluation must address the following: (1) past and current interests; (2) current abilities and skills; (3) emotional and social needs and patterns; (4) physical abilities and limitations; (5) adaptations necessary for the resident to participate; and (6) identification of activities for behavioral interventions. (c) An individualized activity plan must be developed for each resident based on their activity evaluation. The plan must reflect the resident's activity preferences and needs. (d) A selection of daily structured and non-structured activities must be provided and included on the resident's activity service or care plan as appropriate. Daily activity options based on resident evaluation may include but are not limited to: (1) occupation or chore related tasks; (2) scheduled and planned events such as entertainment or outings; (3) spontaneous activities for enjoyment or those that may help defuse a behavior; (4) one-to-one activities that encourage positive relationships between residents and staff such as telling a life story, reminiscing, or playing music; (5) spiritual, creative, and intellectual activities; (6) sensory stimulation activities;	{02170}			

Minnesota Department of Health

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{02170}	Continued From page 15 (7) physical activities that enhance or maintain a resident's ability to ambulate or move; and (8) outdoor activities. This MN Requirement is not met as evidenced by: No further action required.	{02170}		
{02350} SS=D	144G.91 Subd. 7 Courteous treatment Residents have the right to be treated with courtesy and respect, and to have the resident's property treated with respect. This MN Requirement is not met as evidenced by: No further action required.	{02350}		



Protecting, Maintaining and Improving the Health of All Minnesotans

Electronically Delivered

July 6, 2022

Administrator
New Journey Residence
303 Hat Trick Avenue
Eveleth, MN 55734

RE: Project Number(s) SL20846015

Dear Administrator:

The Minnesota Department of Health completed an evaluation on June 9, 2022, for the purpose of evaluating and assessing compliance with state licensing statutes. At the time of the evaluation, the Minnesota Department of Health noted violations of the laws pursuant to Minnesota Statute, Chapter 144G, Minnesota Food Code, Minnesota Rules Chapter 4626, Minnesota Statute 626.5572 and/or Minnesota Statute Chapter 260E.

The enclosed State Form documents the state licensing orders. The Department of Health documents state licensing correction orders using federal software. Tag numbers are assigned to Minnesota state statutes for Assisted Living Facilities. The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state statute number and the corresponding text of the state statute out of compliance are listed in the "Summary Statement of Deficiencies" column. This column also includes the findings that are in violation of the state statute after the statement, "This MN Requirement is not met as evidenced by . . ."

IMPOSITION OF FINES

In accordance with Minn. Stat. § 144G.31, Subd. 4, fines and enforcement actions may be imposed based on the level and scope of the violations and imposed immediately with no opportunity to correct the violation first as follows:

Level 1: no fines or enforcement.

Level 2: a fine of \$500 per violation, in addition to any enforcement mechanism authorized in § 144G.20 for widespread violations;

Level 3: a fine of \$3,000 per violation per incident, in addition to any enforcement mechanism authorized in § 144G.20.

Level 4: a fine of \$5,000 per incident, in addition to any enforcement mechanism authorized in § 144G.20.

In accordance with Minn. Stat. § 144G.20, Subd. 4 (a)(5), the Department of Health imposes fine amounts of either \$1,000 or \$5,000 to licensees who are found to be responsible for maltreatment. The Department of Health imposes a fine of \$1,000 for each substantiated maltreatment violation

that consists of abuse, neglect, or financial exploitation according to Minn. Stat. § 626.5572, Subds. 2, 9, 17. The Department of Health also may impose a fine of \$5,000 for each substantiated maltreatment violation consisting of sexual assault, death, or abuse resulting in serious injury.

In accordance with Minn. Stat. § 144G.31, Subd. 4 (a)(5)(b), when a fine is assessed against a facility for substantiated maltreatment, the commissioner shall not also impose an immediate fine under this chapter for the same circumstance.

Therefore, in accordance with Minn. Stat. §§ 144G.01 to 144G.9999, the following fines are assessed pursuant to this evaluation:

St - 0 - 0800 - 144g.45 Subd. 2 (a) (4) - Fire Protection And Physical Environment = \$3,000

The total amount you are assessed is \$3,000. You will be invoiced after 15 days of the receipt of this notice, subject to appeal.

DOCUMENTATION OF ACTION TO COMPLY

Per Minn. Stat. § 144G.30, Subd. 5(c), the licensee must document any action taken to comply with the correction order by the correction order date. A copy of the provider's records documenting those actions may be requested for follow-up evaluations. The licensee is not required to submit a plan of correction for approval.

The correction order documentation should include the following:

- Identify how the area(s) of noncompliance was corrected related to the resident(s)/employee(s) identified in the correction order.
- Identify how the area(s) of noncompliance was corrected for all of the provider's resident(s)/employees that may be affected by the noncompliance.
- Identify what changes to your systems and practices were made to ensure compliance with the specific statute(s).

CORRECTION ORDER RECONSIDERATION PROCESS

In accordance with Minn. Stat. § 144G.32, Subd. 2, you may challenge the correction order issued, including the level and scope, and any fine assessed through the correction order reconsideration process. The request for reconsideration must be in writing and received by the Department of Health within 15 calendar days of the correction order receipt date.

A state licensing order under Minn. Stat. § 144G.91, Subd. 8, Free from Maltreatment is associated with a maltreatment determination by the Office of Health Facility Complaints. If maltreatment is substantiated, you will receive a separate letter with the reconsideration process under Minn. Stat. § 626.557. Please email general reconsideration requests to: **Health.HRD.Appeals@state.mn.us**.

Please address your cover letter for general reconsideration requests to:

Free from Maltreatment reconsideration requests should be addressed to:

Reconsideration Unit
Health Regulation Division
Minnesota Department of Health
P.O. Box 64970
85 East Seventh Place
St. Paul, MN 55164-0970

Reconsideration Unit
Health Regulation Division
Minnesota Department of Health
P.O. Box 64970
85 East Seventh Place
St. Paul, MN 55164-0970

REQUESTING A HEARING

Alternatively, in accordance with Minn. Stat. § 144G.31, Subd. 5(d), an assisted living provider that has been assessed a fine under this subdivision has a right to a reconsideration or a hearing under this section and chapter 14. Pursuant to Minn. Stat. § 144G.20, Subd. 14 and Subd. 18, a request for a hearing must be in writing and received by the Department of Health within 15 business days of the correction order receipt date. Requests for hearing may be emailed to

Health.HRD.Appeals@state.mn.us.

To appeal fines via reconsideration, please follow the procedure outlined above. Please note that you may request a reconsideration **or** a hearing, but not both.

You are encouraged to retain this document for your records. It is your responsibility to share the information contained in this letter and the results of this visit with the President of your organization's Governing Body. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Jessica Chenze". The signature is written in a cursive, flowing style.

Jessie Chenze, RN, BSN
Interim HFE Supervisor 1 | State Evaluations Team
Health Regulation Division
85 East Seventh Place, Suite 220
P.O. Box 3879
St. Paul, MN 55101-3879
Office: 218-332-51751 | Mobile: 651-508-2791 | Fax: 218-332-5196

PMB

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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0 000	Initial Comments Initial comments *****ATTENTION***** ASSISTED LIVING PROVIDER LICENSING CORRECTION ORDER(S) In accordance with Minnesota Statutes, section 144G.08 to 144G.95, these correction orders are issued pursuant to a survey. Determination of whether violations are corrected requires compliance with all requirements provided at the Statute number indicated below. When Minnesota Statute contains several items, failure to comply with any of the items will be considered lack of compliance. INITIAL COMMENTS: SL#20846015 On, June 6, 2022, through June 9, 2022, the Minnesota Department of Health conducted a survey at the above provider, and the following correction orders are issued. At the time of the survey, there were 16 residents, all of whom were receiving services under the provider's Assisted Living with Dementia Care license. On June 9, 2022, an immediate correction order was identified for SL20846015, tag identification 0800 and was issued to the licensee on June 10, 2022. The immediate correction order tag identification 0800, identified June 9, 2022, has been corrected as of June 10, 2022. No further action required.	0 000	Minnesota Department of Health is documenting the State Licensing Correction Orders using federal software. Tag numbers have been assigned to Minnesota State Statutes for Assisted Living License Providers. The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state Statute number and the corresponding text of the state Statute out of compliance is listed in the "Summary Statement of Deficiencies" column. This column also includes the findings which are in violation of the state requirement after the statement, "This Minnesota requirement is not met as evidenced by." Following the surveyors' findings is the Time Period for Correction. PLEASE DISREGARD THE HEADING OF THE FOURTH COLUMN WHICH STATES,"PROVIDER'S PLAN OF CORRECTION." THIS APPLIES TO FEDERAL DEFICIENCIES ONLY. THIS WILL APPEAR ON EACH PAGE. THERE IS NO REQUIREMENT TO SUBMIT A PLAN OF CORRECTION FOR VIOLATIONS OF MINNESOTA STATE STATUTES. The letter in the left column is used for tracking purposes and reflects the scope and level issued pursuant to 144G.31 subd. 1, 2, and 3.	

