STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	0014850	A. BUILDING: _____ B. WING _____	R-C 02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BIRCH HAVEN NORTH RCAC	320 SUPERIOR AVENUE WASHBURN, WI 54891

(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
{U 000}	INITIAL COMMENTS On 01/28/2025, Surveyor conducted a complaint investigation and verification visit at Birch Haven North RCAC. Data was collected through 02/03/2025. The complaint was substantiated. Seven violations were identified. Five of 7 violations were repeat deficiencies. See Statement of Deficiencies (SOD) P97M12, dated 09/18/2024; E4UN11, dated 12/29/2022; 6JHF12, dated 11/02/2020; and 6JHF11, dated 07/29/2019. Under statutory provisions of Wis. Stat. ch. 50, a $200 revisit fee is being assessed. Census: 11 apartments; 11 tenants	{U 000}		
{U 116}	89.23(2)(a)2.a SERVICES SUFFICIENT SERVICES. Minimum required services. A residential care apartment complex shall have the capacity to provide all of the following services to all tenants, either directly or under contract: a. Supportive services: meals, housekeeping in tenants' apartments, laundry service and arranging access to medical services. In this subparagraph, "access" means arranging for medical services and transportation to medical services.	{U 116}		

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

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{U 116}	Continued From page 1	{U 116}		

This Rule is not met as evidenced by:
Based on observation, record review, and interview, the provider did not ensure supportive services (meals and housekeeping) met tenant needs. The provider did not follow a menu or provide nutritious meals to tenants. The provider did not provide housekeeping services per tenant service agreements.

This is a repeat violation. See Statement of Deficiencies (SOD) P97M12, dated 09/18/2024.

Findings include:

HOUSEKEEPING SERVICES -
On 11/22/2024, the Department received a complaint related to the provider's housekeeping services. The complainant indicated tenant rooms were not cleaned according to the schedule agreed upon in their service agreements.

On 11/28/2025 at 11:22 AM, Surveyor observed Tenant 2's apartment. The carpeting leading to his/her apartment door was worn and discolored in a path that appeared to be where s/he wheeled his/her wheelchair. There was a brown crusty substance stuck to the carpeting next to his/her apartment entrance. Inside, Tenant 2's floors were visibly soiled with food debris, cat food, and cat litter. Tenant 2's apartment had a pungent odor. Tenant 2 had a litter box in his/her kitchen that needed to be cleaned out.

At 11:30 AM, Surveyor interviewed Caregiver A. Caregiver A said 2 of the 11 tenants received housekeeping services - Tenant 2 and Tenant 8. Caregiver A said Licensee B hired someone to clean these apartments; Caregiver A said the only

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{U 116}	Continued From page 2 services s/he was responsible for providing were meals and medications. At 11:45 AM, Surveyor interviewed Tenant 3. Tenant 3 stated s/he was supposed to receive housekeeping services but staff had not cleaned his/her room "in months." Tenant 3 stated s/he liked to keep his/her apartment tidy but needed help with the floors and deep cleaning. Surveyor observed Tenant 3's floors; they were visibly soiled. At 12:10 PM, Surveyor interviewed Tenant 6. Surveyor asked about the provider's housekeeping services. Tenant 6 replied, "Not good." Tenant 6 stated s/he had to clean his/her apartment when s/he moved in. At 12:40 PM, Surveyor interviewed Tenant 1. Tenant 1 stated s/he was supposed to get his/her room cleaned at least weekly but did not happen. Surveyor observed Tenant 1's apartment. Every surface in the apartment was covered with items that appeared to be set down without any organization, some of which appeared to be trash. The apartment was visibly dirty. Surveyor reviewed tenant records. The following tenant records included signed service agreements indicating the tenants would receive daily housekeeping services. Specifically, the agreement stated the provider would "clean room daily." - Tenant 2 admitted and signed his/her service agreement on 11/29/2021. - Tenant 3 admitted on 01/01/2015. His/her service agreement was signed 04/14/2014. - Tenant 6 admitted and signed his/her service agreement on 01/23/2025.	{U 116}		

