



Mailing Date: January 25, 2013
Sent via email to: [REDACTED]

Ms. Judy Lee, Administrator
North Penn Manor, Inc.
North Penn Manor
240 North Sherman Street
Wilkes-Barre, Pennsylvania 18702

Dear Ms. Lee:

As a result of the Department of Public Welfare's (Department) licensing inspection on October 19, 2012 of the above personal care home, the violations with 55 Pa.Code Ch. 2600 (relating to Personal Care Homes) specified on the enclosed Violation Report were found.

All violations specified on the enclosed Violation Report must be corrected by the dates specified on the Violation Report and continued compliance with 55 Pa.Code Ch. 2600 must be maintained. As soon as each violation is corrected, notify the Department's Regional Office of Human Services Licensing so that compliance can be verified.

Sincerely,

Michele Moskalczyk
Michele Moskalczyk
Regional Licensing Administrator

Enclosure
Violation Report

Commonwealth of Pennsylvania
Department of Public Welfare
Adult Residential Licensing

6 Easy Steps to Develop a Plan of Correction

1. Why is the regulation important?
2. How was the regulation violated?
3. What caused the violation?
4. What can be done right away to fix the violation?
5. What can we do to prevent future violations?
6. Who will be responsible for preventing future violations?

Tips

- Follow the steps above to develop your plan of correction and you will be well on your way to compliance.
- An acceptable plan of correction must be submitted to the Department before a license can be issued to the home.
- If your plan of correction does not fit on the page you may attach additional pages; additional pages must be signed and dated.
- A plan to request a waiver of the regulation cannot be accepted as a plan of correction, although you may indicate in the plan of correction that you intend to apply.
- It is important to attach supporting documentation to your plan of correction to verify compliance of any violation that has been corrected.
- If you need help with your plan of correction call your regional office or the operator support hotline at 1(866) 503-3926.

For more information see the narrative titled "Plan of Correction: Developing, Implementing and Verifying Compliance" in part 2 of the RCG.

Violation Report: 22032 - 10/19/2012 - Novak, Ryan
 PCH Name: NORTH PENN MANOR

1. REGULATION 55 Pa.Code §2600
 2600.51 - Criminal history checks and hiring policies shall be in accordance with the Older Adult Protective Services Act (OAPSA) (35 P.S. §§ 10225.101-10225.5102) and 6 Pa.Code Chapter 15 (relating to protective services for older adults).

2a. DESCRIPTION OF VIOLATION
 Direct Care staff member A hired 9/16/12 resided in New Jersey prior to moving to Pennsylvania in 2011. The home did not complete a FBI background check. Administrator C reported that direct care staff member A has been providing unsupervised care to the residents.

Direct Care staff member B hired 7/9/12 resided in New Jersey prior to moving to Pennsylvania in July of 2012. The home did not complete a FBI background check within the 90 day provisional hiring period. Administrator C reported that direct care staff member B has been providing unsupervised care to residents.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
 Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

Per regulation 55 PA Code 2600.51, federal criminal background checks are required for employees who have not held permanent residency in Pennsylvania for two consecutive years prior to beginning employment to ensure that employees with prohibitive offenses do not work in personal care homes.

We did not have staff member A's federal background check on file the date of the inspection. The day after the inspection we were able to locate Direct Care staff member A's federal background check and have placed it in her file. A copy is attached.

We did not have a federal background check for Direct care staff member B within the 90 day period for compliance. Direct Care staff member B is in the process of obtaining her federal background check and has been terminated from employment as of the inspection date until her federal background check is received in the mail.

The administrator has checked all employee files to make sure that all are in compliance for the applicable employees who would require the federal background check and will ensure that they will be done for all future employees who require the federal background check.

Repeat Violation: No	Date(s) of Previous Violation(s):		
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Signature of Legal Entity Representative (Required on EVERY Page) *Judy Lee*

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) *Judy Lee, Administrator* Date *11/8/12*

DEPARTMENT USE ONLY - HOMES MAY NOT WRITE BELOW THIS LINE!

The above plan of correction is approved as of <i>11/24/13</i> (Date)	Plan of correction implementation status as of <i>11/24/13</i> (Date)
The above plan of correction was approved by <i>[Signature]</i> (Initials)	<input checked="" type="checkbox"/> Fully Implemented <input type="checkbox"/> Partially Implemented - Adequate Progress <input type="checkbox"/> Partially Implemented - Inadequate Progress <input type="checkbox"/> Not Implemented

Violation Report: 22032 - 10/19/2012 - Novak, Ryan
 PCH Name: NORTH PENN MANOR

1. REGULATION 55 Pa.Code §2600

2600.54(a) - Direct care staff persons shall have the following qualifications:

- (1) Be 18 years of age or older, except as permitted in § 2600.54(b).
- (2) Have a high school diploma, GED diploma, or active registry status on the Pennsylvania nurse aide registry.
- (3) Be free from a medical condition, including drug or alcohol addiction, that would limit direct care staff persons from providing necessary personal care services with reasonable skill and safety.

2a. DESCRIPTION OF VIOLATION

Direct Care Staff member D hired 7/21/11 did not obtain a GED within 6 months of hire. Direct Care staff member D does not have a high school diploma or active registration on the Pennsylvania nurse aide registry.

Direct Care staff member B hired 7/9/12 has a New Jersey Department of Health and Senior Services CNA license. Direct Care staff member B does not have a high school diploma, GED or active registration status on the Pennsylvania nurse aide registry.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)

Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

Per regulation 55 PA Code 2600.54(a), Direct care staff persons must have a high school diploma, GED diploma, or active registry status on the Pennsylvania nurse aide registry to ensure that the direct care staff persons have the education and ability required to perform job duties specified by the home, including activities of daily living.

Direct Care Staff member D only had half of her GED completed within the 6 months of hire. She is in the process of taking the second part of the GED. Direct Care Staff D has been terminated as a Direct care staff worker as of the inspection date. She was hired on 10/21/2012 part time as dietary aide and will be considered for re-hire as a PCA after passing the second part of the test.

Direct care staff member B had a New Jersey CNA license at the time of inspection and was awaiting her PA CNA license to come in the mail. It arrived a couple of days after the inspection. Direct care staff member B has been terminated as of the date of the inspection and will be considered for rehire after we receive her federal background check in the mail.

The Administrator has reviewed all employee files to ensure that all Direct care staff have either a high school diploma, GED diploma, or active registry status on the Pennsylvania nurse aide registry within the time frames allotted for compliance and will ensure that all future employees are in compliance for this regulation.

Repeat Violation: No	Date(s) of Previous Violation(s):		
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Signature of Legal Entity Representative
 (Required on EVERY Page)

Judy Lee

Printed Name and Title of Legal Entity Representative
 (Required on EVERY Page)

Judy Lee, Administrator Date *11/8/12*

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The above plan of correction was approved by <u>M</u> (Initials)	<input type="checkbox"/> Fully Implemented <input checked="" type="checkbox"/> Partially Implemented - Adequate Progress <input type="checkbox"/> Partially Implemented - Inadequate Progress <input type="checkbox"/> Not Implemented