Minnesota Department of Health

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

TITLE

(X6) DATE

Minnesota Department of Health

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0 470	Continued From page 1	0 470		
0 470 SS=F	144G.41 Subdivision 1 Minimum requirements (11) develop and implement a staffing plan for determining its staffing level that: (i) includes an evaluation, to be conducted at least twice a year, of the appropriateness of staffing levels in the facility; (ii) ensures sufficient staffing at all times to meet the scheduled and reasonably foreseeable unscheduled needs of each resident as required by the residents' assessments and service plans on a 24-hour per day basis; and (iii) ensures that the facility can respond promptly and effectively to individual resident emergencies and to emergency, life safety, and disaster situations affecting staff or residents in the facility; (12) ensure that one or more persons are available 24 hours per day, seven days per week, who are responsible for responding to the requests of residents for assistance with health or safety needs. Such persons must be: (i) awake; (ii) located in the same building, in an attached building, or on a contiguous campus with the facility in order to respond within a reasonable amount of time; (iii) capable of communicating with residents; (iv) capable of providing or summoning the appropriate assistance; and (v) capable of following directions; This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the required staffing plan was developed, implemented, and evaluated for appropriateness of staffing levels as required. This had the potential to affect all 16 current residents, staff, and visitors.	0 470		

Minnesota Department of Health

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0 470	Continued From page 2 This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents The findings include: The licensee held an assisted living facility licensed for a capacity of 20 residents and had a current census of 16 residents. During entrance conference on June 6, 2022, at approximately 10:50 a.m., executive director (ED)-A stated the licensee's registered nurse (RN) had developed a staffing plan which was reviewed a minimal of twice a year. On June 7, 2022, at approximately 4:30 p.m., RN-B stated she had not developed or implemented a staffing plan to determine staffing hours based on resident care needs. The licensee's undated Staffing Plan Policy indicated the Clinical Director (RN) would review service hours for all current service agreements biannually (June and January). The total service hours represented in service agreements would be correlated with the total of staff hours to ensure adequate staff was being scheduled to care for resident scheduled needs. In addition, the Clinical Nurse Supervisor, effective August 1, 2021, would approve that staff schedule that was posted for the two-week period. No further information was provided.	0 470		

Minnesota Department of Health

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0 470	Continued From page 3 TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 470		
0 510 SS=D	144G.41 Subd. 3 Infection control program (a) All assisted living facilities must establish and maintain an infection control program that complies with accepted health care, medical, and nursing standards for infection control. (b) The facility's infection control program must be consistent with current guidelines from the national Centers for Disease Control and Prevention (CDC) for infection prevention and control in long-term care facilities and, as applicable, for infection prevention and control in assisted living facilities. (c) The facility must maintain written evidence of compliance with this subdivision. This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to ensure infection control standards were followed for two of two unlicensed personnel (ULP-D, ULP-E), during toileting assistance and for one of one licensed practical nurse (LPN)-H, during catheter cares. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death) and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The findings include:	0 510		

Minnesota Department of Health

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0 510	Continued From page 4 R2's diagnoses included Alzheimer's, asthma, dementia, cerebrovascular disease (a group of conditions that affect blood flow), and enlarged prostate. R2's Service Plan dated May 10, 2022, indicated R2 received services including assistance with medications, bathing, grooming, dressing, catheter cares, toileting, transferring, housekeeping and laundry. On June 6, 2022, at approximately 3:41 p.m., R2 was observed sitting in his recliner chair in his room and his foley catheter drainage bag was directly laying on the floor. ULP-E and ULP-D donned (put on) gloves, applied gait belt around R2's waist, pulled down R2's pants, removed R2's incontinent brief and transferred R2 onto the commode. Wearing the same pair of gloves, ULP-E touched her surgical grade mask, eye protection, and grabbed a new incontinent brief for R2. R2's foley catheter drainage bag remained directly laying on the floor while R2 was sitting on the commode. ULP-D placed R2's catheter drainage bag into a blue colored cloth bag and placed back onto the floor. Without performing hand hygiene and wearing the same pair of gloves, ULP-D and ULP-E assisted R2 into a standing position, ULP-E provided toileting cares, put a new incontinent brief on R2, pulled up his pants, and transferred R2 into the wheelchair. ULP-D attached the covered foley catheter bag onto the wheelchair and placed a wedged cushion underneath R2's left arm. ULP-D removed gloves, removed the plastic trash bag from the garbage can, exited R2's room, placed the garbage bag into the dirty bin, and washed hands. ULP-E emptied the commode into the toilet, removed gloves and without performing	0 510		

Minnesota Department of Health

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0 510	Continued From page 5 hand hygiene, assisted R2 to the dining room table. Without performing hand hygiene, ULP-E entered R7's room and assisted R7 to the dining room table for supper. On June 6, 2022, at approximately 3:59 p.m., ULP-E stated she did not realize she had not changed gloves or performed hand hygiene in-between or after providing toileting assistance for R2 and confirmed she should have changed gloves and performed hand hygiene. On June 7, at approximately 12:59 p.m., licensed practical nurse (LPN)-H was observed providing catheter cares for R2. LPN-H drained R2's urinary drainage bag into a graduate, emptied urine into toilet, removed gloves, did not perform hand hygiene, exited R2's room and recorded R2's urinary output into the electronic medical record (EMR). LPN-H proceeded to assist residents who were sitting in the main dining room. On June 7, 2022, at approximately 1:04 p.m., LPN-H confirmed she did not wash her hands after assisting R2 with catheter cares. LPN-H went to the sink and washed her hands. On June 7, 2022, at approximately 4:30 p.m., registered nurse (RN)-B stated R2's foley catheter drainage bag should not have been placed directly on the floor and further stated the concern would be an increased risk of infection, and cross-contamination. RN-B stated staff should perform hand hygiene in between glove changes and gloves should be changed after providing toileting assistance along with hand hygiene. The licensee's undated Hand Washing Policy	0 510		

Minnesota Department of Health

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0 510	Continued From page 6 indicated hand washing should be completed after the changing diapers or cleaning up after someone who had used the toilet to prevent cross-contamination. In addition, the policy further indicated after conducting a procedure requiring the use of gloves, proper hand hygiene should be completed before donning gloves and after removing gloves. No further information was provided. TIME PERIOD CORRECTION: Seven (7) days	0 510		
0 550 SS=F	144G.41 Subd. 7 Resident grievances; reporting maltreatment All facilities must post in a conspicuous place information about the facilities' grievance procedure, and the name, telephone number, and e-mail contact information for the individuals who are responsible for handling resident grievances. The notice must also have the contact information for the state and applicable regional Office of Ombudsman for Long-Term Care and the Office of Ombudsman for Mental Health and Developmental Disabilities, and must have information for reporting suspected maltreatment to the Minnesota Adult Abuse Reporting Center. This MN Requirement is not met as evidenced by: Based on observation and interview, the licensee failed to post the required information related to the grievance procedure to include the email contact information for the individuals who are responsible for handling grievances. This had the potential to affect all current residents, staff, and visitors.	0 550		

Minnesota Department of Health

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0 550	Continued From page 7 This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: During a facility tour on June 6, 2022, at 12:01 p.m., with executive director (ED)-A, ED-A confirmed the main entrance and/or common areas lacked the required posting of the grievance procedure to include the e-mail contact information for the individuals who are responsible for handling resident grievances. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	0 550		
0 680 SS=F	144G.42 Subd. 10 Disaster planning and emergency preparedness (a) The facility must meet the following requirements: (1) have a written emergency disaster plan that contains a plan for evacuation, addresses elements of sheltering in place, identifies temporary relocation sites, and details staff assignments in the event of a disaster or an emergency; (2) post an emergency disaster plan prominently; (3) provide building emergency exit diagrams to all residents;	0 680		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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0 680	Continued From page 8 (4) post emergency exit diagrams on each floor; and (5) have a written policy and procedure regarding missing tenant residents. (b) The facility must provide emergency and disaster training to all staff during the initial staff orientation and annually thereafter and must make emergency and disaster training annually available to all residents. Staff who have not received emergency and disaster training are allowed to work only when trained staff are also working on site. (c) The facility must meet any additional requirements adopted in rule. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to develop and post a written emergency disaster plan with all the required content. This had the potential to affect all 16 residents. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: During entrance conference on June 6, 2022, at approximately 10:50 a.m., the surveyor made a request to view the licensee's emergency preparedness plan, which was provided and later reviewed by the surveyor.	0 680		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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0 680	Continued From page 9 The licensee's emergency preparedness plan (EPP) lacked the following required content: - a description of the facilities approach to meeting the health/safety/security needs of the staff and residents; - a thoroughly completed risk assessment; - a description of the population served by the licensee; - development of policies/procedures to address: - subsistence needs for staff and residents during an emergency; - evacuation plan; - shelter in place; - development of arrangements with other facilities and providers to receive residents if needed; and - the facilities role in providing care and treatment at alternative sites. - a communication plan that included: - arrangement with other facilities; - names and contact information for staff, resident physicians, other facilities; - contact information for federal, state, tribal, local EP staff, ombudsman; and - a means to provide information regarding the facility's needs, and its ability to provide assistance to include information about their occupancy. On June 8, 2022, at approximately ED-A stated she was responsible for developing and maintaining an EPP. ED-A stated she had been working on developing an EPP and confirmed she had not fully developed an EPP that was specific to the licensee and met all the required content. ED-A further stated the licensee's staff and/or residents had not participated in any table-top or community wide exercises. No further information was provided.	0 680		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____		(X3) DATE SURVEY COMPLETED 06/09/2022
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0 680	Continued From page 10 TIME PERIOD FOR CORRECTION: Twenty-One (21) days	0 680			
0 800 SS=I	144G.45 Subd. 2 (a) (4) Fire protection and physical environment (4) keep the physical environment, including walls, floors, ceiling, all furnishings, grounds, systems, and equipment in a continuous state of good repair and operation with regard to the health, safety, comfort, and well-being of the residents in accordance with a maintenance and repair program. This MN Requirement is not met as evidenced by: Based on observation and interview, the licensee failed to provide the physical environment in a continuous state of good repair and operation with regard to the health, safety, and well-being of the residents. This had the potential to directly affect all residents and staff. This practice resulted in a level three violation (a violation that harmed a resident's health or safety, not including serious injury, impairment, or death, or a violation that has the potential to lead to serious injury, impairment, or death), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has potential to affect a large portion or all of the residents). The findings include: On June 9, 2022, between 10:30 a.m. and 11:35 a.m., survey staff toured the facility with the executive director (ED)-A and maintenance	0 800			