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{U 116}	Continued From page 3 - Tenant 1 admitted on 04/14/2015. His/her service agreement was signed 04/23/2015. On 01/30/2025 at 8:30 AM, Surveyor interviewed Licensee B. Licensee B said s/he expected staff to offer daily housekeeping services to every tenant. MEAL SERVICES - On 01/28/2025 at 10:30 AM, Surveyor interviewed Caregiver A. Caregiver A said lunch would be chicken noodle soup. Surveyor reviewed the menu posted in the hallway. The menu stated lunch for the day was tater tot casserole, buttered corn, buttered wheat bread, and dessert. At 11:10 AM, Surveyor interviewed Caregiver A. Caregiver A stated Licensee B created the posted menu after s/he met with tenants about 3 weeks ago to discuss food services. Caregiver A said s/he was not making tater tot casserole today because nobody liked it. Caregiver A said Caregiver C and Caregiver D did not follow the posted menu either. Surveyor asked what Caregiver A made for lunch yesterday. Caregiver A reviewed the posted menu and said, "Salisbury steak." At 11:22 AM, Surveyor interviewed Tenant 2. Tenant 2 stated s/he received 3 meals per day from the provider. Tenant 2 stated s/he did not know the menu ahead of time. S/he was unsure what was served for lunch yesterday but s/he stated it was not Salisbury steak. Surveyor discussed Tenant 2's other services and ended the conversation by asking if s/he could only change 1 thing, what would s/he change? Tenant 2 said, "Better meals." Tenant 2 said hot meals	{U 116}		

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{U 116}	Continued From page 4 were served cold and s/he did not always get enough to eat. At 11:45 AM, Surveyor interviewed Tenant 3. Tenant 3 said the hot meals were not always served at the appropriate temperature, and most of the staff did not know how to cook. Tenant 3 stated Caregiver A was still learning. At noon, Surveyor observed the lunch meal. Tenants received a bowl of Campbell's original chicken noodle soup, a breadstick, and dessert. At 12:10 PM, Surveyor interviewed Tenant 6. Surveyor asked Tenant 6 about the provider's dietary services. Tenant 6 laughed and said, "It could use some organization.... the food is edible." Tenant 6 said there was a menu posted in the hallway but staff did not follow it. At 12:40 PM, Surveyor interviewed Tenant 1. Tenant 1 stated staff were supposed to follow the posted menu, but they did not. Tenant 1 stated s/he got enough to eat, but it was not nutritious (little to no protein). Tenant 1 discussed concern that some staff did not know how to cook. Tenant 1 stated Caregiver D boiled breakfast sausages in water, thinking they were brats. Tenant 1 stated the other time Caregiver D worked during a mealtime, another tenant made lasagna, so all Caregiver D needed to do was put it in the oven. On 01/30/2025 at 8:30 AM, Surveyor interviewed Licensee B. Licensee B said s/he held a tenant meeting about 1 month ago. Licensee B said s/he heard concerns that staff were not serving food at the right temperature or following the menu. Everyone agreed on a rotating menu, and Licensee B sent the menu to his/her food distributor to ensure dietary guidelines were met.	{U 116}		

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{U 116}	Continued From page 5 Licensee B said s/he expected staff to follow the menu they created. Licensee B said, "I try to get a starch, dairy, fruit, veggies (vegetables), and protein in... I hear (from staff) 'nobody' wants them... I don't care, we still need to make it and offer it... that has always been the directive." Licensee B said s/he had a staff meeting scheduled for 02/12/2025 and s/he would educate staff on meal expectations.	{U 116}		
U 118	89.23(2)(a)2.c SERVICES SUFFICIENT SERVICES. Minimum required services. A residential care apartment complex shall have the capacity to provide all of the following services to all tenants, either directly or under contract: c. Nursing services: health monitoring, medication administration and medication management. This Rule is not met as evidenced by: Based on observation, interview, and record review, the provider did not provide nursing services when they failed to monitor 3 tenants (Tenant 2, Tenant 3, and Tenant 4) after they experienced a change in condition. The provider did not monitor other tenants for symptoms of	U 118		

