STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	0018276	A. BUILDING: _____ B. WING _____	C 06/17/2024

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
CLARITY CARE VILLA	3017 MANN STREET MARSHFIELD, WI 54449

(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
N 000	Initial Comments On 06/11/2024, Survey conducted a complaint investigation at Clarity Care Villa. Data collection continued through 06/17/2024. The complaint was substantiated. One deficiency was identified. Census: 8	N 000		
N 356	83.32(3)(l) Rights of Residents: Least restrictive env In addition to the rights under s. 50.09, Stats., each resident shall have all of the following rights: Least restrictive environment. Have the least restrictive conditions necessary to achieve the purposes of the resident ' s admission. The CBRF may not impose a curfew, rule or other restriction on a resident ' s freedom of choice. This Rule is not met as evidenced by: Based on record review and interview, the provider imposed a restriction on Resident 1's freedom of choice. Findings include: The Department received a complaint on 05/08/2024 alleging the provider was searching a resident's room and not allowing the resident to possess or consume alcohol. The facility is licensed to serve up to 8 residents in the client groups emotionally disturbed/mental illness, irreversible dementia/Alzheimer's disease,	N 356		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE

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developmentally disabled, traumatic brain injury, physically disabled, and advanced aged.

On 06/11/2024, Surveyor reviewed Resident 1's record. Resident 1 was admitted on 02/15/2024. Resident 1's diagnoses included alcohol and polysubstance use disorder, Attention Deficit and Hyperactivity Disorder (ADHD), Mild Cognitive Disorder and schizophrenia. Resident 1's initial assessment, dated 01/03/2024, noted Resident 1 was "Independent" with capacity for self-care and "Makes own decisions." Resident 1's individual service plan (ISP), admission agreement and facility rules did not address or prohibit alcohol possession or consumption.

According to a facility incident report, dated 05/06/2024, Caregiver D reported, "Writer was in another residents [sic] room making his/her bed when I heard resident (Resident 1) in [his/her] room swearing a lot and saying stuff, but I couldn't catch everything [s/he] was saying. Writer was going to ask resident if everything was ok [sic] when writer was going to approach [him/her] I noticed [s/he] had a bottle of vodka that was almost gone. Resident then went to go smoke [sic] writer was going to go get the vodka bottle but was unable to find it. Writer believes the bottle could be in residents [sic] front pocket. Writer then asked another staff if [s/he] could let writer know when resident was coming back inside so [s/he] wouldn't see [him/her] in [his/her] room looking for the bottle."

On 06/11/2024, while touring the facility, Surveyor observed a sign on the wall, near the front entrance. The sign read: "This Facility is a Drug, Alcohol, and Smoke Free Workplace."

On 06/11/2024 at approximately 11:45 AM,

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N 356	Continued From page 2 Surveyor interviewed Resident 1. Resident 1 stated that s/he had been at the facility since February 2024. Resident 1 stated that s/he had a stroke and Family Member (FM) C was his/her guardian. Surveyor asked Resident 1 about the rules at the facility. Resident 1 stated that "rules are rules" and "things are okay." Resident 1 reported that staff do not want him/her to drink alcohol and staff have searched his/her room in the past. On 06/11/2024 at approximately 1:35 PM, Surveyor interviewed Caregiver B. Caregiver B referred to himself/herself as the "Program Lead." Caregiver B indicated that the facility was an alcohol and drug free facility. Caregiver B stated, "[Resident 1] is a recovering alcoholic and drug addict." Caregiver B indicated that Resident 1 was informed upon admission that the facility was "alcohol and drug free." Surveyor asked Caregiver B if staff conducted room searches. Caregiver B denied that staff conduct room searches. Caregiver B reported, "We asked [Resident 1] a couple months ago about looking in [his/her] room. We were looking for alcohol. [Resident 1] said, 'Okay.'" Caregiver B reported, "If we found drugs or alcohol, we would tell Resident 1 we are taking it and dumping it." Caregiver B stated that FM C does not want Resident 1 drinking and supported a "no drink" for Resident 1. Surveyor asked Caregiver B if Resident 1 had a court order or doctor order addressing alcohol restrictions. Caregiver B was not aware of any court orders or doctor's orders restricting Resident 1 from consuming alcohol. Caregiver B indicated that Resident 1 was capable of making decisions about his/her day and making his/her needs known. On 06/11/2024 at approximately 2:05 PM,	N 356		