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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0 800	Continued From page 11 (M)-G. During the facility tour, survey staff observed that the handles on the casement egress windows in resident apartments 11, 17, and 20 were missing. The facility was not sprinkled. During the tour interview, the ED-A and M-G confirmed that the handles had been removed from the egress windows in resident apartments. TIME PERIOD FOR CORRECTION: IMMEDIATE This immediate correction order identified on June 9, 2022 has been corrected as of June 10, 2022. This was confirmed by the physical environment supervisor via plan of correction sent by email from the facility. No further action is required. Based on observation and interview, the licensee failed to provide the physical environment in a continuous state of good repair and operation with regard to the health, safety, and well-being of the residents. This had the potential to directly affect all residents and staff. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: On June 9, 2022, between 10:30 a.m. and 11:35 a.m., survey staff toured the facility with the executive director (ED)-A and maintenance (M)-G. During the facility tour, survey staff observed the following:	0 800		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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0 800	Continued From page 12 1. The door installed for resident room 5 did not have a fire door label. The other resident room doors within the facility were provided with fire labels. In an interview, during the facility tour, the ED-A and M-G confirmed that the door for resident room 5 was different when compared to the other resident room doors. 2. The ESI fire alarm panel did not have an inspection tag. In an interview with M-G during the facility tour, they explained that the panel was only inspected when there were problems with the system and confirmed that there was not an inspection tag on the panel. 3. The evacuation map showed an exit located behind an office door. During the facility tour, this office door was noted as locked. In an interview with the ED-A, at approximately 12:30 p.m., they confirmed that the office door was kept locked and that the map showed an exit in this location. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 800		
0 810 SS=F	144G.45 Subd. 2 (b)-(f) Fire protection and physical environment (b) Each assisted living facility shall develop and maintain fire safety and evacuation plans. The plans shall include but are not limited to: (1) location and number of resident sleeping rooms; (2) employee actions to be taken in the event of a fire or similar emergency; (3) fire protection procedures necessary for residents; and (4) procedures for resident movement,	0 810		

Minnesota Department of Health

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0 810	Continued From page 13 evacuation, or relocation during a fire or similar emergency including the identification of unique or unusual resident needs for movement or evacuation. (c) Employees of assisted living facilities shall receive training on the fire safety and evacuation plans upon hiring and at least twice per year thereafter. (d) Fire safety and evacuation plans shall be readily available at all times within the facility. (e) Residents who are capable of assisting in their own evacuation shall be trained on the proper actions to take in the event of a fire to include movement, evacuation, or relocation. The training shall be made available to residents at least once per year. (f) Evacuation drills are required for employees twice per year per shift with at least one evacuation drill every other month. Evacuation of the residents is not required. Fire alarm system activation is not required to initiate the evacuation drill. This MN Requirement is not met as evidenced by: Based on document review and interview, the licensee failed to provide the required plans and drills for fire safety and evacuation. This had the potential to directly affect all residents and staff. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: On June 9, 2022, at approximately 11:35 a.m.,	0 810		

Minnesota Department of Health

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0 810	Continued From page 14 the executive director (ED)-A and maintenance (M)-G provided documents for review. Documents were reviewed by survey staff on June 9, 2022, between 11:35 a.m. and 12:30 p.m. 1. The fire safety and evacuation plans were not maintained. a. The plans for fire safety and evacuation failed to include the identification of unique or unusual resident needs for movement or evacuation. b. Smoke compartment doors were referenced but locations not identified in the Fire Policy that was included in the 2022 Emergency Preparedness binder. c. A policy and procedure for evacuation in a fire for Willowood Memory Care was included in the maintenance records binder for New Journey Residents Eveleth. 2. Fire drill records were provided. Evacuation drills were completed on 11-10-21, 2-28-22, and 05-17-22. The evacuation drill frequency did not meet the twice per year per shift with at least one evacuation drill every other month frequency requirement. On June 9, 2022, at approximately 12:35 p.m., the ED-A confirmed during an interview that the fire safety and evacuation plans required revision and that the evacuation drill frequency was not met. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	0 810		

Minnesota Department of Health

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0 900	Continued From page 15	0 900		
0 900 SS=D	144G.50 Subdivision 1 Contract required (a) An assisted living facility may not offer or provide housing or assisted living services to any individual unless it has executed a written contract with the resident. (b) The contract must contain all the terms concerning the provision of: (1) housing; (2) assisted living services, whether provided directly by the facility or by management agreement or other agreement; and (3) the resident's service plan, if applicable. (c) A facility must: (1) offer to prospective residents and provide to the Office of Ombudsman for Long-Term Care a complete unsigned copy of its contract; and (2) give a complete copy of any signed contract and any addendums, and all supporting documents and attachments, to the resident promptly after a contract and any addendum has been signed. (d) A contract under this section is a consumer contract under sections 325G.29 to 325G.37. (e) Before or at the time of execution of the contract, the facility must offer the resident the opportunity to identify a designated representative according to subdivision 3. (f) The resident must agree in writing to any additions or amendments to the contract. Upon agreement between the resident and the facility, a new contract or an addendum to the existing contract must be executed and signed.	0 900		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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0 900	Continued From page 16 This MN Requirement is not met as evidenced by: Based on interview, and record review, the licensee failed to execute a written contract with the required content for one of two residents (R5) with records reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The findings include: R5's diagnoses included dementia, depression, hypertension (high blood pressure), and hyperlipidemia (high cholesterol). R5's Service Plan dated May 11, 2022, indicated R5 received services which included assistance with medications, bathing, grooming, dressing, transferring, ambulation, housekeeping and laundry. R5's record included a Resident Agreement signed June 11, 2020. R5's record lacked a written contract with the following required content: (a) An assisted living facility may not offer or provide housing or assisted living services to any individual unless it has executed a written contract with the resident. (b) The contract must contain all the terms concerning the provision of: (1) housing; (2) assisted living services, whether provided directly by the facility or by management agreement or other agreement; and (3) the resident's service plan, if applicable. (c) A facility must:	0 900		

Minnesota Department of Health

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0 900	Continued From page 17 (1) offer to prospective residents and provide to the Office of Ombudsman for Long-Term Care a complete unsigned copy of its contract; and (2) give a complete copy of any signed contract and any addendums, and all supporting documents and attachments, to the resident promptly after a contract and any addendum has been signed. (d) A contract under this section is a consumer contract under sections 325G.29 to 325G.37. (e) Before or at the time of execution of the contract, the facility must offer the resident the opportunity to identify a designated representative according to subdivision 3. (f) The resident must agree in writing to any additions or amendments to the contract. Upon agreement between the resident and the facility, a new contract or an addendum to the existing contract must be executed and signed. On June 7, 2022, at approximately 1:38 p.m., registered nurse (RN)-B confirmed R5's record contained an old contract dated June 11, 2020, and further confirmed R5's record lacked an updated contract which contained all the required content. RN-B stated new contracts were mailed out to resident's families and/or representatives and R5's representative must not have returned R5's new signed contract. RN-B further stated there should be documentation in R5's record when the new contract was mailed out. On June 7, 2022, at approximately 2:53 p.m., RN-B stated R5's record lacked documentation a new contract was mailed to R5's representative or any attempts made by the licensee to obtain the new signed contract from R5's representative. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	0 900		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____		(X3) DATE SURVEY COMPLETED 06/09/2022
NAME OF PROVIDER OR SUPPLIER NEW JOURNEY RESIDENCE			STREET ADDRESS, CITY, STATE, ZIP CODE 303 HAT TRICK AVENUE EVELETH, MN 55734		
(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
01470	Continued From page 18	01470			
01470 SS=F	144G.63 Subd. 2 Content of required orientation (a) The orientation must contain the following topics: (1) an overview of this chapter; (2) an introduction and review of the facility's policies and procedures related to the provision of assisted living services by the individual staff person; (3) handling of emergencies and use of emergency services; (4) compliance with and reporting of the maltreatment of vulnerable adults under section 626.557 to the Minnesota Adult Abuse Reporting Center (MAARC); (5) the assisted living bill of rights and staff responsibilities related to ensuring the exercise and protection of those rights; (6) the principles of person-centered planning and service delivery and how they apply to direct support services provided by the staff person; (7) handling of residents' complaints, reporting of complaints, and where to report complaints, including information on the Office of Health Facility Complaints; (8) consumer advocacy services of the Office of Ombudsman for Long-Term Care, Office of Ombudsman for Mental Health and Developmental Disabilities, Managed Care Ombudsman at the Department of Human Services, county-managed care advocates, or other relevant advocacy services; and (9) a review of the types of assisted living services the employee will be providing and the facility's category of licensure. (b) In addition to the topics in paragraph (a), orientation may also contain training on providing services to residents with hearing loss. Any	01470			