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U 118	Continued From page 6 communicable illness. Findings include: On 01/28/2025 at approximately 10:20 AM, Surveyor entered the facility and met with Caregiver A. Surveyor explained the purpose of the visit and Caregiver A responded, "Well, we have sick residents." Surveyor asked for more detail and Caregiver A replied, "I don't know... it's not our business." Caregiver A stated the facility was not an assisted living and tenants were independent. Surveyor educated Caregiver A on the provider's license and asked again for any details Caregiver A had on the ill tenants. Caregiver A said all s/he knew was Tenant 4 had a cough and would not eat and Tenant 3 had a sore throat and cough. Caregiver A estimated Tenant 4's symptoms began a few days ago and Tenant 3 had symptoms for about 1 week. Caregiver A said s/he had not checked in on either tenant because they had not called for anything. At 11:22 AM, Surveyor interviewed Tenant 2. Tenant 2 was in bed and said s/he did not feel well. Tenant 2 was coughing. Tenant 2 stated s/he had been short of breath for the past couple of days. Tenant 2 said nobody had been in to check on him/her today. At 11:30 AM, Surveyor interviewed Caregiver A. Caregiver A said, "[Tenant 2's] had a cough forever." Surveyor asked if there was documentation showing when Tenant 2, Tenant 3, or Tenant 4 began experiencing symptoms. Caregiver A said s/he called the main office yesterday to notify them that multiple tenants had symptoms.	U 118		

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U 118	Continued From page 7 Caregiver A said staff had not monitored temperatures, documented symptoms, or monitored other tenants for illness. At 11:45 AM, Surveyor interviewed Tenant 3. Tenant 3 stated s/he had experienced upper respiratory symptoms for the past 2 weeks. Tenant 3 said s/he had a loss of appetite, increased exhaustion, cough, and excess phlegm. Surveyor reviewed tenant records. Tenant 2 was admitted on 11/29/2021, Tenant 3 on 01/10/2015, and Tenant 4 on 12/11/2014. Each tenant's record included a signed service agreement that read: "Description of Services Provided... Monitor Medical Problems/Issues... Frequency of Services... Weekly and PRN (as needed)" The service agreements indicated the provider's registered nurse, licensed practical nurse, and caregivers were responsible for delivering this service. The service agreements also indicated tenants would receive "daily monitoring by caregivers." On 01/30/2025 at 8:30 AM, Surveyor interviewed Licensee B. Licensee B stated s/he expected caregivers to check in on tenants at least 1 time per shift. This check-in was more than just a visual; s/he expected staff to ask tenants how they were doing and if they needed anything. Licensee B said that if tenants were feeling ill, s/he expected staff to check their temperature and notify Licensee B. Licensee B stated s/he did not receive notice tenants were ill.	U 118		
{U 127}	89.23(3)(f) SERVICES SERVICE QUALITY.	{U 127}		

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{U 127}	Continued From page 8 Meals and snacks served to tenants shall be prepared, stored and served in a safe and sanitary manner. This Rule is not met as evidenced by: Based on observation and interview, the provider did not ensure food was prepared, stored, and served in a safe and sanitary manner. This is a repeat violation. See Statement of Deficiencies (SOD) P97M12, dated 09/18/2024. Findings include: On 11/22/2024, the Department received a complaint related to the provider's dietary services. The complainant indicated dishes in the cupboard were stained and soiled with food residue. On 01/28/2025 at 11:10 AM, Surveyor observed the provider's kitchen area with Caregiver A. Surveyor observed a tray of uncovered Jell-O cups in the refrigerator. Caregiver A said the Jell-O cups were made either yesterday or this morning. Surveyor found a plate in the cupboard that was visibly dirty with food residue. Caregiver A saw Surveyor remove the dirty plate from the cupboard and said Caregiver C and Caregiver D put dirty dishes back in the cupboard.	{U 127}		
{U 134}	89.23(4)(d)1. SERVICES PROVIDER QUALIFICATIONS. Staff training.	{U 134}		