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N 356	Continued From page 3 Surveyor interviewed Division Administrator (DA) A. DA A reported that Resident 1 was a "recovering alcoholic" and "goes out and gets drunk and comes home." DA A indicated that the facility had addressed this concern with Resident 1's care team. DA A was unaware of a court order or doctor order restricting alcohol consumption for Resident 1. DA A denied concerns with staff searching resident rooms. On 06/12/2024 at approximately 11:05 AM, Surveyor interviewed Caregiver D via telephone. Caregiver D reported that the facility was a drug/alcohol free facility and there was a sign posted ("This Facility is a Drug, Alcohol, and Smoke Free Workplace"). Surveyor asked Caregiver D about room searches and referred to a facility incident report written by Caregiver D on 05/06/2024. Caregiver D reported that staff do not conduct room searches. Caregiver D reported that Caregiver D saw Resident 1 with a bottle of vodka in May 2024. Caregiver D indicated that s/he had seen Resident 1 with a vodka bottle sticking out of his/her pocket and then Resident 1 went outside to smoke a cigarette. Caregiver D indicated that while Resident 1 was outside smoking, Caregiver D "glanced in [Resident 1's] room and did not find the vodka bottle." Caregiver D indicated that staff would inform management if contraband (alcohol/drugs) was found. On 06/12/2024 at approximately 3:00 PM, Surveyor interviewed Representative Payee (RP) E via telephone. RP E reported, "Staff have searched [Resident 1's] room before without [his/her] permission." RP E indicated that the facility had provided incident reports that noted staff searched Resident 1's room for alcohol. RP E stated, "About a month ago, Caregiver B had staff look out while Caregiver B searched for a	N 356		

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bottle of alcohol in [Resident 1's] room and when I tried to get more information, Caregiver B did not provide a lot of information and was very vague. When I asked for more details about a 'no drink' for Resident 1, I have not gotten anything from the facility." RP E reported that staff said [Resident 1] was on a "no drink." RP E indicated that RP E has requested more information about why Resident 1 was on a "no drink" but the facility has not provided any documentation apart from saying the "no drink" is a "family preference."

On 06/12/2024, at approximately 3:52 PM, Surveyor asked DA A via e-mail if Resident 1 had a court order or doctor order addressing a "no drink."

On 06/13/2024, at approximately 11:04 AM, DA A reported via e-mail, "In speaking to staff after we spoke and asking for further information on [Resident 1's] no drink [sic] it was discovered that it is not a court order but a Guardians' request that [s/he] does not drink. So, like the understanding that we have, we encourage [him/her] not to drink and when staff discover that [s/he] is drinking they can attempt to ask for the alcohol from [him/her] but if [s/he] does decline to give it to staff, they are to update the supervisor [Caregiver B] and it is [his/her] responsibility to update his Team [sic] and Guardian."

On 06/13/2024 at approximately 7:40 AM, Surveyor interviewed Caregiver B via telephone. Caregiver B indicated that Resident 1 was put on a "no drink" from Trempealeau County. Surveyor asked Caregiver B for paperwork addressing a "no drink" order. Caregiver B indicated that Caregiver B could not find paperwork addressing a "no drink" order for Resident 1. Caregiver B stated, [Resident 1] is a recovering alcoholic and

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drug addict and "[Family Member C] doesn't want [him/her] to drink."

On 06/13/2024 at 8:50 AM, Surveyor interviewed FM C via telephone. FM C informed Surveyor that FM C was Resident 1's father/mother and guardian. FM C stated that Resident 1 was not on a court order "no drink" or restricted from drinking in any way but was court ordered to take medications. FM C stated that s/he could not recall if the facility ever addressed being a "no alcohol" facility at the time of Resident 1's admission or since admission. FM C reported that Resident 1 was an adult and could drink if s/he wanted to but did not always make the best choices when drinking alcohol.

On 06/13/2024 at approximately 4:27 PM, Surveyor asked DA A via e-mail if the facility addressed Resident 1's alcohol and other drug abuse history (AODA) at the time of admission or since admission.

On 06/14/2024 at approximately 1:56 PM, DA A responded via e-mail, "I see nothing in the history about [his/her] AODA but I have request [sic] from our referral department if [his/her] drinking was ever brought up during [his/her] assessment or at the time of admission."

On 06/14/2024 at approximately 4:20 PM, DA A wrote via e-mail, "During the assessment it was never brought up for me to note of having a discussion about it." DA A noted, "Before the assessment this was in the comments:

"Type of Behaviors: Minimal behaviors. Will swear, and call others [sic] names. I've only ever heard the names in conversation, I don't know that I've ever heard [him/her] call them to

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N 356	Continued From page 6 anyones [sic] face. [S/He] can get louder, when [s/he] has difficulty finding words. I'm unaware of other behaviors. [S/He] does have a history of drug/alcohol use, but to the best of my knowledge, [s/he's] been clean from drugs and adamant about staying clean from drugs for some time. [S/He] was using some alcohol, when in [his/her] own apartment." On 06/17/2024 at 2:00 PM, Surveyor interviewed DA A and Caregiver B via telephone. DA A and Caregiver B informed Surveyor that there was another resident with similar AODA concerns and the provider would be preparing a behavior support plan (BSP) for both residents and if FM C wanted Resident 1 not to drink, FMC could work with Resident 1's team and sign a "Rights Restriction." The provider restricted Resident 1's freedom of choice to possess and/or to consume alcohol.	N 356		