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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01470	Continued From page 19 training on hearing loss provided under this subdivision must be high quality and research based, may include online training, and must include training on one or more of the following topics: (1) an explanation of age-related hearing loss and how it manifests itself, its prevalence, and the challenges it poses to communication; (2) health impacts related to untreated age-related hearing loss, such as increased incidence of dementia, falls, hospitalizations, isolation, and depression; or (3) information about strategies and technology that may enhance communication and involvement, including communication strategies, assistive listening devices, hearing aids, visual and tactile alerting devices, communication access in real time, and closed captions. This MN Requirement is not met as evidenced by: Based on observation, interview and record review, the licensee failed to ensure orientation to assisted living statutes included all the required content for one of two employees registered nurse (RN)-B with records reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety) and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved, or the situation has occurred only occasionally). The findings include: RN-B had a start date of July 18, 2018.	01470		

Minnesota Department of Health

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01470	Continued From page 20 On May 10, 2022, at 8:00 a.m., the surveyor observed ULP-G to administer R1's scheduled morning medications. RN-B's employee records lacked the following required orientation content: - an overview of the 144G statutes; - the principles of person-centered planning and service delivery and how they apply to direct support services provided by the staff person; and - a review of the types of assisted living services the employee will be providing and the facility's category of licensure. On June 8, 2022, at 11:52 a.m., executive director (ED)-A confirmed RN-B's record lacked evidence RN-B completed the above noted orientation as required. The licensee's undated Orientation of Staff Policy indicated all comprehensive assisted living employee must complete the orientation to assisted living requirements before independently providing assisted living services to clients. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	01470		
01640 SS=D	144G.70 Subd. 4 (a-e) Service plan, implementation and revisions to	01640		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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01640	Continued From page 21 (a) No later than 14 calendar days after the date that services are first provided, an assisted living facility shall finalize a current written service plan. (b) The service plan and any revisions must include a signature or other authentication by the facility and by the resident documenting agreement on the services to be provided. The service plan must be revised, if needed, based on resident reassessment under subdivision 2. The facility must provide information to the resident about changes to the facility's fee for services and how to contact the Office of Ombudsman for Long-Term Care. (c) The facility must implement and provide all services required by the current service plan. (d) The service plan and the revised service plan must be entered into the resident record, including notice of a change in a resident's fees when applicable. (e) Staff providing services must be informed of the current written service plan. This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to ensure a service plan was revised to reflect current services provided for one of two residents (R5), with records reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved, or the situation has occurred only occasionally).	01640		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
NAME OF PROVIDER OR SUPPLIER NEW JOURNEY RESIDENCE		STREET ADDRESS, CITY, STATE, ZIP CODE 303 HAT TRICK AVENUE EVELETH, MN 55734		
(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
01640	Continued From page 22 The findings include: On June 6, 2022, at approximately 10:50 a.m., during entrance conference executive director (ED)-A confirmed the licensee provided treatment and therapy services. R5's diagnoses included dementia, depression, hypertension (high blood pressure), and hyperlipidemia (high cholesterol). R5's Service Plan dated May 11, 2022, indicated R5 received services which included assistance with medications, bathing, grooming, dressing, transferring, ambulation, housekeeping and laundry. R5's Service Plan lacked therapy or treatment services to include R5's dressing changes being provided by the licensee. R5's Initial and Quarterly Assessment Tool dated June 1, 2022, indicated R5 had wounds and received wound care. R5's Initial Skin Observation dated June 3, 2022, indicated R5 received wound care to include triple-antibiotic ointment, non-adhesive dressing and gauze wrap to wounds. R5's Medication Administration Record (MAR) dated June 1, 2022, through June 7, 2022, indicated R5 received dressing changes daily to his right and left foot. On June 7, 2022, at approximately 7:46 a.m., the surveyor observed R5's dressing changes to his right and left foot. On June 7, 2022, at approximately 1:38 p.m., registered nurse (RN)-B confirmed R5's Service	01640		

Minnesota Department of Health

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NAME OF PROVIDER OR SUPPLIER NEW JOURNEY RESIDENCE		STREET ADDRESS, CITY, STATE, ZIP CODE 303 HAT TRICK AVENUE EVELETH, MN 55734		
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01640	Continued From page 23 Plan had not been updated to include R5's wound care treatments. RN-B stated resident Service Plans should be updated when there was a change in resident services and fees. The licensee's undated Service Plan Modification policy, indicated if the service plan or agreement must be modified due to a change in a prescriber's order or a change in the client's needs, the form Modification to the Service Agreement must be completed. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	01640		
01650 SS=F	144G.70 Subd. 4 (f) Service plan, implementation and revisions to (f) The service plan must include: (1) a description of the services to be provided, the fees for services, and the frequency of each service, according to the resident's current assessment and resident preferences; (2) the identification of staff or categories of staff who will provide the services; (3) the schedule and methods of monitoring assessments of the resident; (4) the schedule and methods of monitoring staff providing services; and (5) a contingency plan that includes: (i) the action to be taken if the scheduled service cannot be provided; (ii) information and a method to contact the facility; (iii) the names and contact information of persons the resident wishes to have notified in an emergency or if there is a significant adverse	01650		

Minnesota Department of Health

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NAME OF PROVIDER OR SUPPLIER NEW JOURNEY RESIDENCE		STREET ADDRESS, CITY, STATE, ZIP CODE 303 HAT TRICK AVENUE EVELETH, MN 55734		
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01650	Continued From page 24 change in the resident's condition, including identification of and information as to who has authority to sign for the resident in an emergency; and (iv) the circumstances in which emergency medical services are not to be summoned consistent with chapters 145B and 145C, and declarations made by the resident under those chapters. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure service plans included the required content for two of two residents (R2, R5) with records reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents) The findings include: On June 6, 2022, at approximately 10:50 a.m., during entrance conference executive director (ED)-A confirmed the service plan was a template and used for all residents. R2 R2's diagnoses included Alzheimer's, asthma, dementia, cerebrovascular disease (a group of conditions that affect blood flow), and enlarged prostate. R2's Service Plan dated May 10, 2022, indicated	01650		

Minnesota Department of Health

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01650	Continued From page 25 R2 received services including assistance with medications, bathing, grooming, dressing, catheter cares, toileting, transferring, housekeeping and laundry; however, R1's Service Plan lacked the following required content: -the schedule and methods of monitoring staff providing services. R5 R5's diagnoses included dementia, depression, hypertension (high blood pressure), and hyperlipidemia (high cholesterol). R5's Service Plan dated May 11, 2022, indicated R5 received services including assistance with medications, bathing, grooming, dressing, transferring, ambulation, housekeeping and laundry; however, R5's Service Plan lacked the following required content: - the schedule and methods of monitoring staff providing services. On June 7, 2022, at approximately 3:42 p.m., Executive Director (ED)-A confirmed the service plans did not include the schedule and methods of monitoring staff providing services and planned on adding it to the service plans. The undated licensee's Service Plan policy indicated the Service Plan would include a schedule and method for the next planned monitoring of staff providing services. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-one (21) days	01650		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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01790	Continued From page 26	01790		
01790 SS=F	144G.71 Subd. 10 Medication management for residents who will (2) for unplanned time away, when the pharmacy is not able to provide the medications, a licensed nurse or unlicensed personnel shall provide medications in amounts and dosages needed for the length of the anticipated absence, not to exceed seven calendar days; (3) the resident must be provided written information on medications, including any special instructions for administering or handling the medications, including controlled substances; and (4) the medications must be placed in a medication container or containers appropriate to the provider's medication system and must be labeled with the resident's name and the dates and times that the medications are scheduled. (b) For unplanned time away when the licensed nurse is not available, the registered nurse may delegate this task to unlicensed personnel if: (1) the registered nurse has trained the unlicensed staff and determined the unlicensed staff is competent to follow the procedures for giving medications to residents; and (2) the registered nurse has developed written procedures for the unlicensed personnel, including any special instructions or procedures regarding controlled substances that are prescribed for the resident. The procedures must address: (i) the type of container or containers to be used for the medications appropriate to the provider's medication system; (ii) how the container or containers must be labeled; (iii) written information about the medications to be provided; (iv) how the unlicensed staff must document in	01790		

Minnesota Department of Health

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01790	Continued From page 27 the resident's record that medications have been provided, including documenting the date the medications were provided and who received the medications, the person who provided the medications to the resident, the number of medications that were provided to the resident, and other required information; (v) how the registered nurse shall be notified that medications have been provided and whether the registered nurse needs to be contacted before the medications are given to the resident or the designated representative; (vi) a review by the registered nurse of the completion of this task to verify that this task was completed accurately by the unlicensed personnel; and (vii) how the unlicensed personnel must document in the resident's record any unused medications that are returned to the facility, including the name of each medication and the doses of each returned medication. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the registered nurse (RN) developed written procedures for the unlicensed personnel (ULP) providing medications for residents having unplanned time away when the licensed nurse was not available. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and is issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents).	01790		

Minnesota Department of Health

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01790	Continued From page 28 The findings include: During the entrance conference on June 6, 2022, at approximately 10:50 a.m., executive director (ED)-A confirmed the licensee provided medication management services to residents at the facility. On June 8, 2022, at approximately 8:46 a.m., executive director (ED)-A provided the surveyor with the licensee's Medication Management-Planned and Unplanned Time Away Policy and stated it was being used as the written procedure. After ED-A reviewed the policy, ED-A confirmed it was not an actual written procedure for unplanned time away rather the policy. On June 9, 2022, at approximately 9:48 a.m., during a phone interview, RN-F confirmed the licensee did not have a written procedure for unplanned time away and was in the process of developing a written procedure for staff to follow. The licensee's policy lacked the written procedure to include: - the resident must be provided written information on medications, including any specific instructions for administering or handling the medications, including controlled substances; - the type of container or containers to be used for the medications appropriate to the provider's medication system; - how the container or containers must be labeled; - written information about the medications to be provided; and - how the RN shall be notified that medications have been provided and whether the RN needs to be contacted before the medications are given to	01790		

Minnesota Department of Health

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01790	Continued From page 29 the resident or the designated representative. The license's undated Medication Management-Planned and Unplanned Time Away policy indicated the RN would develop written procedures of the unlicensed personnel, including any specific instructions or procedures regarding controlled substances that are prescribed for that resident. No further information was provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01790		
01820 SS=D	144G.71 Subd. 13 Prescriptions There must be a current written or electronically recorded prescription as defined in section 151.01, subdivision 16a, for all prescribed medications that the assisted living facility is managing for the resident. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure current written or electronically recorded prescriptions were obtained for one of two residents (R5) with records reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the	01820		

Minnesota Department of Health

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01820	Continued From page 30 situation has occurred only occasionally). The findings include: R5's diagnoses included dementia, depression, hypertension (high blood pressure), hyperlipidemia (high cholesterol), and fracture of the right femur. R5's Service Plan dated May 11, 2022, indicated R5 received services which included assistance with medications, bathing, grooming, dressing, transferring, ambulation, housekeeping and laundry. R1's record lacked signed prescriber orders for medications to be administered by the licensee. R5's, unsigned, hospice prescriber orders, dated June 1, 2022, included the following medications: -bisacodyl 10 milligrams (mg) suppository one time a day as needed for constipation; -haloperidol 0.5 mg one tablet every four hours as needed for agitation; -hydromorphone 2 mg take 0.5 mg tablet every hour as needed for pain or shortness of breath: 1 mg tablet for moderate to severe pain; -hyoscyamine sulfate 0.125 mg place one table underneath the tongue every four hours as needed for excessive oral secretions; -lorazepam 0.5 mg tablet every four hours as needed for anxiety; and -magnesium hydroxide 400 mg/5 milliliters (ml) take 30 ml at bedtime as needed if no bowel movement previous day. R5's Medication Administration Record, dated June 1 through June 7, 2022, listed the medications, times to administer, and staff initials to indicate the medications had been	01820		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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01820	Continued From page 31 administered. On June 7, 2022, at approximately 4:30 p.m., registered nurse (RN)-B confirmed R5's hospice orders were not signed by the prescriber and had not yet developed a process to ensure the licensee received signed prescriber orders from the hospice provider. The licensee's undated Medication and Treatment Orders policy indicated the RN would be responsible for assuring that current, authorized prescriber orders for medications or treatments administered by the staff are kept on file in the residents' records. The policy further indicated upon receiving verbal or unsigned electronic orders, a licensed nurse would record and sign the order and forward the written order to the prescriber for a signature after recipe of the verbal or electronic order No further information was provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01820		
01830 SS=D	144G.71 Subd. 14 Renewal of prescriptions Prescriptions must be renewed at least every 12 months or more frequently as indicated by the assessment in subdivision 2. Prescriptions for controlled substances must comply with chapter 152. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to renew prescriptions at least every 12 months for one of one resident (R2) with	01830		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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01830	Continued From page 32 records reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death) and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The findings include: R2's record lacked an annual renewal of prescriber orders for medications. During entrance conference on June 6, 2022, at approximately 10:50 a.m., during entrance conference executive director (ED)-A confirmed the licensee provided medication management services for residents. R2's diagnoses included Alzheimer's, asthma, dementia, cerebrovascular disease (a group of conditions that affect blood flow) and enlarged prostate. R2's Service Plan dated May 10, 2022, indicated R2 received medication management services. R2's Medication Self Administration Assessment dated May 25, 2022, indicated R2 was unable to safely self-administer and manage own medications and further indicated the licensee would provide medication management services for R2. R2's May and June 2022, Medication Administration Record listed medications as	01830		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
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01830	Continued From page 33 prescribed, times to administer, and staff initials to indicate the medications had been given. R2's annual wellness visit dated May 10, 2022, indicated R2's prescriber reviewed R2's list of medication; however, lacked a list of medications R2's prescriber reviewed. R2's Medication List printed June 7, 2022, indicated R2 was prescribed the following medications: -Camphor-Menthol 0.5-0.5% anti-itch cream twice a day to dry skin; -acetaminophen 500 milligrams (mg) by mouth (po) three times a day for comfort; -AKWA Tears eye drop one drop to both eyes twice a day for dry eyes; -low dose aspirin 81 mg one tablet po every morning for health maintenance; -Restasis 0.05% eye drops one drop to both eyes twice a day for eye matter; -cetirizine HCL 10 mg one tablet po at bedtime for allergies; and -montelukast sodium 10 mg one tablet po at bedtime for allergies. On June 7, 2022, at approximately 12:58 p.m., registered nurse (RN)-B stated R2 had signed annual standing orders; however, lacked annual renewal of prescribed medications. RN-B stated there was no process in place to ensure all residents had annual renewal of orders and planned moving forward, would have residents' orders renewed on the resident's date of birth. RN-B was unable to provide surveyor date when R2's medication orders were last renewed. The licensee's undated Medication and Treatment Orders indicted the licensed nurse would assure the prescriber renews a medication	01830		

Minnesota Department of Health

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01830	Continued From page 34 or treatment orders at least every 12 months, or more frequently as needed. No further information was provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01830		
01890 SS=E	144G.71 Subd. 20 Prescription drugs A prescription drug, prior to being set up for immediate or later administration, must be kept in the original container in which it was dispensed by the pharmacy bearing the original prescription label with legible information including the expiration or beyond-use date of a time-dated drug. This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to date time-sensitive medications with an opened or expiration date for three of three residents (R3, R4, R6) with records reviewed. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death), and was issued at a pattern scope (when more than a limited number of residents are affected, more than a limited number of staff are involved, or the situation has occurred repeatedly; but is not found to be pervasive). The findings include:	01890		

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 20846	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 06/09/2022
NAME OF PROVIDER OR SUPPLIER NEW JOURNEY RESIDENCE		STREET ADDRESS, CITY, STATE, ZIP CODE 303 HAT TRICK AVENUE EVELETH, MN 55734		
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01890	Continued From page 35 On June 6, 2022, at approximately 2:22 p.m., the surveyor observed the medication cart with licensed practical nurse (LPN)-C. LPN-C confirmed the following: R3 R3's Albuterol Sulfate inhaler (used to treat chronic obstructive pulmonary disease), lacked a date the inhaler had been opened and when the inhaler would expire. R4 R4's Lantus insulin pen (a multiple dose pen shaped injector device for insulin administration) lacked the date the insulin pen had been opened or would expire. R4's Humalog Kwik-Pen insulin lacked the dated the insulin pen had been opened or would expire. R6 R6's opened bottle of latanoprost 0.005% ophthalmic suspension (medication to treat glaucoma) had a label which directed to discard 45 days after opening; however, lacked the date the eye drop had been opened or would expire. R6's Combigan eye drop (medication to treat glaucoma) lacked the date the eye drop was opened or would expire. On June 6, 2022, at approximately, registered nurse (RN)-B stated staff who opened the inhaler, eye drop, or insulin should write on the prescription label or sticker the date the medication was opened to ensure the medication was not used past the manufacturer's recommended use date. The manufacturer's instructions for Lantus insulin pens dated December 2019, directed to discard the pen 28 days after it had been opened, even if	01890		

Minnesota Department of Health

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NAME OF PROVIDER OR SUPPLIER NEW JOURNEY RESIDENCE		STREET ADDRESS, CITY, STATE, ZIP CODE 303 HAT TRICK AVENUE EVELETH, MN 55734		
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01890	Continued From page 36 it still had insulin left in it. The manufacturer's instructions for Humalog Kwikpen revised November 2019, indicated insulin pens stored at room temperature must be used within 28 days or discarded. The manufacturer's instructions for Latanoprost ophthalmic solution revised August 2011, indicated once the bottle was opened, store at room temperature for up to six weeks. The licensee's undated Storage of Medications policy indicated medications should be stored consistent with the manufacturer's recommendations. No further information was provided. TIME PERIOD FOR CORRECTION: Seven (7) days	01890		
01940 SS=D	144G.72 Subd. 3 Individualized treatment or therapy managemen For each resident receiving management of ordered or prescribed treatments or therapy services, the assisted living facility must prepare and include in the service plan a written statement of the treatment or therapy services that will be provided to the resident. The facility must also develop and maintain a current individualized treatment and therapy management record for each resident which must contain at least the following: (1) a statement of the type of services that will be provided; (2) documentation of specific resident instructions relating to the treatments or therapy	01940		

Minnesota Department of Health

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01940	Continued From page 37 administration; (3) identification of treatment or therapy tasks that will be delegated to unlicensed personnel; (4) procedures for notifying a registered nurse or appropriate licensed health professional when a problem arises with treatments or therapy services; and (5) any resident-specific requirements relating to documentation of treatment and therapy received, verification that all treatment and therapy was administered as prescribed, and monitoring of treatment or therapy to prevent possible complications or adverse reactions. The treatment or therapy management record must be current and updated when there are any changes. This MN Requirement is not met as evidenced by: Based on observation, interview, and record review, the licensee failed to prepare and include in the service plan a written statement of the treatment or therapy services that will be provided to the resident for one of two residents (R5) receiving treatments. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death) and was issued at an isolated scope (when one or a limited number of residents are affected or one or a limited number of staff are involved or the situation has occurred only occasionally). The findings include: On June 6, 2022, at approximately 10:50 a.m., during entrance conference executive director	01940		

Minnesota Department of Health

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01940	Continued From page 38 (ED)-A confirmed the licensee provided treatment and therapy services. R5's diagnoses included dementia, depression, hypertension (high blood pressure), hyperlipidemia (high cholesterol), and right femur fracture. R5's Service Plan dated May 11, 2022, indicated R5 received services which included assistance with medications, bathing, grooming, dressing, transferring, ambulation, housekeeping and laundry. R5's Service Plan lacked therapy or treatment services to include R5's dressing changes being provided by the licensee. R5's Initial and Quarterly Assessment Tool dated June 1, 2022, indicated R5 had wounds and received wound care. R5's Initial Skin Observation dated June 3, 2022, indicated R5 received wound care to include triple-antibiotic ointment, non-adhesive dressing and gauze wrap to wounds. R5's Medication Administration Record (MAR) dated June 1, 2022, through June 7, 2022, indicated R5 received dressing changes daily to his right and left foot. On June 7, 2022, at approximately 7:46 a.m., the surveyor observed R5's dressing changes to his right and left foot. On June 7, 2022, at approximately 1:38 p.m., registered nurse (RN)-A confirmed R5's wound care services were not included on the service plan. The licensee's undated Treatment and Therapy	01940		

Minnesota Department of Health

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01940	Continued From page 39 Management Plan policy, indicated the licensee would include in the service plan a written statement of the treatment or therapy services that would be provided to the resident. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	01940		
02110 SS=F	144G.82 Subd. 3 Policies (a) In addition to the policies and procedures required in the licensing of all facilities, the assisted living facility with dementia care licensee must develop and implement policies and procedures that address the: (1) philosophy of how services are provided based upon the assisted living facility licensee's values, mission, and promotion of person-centered care and how the philosophy shall be implemented; (2) evaluation of behavioral symptoms and design of supports for intervention plans, including nonpharmacological practices that are person-centered and evidence-informed; (3) wandering and egress prevention that provides detailed instructions to staff in the event a resident elopes; (4) medication management, including an assessment of residents for the use and effects of medications, including psychotropic medications; (5) staff training specific to dementia care; (6) description of life enrichment programs and how activities are implemented; (7) description of family support programs and efforts to keep the family engaged; (8) limiting the use of public address and	02110		

Minnesota Department of Health

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02110	Continued From page 40 intercom systems for emergencies and evacuation drills only; (9) transportation coordination and assistance to and from outside medical appointments; and (10) safekeeping of residents' possessions. (b) The policies and procedures must be provided to residents and the residents' legal and designated representatives at the time of move-in. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to ensure the required dementia care policies and procedures were provided to each resident and/or the resident's legal and designated representative at the time of move-in. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety), and was issued at a widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: The licensee held an assisted living with dementia care license and was licensed for a capacity of 20 residents. The licensee lacked evidence the required policies and procedures related to dementia care were provided to each resident and/or the resident's legal and designated representative. On June 7, at approximately 7:39 a.m., registered nurse (RN)-B stated she had not distributed the	02110		

Minnesota Department of Health

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02110	Continued From page 41 dementia care policies and procedures to the resident and/or resident's representative but rather reviews staffs' dementia care training information. On June 8, 2022, at approximately 2:33 p.m., executive director (ED)-A confirmed she could not find documentation or evidence the inclusive list of dementia care policies and procedures had been provided to each resident and/or representative. On June 9, 2022, at approximately 9:48 a.m., during a telephone interview, RN-F confirmed the required dementia care policies and procedures were not included in the admission packets and planned on adding it to the admission process. The licensee's policy regarding the procedure for how the dementia care policies would be distributed to each resident and/or representative was requested and not provided. No further information was provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	02110		
02170 SS=F	144G.84 SERVICES FOR RESIDENTS WITH DEMENTIA (b) Each resident must be evaluated for activities according to the licensing rules of the facility. In addition, the evaluation must address the following: (1) past and current interests; (2) current abilities and skills; (3) emotional and social needs and patterns; (4) physical abilities and limitations;	02170		

Minnesota Department of Health

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02170	Continued From page 42 (5) adaptations necessary for the resident to participate; and (6) identification of activities for behavioral interventions. (c) An individualized activity plan must be developed for each resident based on their activity evaluation. The plan must reflect the resident's activity preferences and needs. (d) A selection of daily structured and non-structured activities must be provided and included on the resident's activity service or care plan as appropriate. Daily activity options based on resident evaluation may include but are not limited to: (1) occupation or chore related tasks; (2) scheduled and planned events such as entertainment or outings; (3) spontaneous activities for enjoyment or those that may help defuse a behavior; (4) one-to-one activities that encourage positive relationships between residents and staff such as telling a life story, reminiscing, or playing music; (5) spiritual, creative, and intellectual activities; (6) sensory stimulation activities; (7) physical activities that enhance or maintain a resident's ability to ambulate or move; and (8) outdoor activities. This MN Requirement is not met as evidenced by: Based on interview and record review, the licensee failed to develop comprehensive evaluation activity plan for two of two residents (R2, R5) who received services under an assisted living with dementia care license. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety), and was issued at a	02170		

Minnesota Department of Health

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02170	Continued From page 43 widespread scope (when problems are pervasive or represent a systemic failure that has affected or has the potential to affect a large portion or all of the residents). The findings include: The licensee was licensed as an Assisted Living with Dementia Care facility on August 1, 2021. R2 R2's diagnoses included Alzheimer's, asthma, dementia, cerebrovascular disease (a group of conditions that affect blood flow) and enlarged prostate. R2's New Journey Residence Activity Survey dated April 11, 2022, identified R2's activity preferences R5 R5's diagnoses included dementia, depression, hypertension (high blood pressure), and hyperlipidemia (high cholesterol). R5's undated New Journey Residence Activity Survey identified R5's activity preferences. R2 and R5's records lacked evidence the residents had been evaluated for activities according to the licensing rules of the facility, to include the following: - current abilities and skills; - emotional and social needs and patterns; - physical abilities and limitations; - adaptations necessary for the resident to participate; and - identification of activities for behavioral interventions.	02170		

Minnesota Department of Health

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02170	Continued From page 44 In addition, R2 and R5's record lacked the development of an individualized activity plan. On June 8, 2022, executive director (ED)-A confirmed the licensee's current Residence Activity Survey form was used for all residents and did not address the required content noted above. In addition, ED-A confirmed the license had not developed and individualized activity plan for any of the residents. No further information provided. TIME PERIOD FOR CORRECTION: Twenty-One (21) days	02170		
02350 SS=D	144G.91 Subd. 7 Courteous treatment Residents have the right to be treated with courtesy and respect, and to have the resident's property treated with respect. This MN Requirement is not met as evidenced by: Based in observation, interview, and record review, the facility failed to ensure two of two residents (R2, R4) were treated with dignity and respect when R2's urinary drainage bag was exposed in common areas, and licensed practical nurse (LPN)-H administered treatments to R4 in a public setting. This practice resulted in a level two violation (a violation that did not harm a resident's health or safety but had the potential to have harmed a resident's health or safety, but was not likely to cause serious injury, impairment, or death) and was issued at a pattern scope (when more than a limited number of residents are affected, more	02350		

Minnesota Department of Health

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02350	Continued From page 45 than a limited number of staff are involved, or the situation has occurred repeatedly; but is not found to be pervasive). The findings include: R2 R2's diagnoses included Alzheimer's, asthma, dementia, cerebrovascular disease (a group of conditions that affect blood flow), and enlarged prostate. R2's Service Plan dated May 10, 2022, indicated R2 received services including assistance with medications, bathing, grooming, dressing, catheter cares, toileting, transferring, housekeeping and laundry. On June 6, 2022, at approximately 3:41 p.m., R2 was observed sitting in his recliner chair in his room and his foley catheter drainage bag was observed from the hallway, not in a privacy bag, directly laying on the floor. On June 7, 2022, at approximately 7:00 a.m., R2's urinary drainage bag was observed not in a privacy bag and exposed while R2 was sitting in the dining room having breakfast. On June 7, 2022, at approximately 7:02 a.m., LPN-H verified R2's urinary drainage bag was not in a privacy bag during breakfast and stated, staff on nights gets R2 up and should have put R2's urinary drainage bag into a privacy bag. On June 7, 2022, at approximately 7:35 a.m., RN-B stated R2's urinary drainage bag should be put in a privacy bag to maintain R5's dignity.	02350		

Minnesota Department of Health

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02350	Continued From page 46 R4 R4's diagnoses included Alzheimer's dementia, Parkinson's disease (a disorder of the nervous system that affects movement), cerebrovascular accident (stroke), and hypertension (high blood pressure). R4's Service Plan dated June 7, 2022, indicate R4 received services to include medication administration, and blood glucose (blood sugar) monitoring. R4's Medication Administration Record June 1, 2022, through June 7, 2022, indicated R4 received Humalog 100 units/milliliter (ml) (fast acting insulin) 12 units three times a day with meals, Lantus Solostar 100 units/ml (long-acting insulin) 28 units in the morning, and 19 units in the evening, and received blood sugar checks three times a day. On June 7, 2022, at approximately 11:40 a.m., LPN-H was observed checking R4's blood sugar with the blood glucose monitoring machine and administering R4's insulin into his abdomen in the dining room with other residents present. On June 7, 2022, at approximately 4:30 p.m., registered nurse (RN)-B stated staff should not be administering insulin or checking blood sugars in dining room and should be completed in a private area to maintain the resident's dignity and to be respectful to other residents in the room. The licensee's undated Insulin Policy indicated when administering insulin provide privacy for the individual. No further information was provided.	02350		

Minnesota Department of Health

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02350	Continued From page 47 TIME PERIOD FOR CORRECTION: Seven (7) days	02350		

Type: Full
Date: 06/07/22
Time: 10:30:00
Report: 1006221073

Food and Beverage Establishment Inspection Report

Page 1

Location:

New Journey Residence
303 Hat Trick Avenue
Eveleth, MN55734
St. Louis County, 69

Establishment Info:

ID #: 0039233
Risk:
Announced Inspection: Yes

License Categories:

Expires on: / /

Operator:

Phone #: 2187445907
ID #:

The violations listed in this report include any previously issued orders and deficiencies identified during this inspection. Compliance dates are shown for each item.

The following orders were issued during this inspection.

4-300 Equipment Numbers and Capacities

4-302.12B

**** Priority 2 ****

MN Rule 4626.0705B Provide a readily accessible food temperature measuring device with a small diameter probe to measure the temperature in thin foods such as meat patties and fish fillets.

STAFF HAD THICKER DIAMETER COOKING DIAL THERMOMETERS, BUT COULDN'T LOCATE A THIN PROBE THERMOMETER. PROVIDE A THIN PROBE THERMOMETER TO HELP ENSURE PROPER COOKING TEMPS ON THINNER MEATS.

Comply By: 07/01/22

4-500 Equipment Maintenance and Operation

4-502.13MN

MN Rule 4626.0833 Cut bulk milk dispensing tubes on the diagonal, leaving no more than one inch protruding from the chilled dispensing head.

THE MILK TUBE WAS CUT STRAIGHT ACROSS AND WAS CUT SO SHORT THAT IT COULDN'T BE CUT ANYMORE TO CREATE A DIAGONAL CUT. UNTIL THAT CONTAINER IS USED UP, DISCUSSED DISPENSING A SMALL AMOUNT PRIOR TO USING THE DISPENSER FOR SERVICE TO DRAIN ANY REMAINING MILK

Corrected on Site

Surface and Equipment Sanitizers

Chlorine: = 100 PPM at Degrees Fahrenheit
Location: SANITIZER BUCKET
Violation Issued: No

Type: Full
Date: 06/07/22
Time: 10:30:00
Report: 1006221073
New Journey Residence

Food and Beverage Establishment Inspection Report

Page 2

Hot Water: = at 161F Degrees Fahrenheit
Location: DISH MACHINE
Violation Issued: No

Food and Equipment Temperatures

Process/Item: Prep Cooler
Temperature: 37 Degrees Fahrenheit - Location: CHEESE- TOP
Violation Issued: No

Process/Item: Prep Cooler
Temperature: 41 Degrees Fahrenheit - Location: MILK- TOP
Violation Issued: No

Process/Item: Prep Cooler
Temperature: 43 Degrees Fahrenheit - Location: MILK- TOP
Violation Issued: No

Process/Item: Prep Cooler
Temperature: 43 Degrees Fahrenheit - Location: BOLOGNA-TOP
Violation Issued: No

Process/Item: Prep Cooler
Temperature: 39 Degrees Fahrenheit - Location: BUTTER- BOTTOM
Violation Issued: No

Process/Item: Prep Cooler
Temperature: 39 Degrees Fahrenheit - Location: CHEESE- BOTTOM
Violation Issued: No

Process/Item: Beverage Dispenser
Temperature: 34 Degrees Fahrenheit - Location: MILK
Violation Issued: No

Process/Item: Cooking
Temperature: 196 Degrees Fahrenheit - Location: CHICKEN TENDERS
Violation Issued: No

Process/Item: Cooking
Temperature: 201 Degrees Fahrenheit - Location: CHICKEN TENDERS
Violation Issued: No

Process/Item: Cooking
Temperature: 198 Degrees Fahrenheit - Location: CHICKEN TENDERS
Violation Issued: No

Process/Item: Upright Freezer
Temperature: Degrees Fahrenheit - Location: ALL FOODS FROZEN
Violation Issued: No

Process/Item: Upright Cooler
Temperature: 34 Degrees Fahrenheit - Location: MILK
Violation Issued: No

Type: Full
Date: 06/07/22
Time: 10:30:00
Report: 1006221073
New Journey Residence

Food and Beverage Establishment Inspection Report

Page 3

Process/Item: Upright Freezer
Temperature: Degrees Fahrenheit - Location: ALL FOODS FROZEN
Violation Issued: No

Process/Item: Upright Freezer
Temperature: Degrees Fahrenheit - Location: ALL FOODS FROZEN
Violation Issued: No

Process/Item: Homestyle Refrigerator/fre
Temperature: Degrees Fahrenheit - Location: ALL FOODS FROZEN
Violation Issued: No

Total Orders	In This Report	Priority 1	Priority 2	Priority 3
		0	1	1

COMMENTS:

INSPECTION ACCOMPANIED BY FACILITY DIRECTOR, JENNIFER AYSTA.

SOME ITEMS IN THE TOP OF THE PREP COOLER WERE SLIGHTLY ABOVE 41F (MILK AND BOLOGNA 43F). THEY WERE DOUBLE STACKING THE MILK CARTONS IN THE CONTAINERS AND THE BOLOGNA WAS STACKED ON TOP OF THE CHEESES SO BOTH ITEMS WERE ABOVE THE CONTAINER FILL LINE. DISCUSSED NOT STORING FOODS ABOVE THAT CONTAINER FILL LINE SINCE IT IS HARDER FOR THE COLD AIR TO REACH THERE. MILKS WERE REMOVED SO THEY WEREN'T DOUBLE STACKED, ADDITIONAL CARTONS WERE PLACED IN THE BOTTOM OF THE PREP UNIT. BOLOGNA WAS ALSO, MOVED TO THE BOTTOM.

DISCUSSED THE EMPLOYEE ILLNESS POLICY AND THE EXCLUSION OF EMPLOYEES SICK WITH SYMPTOMS OF VOMITING AND/OR DIARRHEA UNTIL THEY HAVE BEEN SYMPTOM FREE FOR AT LEAST 24 HOURS. ALSO, CONTACT THE DEPARTMENT OF HEALTH IF ANY EMPLOYEES ARE DIAGNOSED WITH HEPATITIS A., E. COLI, SALMONELLA, SHIGELLA, OR NOROVIRUS OR IF THERE ARE ANY FOODBORNE ILLNESS COMPLAINTS.

DISCUSSED THE IMPORTANCE OF FREQUENT HAND WASHING AND EXCLUDING BARE HAND CONTACT WITH ALL READY TO EAT FOODS BY USING GLOVES, TONGS, DELI TISSUE, ETC.

Type: Full
Date: 06/07/22
Time: 10:30:00
Report: 1006221073
New Journey Residence

Food and Beverage Establishment Inspection Report

Page 4

NOTE: Plans and specifications must be submitted for review and approval prior to new construction, remodeling or alterations.

I acknowledge receipt of the Minnesota Department of Health inspection report number 1006221073 of 06/07/22.

Certified Food Protection Manager: Jennifer L. Aysta

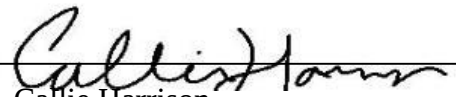
Certification Number: FM109632 Expires: 02/09/25

Inspection report reviewed with person in charge and emailed.

Signed: _____

Jennifer Aysta
Director

Signed: _____


Callie Harrison

218-302-6173
callie.harrison@state.mn.us

Report #: 1006221073

Food Establishment Inspection Report



Minnesota Department of Health
Food, Pools, & Lodging Services
P.O. Box 64975
Saint Paul, MN 55164-0975

No. of RF/PHI Categories Out

0

Date 06/07/22

No. of Repeat RF/PHI Categories Out

0

Time In 10:30:00

Legal Authority MN Rules Chapter 4626

Time Out

New Journey Residence

Address

303 Hat Trick Avenue

City/State

Eveleth, MN

Zip Code

55734

Telephone

2187445907

License/Permit #
0039233

Permit Holder

Purpose of Inspection

Full

Est Type

Risk Category

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item

Mark "X" in appropriate box for COS and/or R

IN= in compliance

OUT= not in compliance

N/O= not observed

N/A= not applicable

COS= corrected on-site during inspection

R= repeat violation

Compliance Status		COS	R
Supervision			
1	☒ IN ☐ OUT	PIC knowledgeable; duties & oversight	
2	☒ IN ☐ OUT ☐ N/A	Certified food protection manager, duties	
Employee Health			
3	☒ IN ☐ OUT	Mgmt/Staff; knowledge, responsibilities & reporting	
4	☒ IN ☐ OUT	Proper use of reporting, restriction & exclusion	
5	☒ IN ☐ OUT	Procedures for responding to vomiting & diarrheal events	
Good Hygienic Practices			
6	☒ IN ☐ OUT ☐ N/O	Proper eating, tasting, drinking, or tobacco use	
7	☒ IN ☐ OUT ☐ N/O	No discharge from eyes, nose, & mouth	
Preventing Contamination by Hands			
8	☒ IN ☐ OUT ☐ N/O	Hands clean & properly washed	
9	☒ IN ☐ OUT ☐ N/A ☐ N/O	No bare hand contact with RTE foods or pre-approved alternate procedure properly followed	
10	☒ IN ☐ OUT	Adequate handwashing sinks supplied/accessible	
Approved Source			
11	☒ IN ☐ OUT	Food obtained from approved source	
12	☐ IN ☐ OUT ☐ N/A ☒ N/O	Food received at proper temperature	
13	☒ IN ☐ OUT	Food in good condition, safe, & unadulterated	
14	☐ IN ☐ OUT ☐ N/A ☐ N/O	Required records available; shellstock tags, parasite destruction	
Protection from Contamination			
15	☒ IN ☐ OUT ☐ N/A ☐ N/O	Food separated and protected	
16	☒ IN ☐ OUT ☐ N/A	Food contact surfaces: cleaned & sanitized	
17	☒ IN ☐ OUT	Proper disposition of returned, previously served, reconditioned, & unsafe food	

Compliance Status		COS	R
Time/Temperature Control for Safety			
18	☒ IN ☐ OUT ☐ N/A ☐ N/O	Proper cooking time & temperature	
19	☐ IN ☐ OUT ☐ N/A ☒ N/O	Proper reheating procedures for hot holding	
20	☐ IN ☐ OUT ☐ N/A ☐ N/O	Proper cooling time & temperature	
21	☐ IN ☐ OUT ☐ N/A ☒ N/O	Proper hot holding temperatures	
22	☒ IN ☐ OUT ☐ N/A	Proper cold holding temperatures	
23	☒ IN ☐ OUT ☐ N/A ☐ N/O	Proper date marking & disposition	
24	☐ IN ☐ OUT ☐ N/A ☐ N/O	Time as a public health control: procedures & records	
Consumer Advisory			
25	☐ IN ☐ OUT ☒ N/A	Consumer advisory provided for raw/undercooked food	
Highly Susceptible Populations			
26	☒ IN ☐ OUT ☐ N/A	Pasteurized foods used; prohibited foods not offered	
Food and Color Additives and Toxic Substances			
27	☐ IN ☐ OUT ☒ N/A	Food additives: approved & properly used	
28	☒ IN ☐ OUT	Toxic substances properly identified, stored, & used	
Conformance with Approved Procedures			
29	☐ IN ☐ OUT ☒ N/A	Compliance with variance/specialized process/HACCP	

Risk factors (RF) are improper practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. **Public Health Interventions (PHI)** are control measures to prevent foodborne illness or injury.

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Mark "X" in box if numbered item is **not** in compliance

Mark "X" in appropriate box for COS and/or R

COS= corrected on-site during inspection

R= repeat violation

Compliance Status		COS	R
Safe Food and Water			
30	☒ IN ☐ OUT ☐ N/A	Pasteurized eggs used where required	
31	☐ IN ☐ OUT ☐ N/A	Water & ice obtained from an approved source	
32	☐ IN ☐ OUT ☒ N/A	Variance obtained for specialized processing methods	
Food Temperature Control			
33	☐ IN ☐ OUT ☐ N/A ☐ N/O	Proper cooling methods used; adequate equipment for temperature control	
34	☐ IN ☐ OUT ☐ N/A ☒ N/O	Plant food properly cooked for hot holding	
35	☐ IN ☐ OUT ☐ N/A ☒ N/O	Approved thawing methods used	
36	☒ X	Thermometers provided & accurate	
Food Identification			
37	☐ IN ☐ OUT ☐ N/A ☐ N/O	Food properly labeled; original container	
Prevention of Food Contamination			
38	☐ IN ☐ OUT ☐ N/A ☐ N/O	Insects, rodents, & animals not present	
39	☒ X	Contamination prevented during food prep, storage & display	X
40	☐ IN ☐ OUT ☐ N/A ☐ N/O	Personal cleanliness	
41	☐ IN ☐ OUT ☐ N/A ☐ N/O	Wiping cloths: properly used & stored	
42	☐ IN ☐ OUT ☐ N/A ☐ N/O	Washing fruits & vegetables	

Compliance Status		COS	R
Proper Use of Utensils			
43	☐ IN ☐ OUT ☐ N/A ☐ N/O	In-use utensils: properly stored	
44	☐ IN ☐ OUT ☐ N/A ☐ N/O	Utensils, equipment & linens: properly stored, dried, & handled	
45	☐ IN ☐ OUT ☐ N/A ☐ N/O	Single-use/single service articles: properly stored & used	X
46	☐ IN ☐ OUT ☐ N/A ☐ N/O	Gloves used properly	
Utensil Equipment and Vending			
47	☐ IN ☐ OUT ☐ N/A ☐ N/O	Food & non-food contact surfaces cleanable, properly designed, constructed, & used	
48	☐ IN ☐ OUT ☐ N/A ☐ N/O	Warewashing facilities: installed, maintained, & used; test strips	
49	☐ IN ☐ OUT ☐ N/A ☐ N/O	Non-food contact surfaces clean	
Physical Facilities			
50	☐ IN ☐ OUT ☐ N/A ☐ N/O	Hot & cold water available; adequate pressure	
51	☐ IN ☐ OUT ☐ N/A ☐ N/O	Plumbing installed; proper backflow devices	
52	☐ IN ☐ OUT ☐ N/A ☐ N/O	Sewage & waste water properly disposed	
53	☐ IN ☐ OUT ☐ N/A ☐ N/O	Toilet facilities: properly constructed, supplied, & cleaned	
54	☐ IN ☐ OUT ☐ N/A ☐ N/O	Garbage & refuse properly disposed; facilities maintained	
55	☐ IN ☐ OUT ☐ N/A ☐ N/O	Physical facilities installed, maintained, & clean	
56	☐ IN ☐ OUT ☐ N/A ☐ N/O	Adequate ventilation & lighting; designated areas used	
57	☐ IN ☐ OUT ☐ N/A ☐ N/O	Compliance with MCIAA	
58	☐ IN ☐ OUT ☐ N/A ☐ N/O	Compliance with licensing & plan review	

Food Recalls:

Person in Charge (Signature)

Date: 06/09/22

Inspector (Signature)