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{U 134}	Continued From page 9 All facility staff shall have training in safety procedures, including fire safety, first aid, universal precautions and the facility's emergency plan, and in the facility's policies and procedures relating to tenant rights. This Rule is not met as evidenced by: Based on record review and interview, the provider did not ensure 1 of 2 caregivers sampled (Caregiver C) completed training on tenant rights. This is a repeat violation. See Statement of Deficiencies (SOD) P97M12, dated 09/18/2024; 6JHF12, dated 11/02/2020; and 6JHF11, dated 07/29/2019. Findings include: On 01/29/2025, Surveyor requested Caregiver C's training record for review from Licensee B. On 01/30/2025 at 7:42 AM, Surveyor received documentation from Licensee B. On 01/30/2025 at 8:30 AM, Surveyor interviewed Licensee B. Licensee B confirmed s/he sent Caregiver C's training record. Surveyor reviewed Caregiver C's training. Caregiver C was hired on 11/28/2018. Caregiver C's record did not include evidence of training on tenant rights.	{U 134}		

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U 171	Continued From page 10	U 171		
U 171	89.26(4) ANNUAL REVIEW A tenant's capabilities, needs and preferences identified in the comprehensive assessment shall be reviewed at least annually to determine whether there have been changes that would nescessitate a change in the service or risk agreement. The review may be initiated by the facility, the county department designated under sub. (3)(c)2., or at the request of or on the behalf of the tenant. This Rule is not met as evidenced by: Based on record review and interview, the provider did not ensure 1 of 3 tenants sampled (Tenant 2) were assessed annually. This is a repeat violation. See Statement of Deficiencies (SOD) E4UN11, dated 12/29/2022. Findings include: On 01/28/2025, Surveyor reviewed Tenant 2's record. Tenant 2 was admitted on 11/29/2021. Tenant 2's record included a comprehensive assessment dated 08/06/2023. On 01/30/2025 at 8:30 AM, Surveyor interviewed Licensee B. Licensee B discussed recent changes to Tenant 2's health and cognition. Licensee B stated Tenant 2's ability to perform activities of daily living, care for his/her cat, and recognize his/her personal needs had declined since s/he was last assessed. Licensee B confirmed Tenant 2's last assessment was 08/06/2023. Licensee B stated Tenant 2 should have been assessed more recently.	U 171		

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U 189	Continued From page 11	U 189		
U 189	89.28(1) Risk Agreement (1) REQUIREMENT As a protection for both the individual tenant and the residential care apartment complex, a residential care apartment complex shall enter into a signed, jointly negotiated risk agreement with each tenant by the date of occupancy. This Rule is not met as evidenced by: Based on observation, record review, and interview, the provider did not ensure 2 of 4 tenants (Tenant 1 and Tenant 2) sampled, had risk agreements identifying conditions that put the tenants at risk of harm or injury. This is a repeat violation. See Statement of Deficiencies (SOD) E4UN11, dated 12/29/2022. Findings include: On 11/22/2024, the Department received a complaint related to services. The complainant indicated staff did not provide housekeeping services. The complainant stated staff avoided entering some tenant apartments due to the odor and uncleanliness. TENANT 1: On 11/28/2025 at 12:40 PM, Surveyor observed Tenant 1's apartment and interviewed Tenant 1. Every surface in the apartment was covered with items that appeared to be set down without any organization, some of which appeared to be trash. Tenant 1's small apartment had limited space to move due to the amount of stuff in it. The apartment was visibly dirty. Tenant 1 stated,	U 189		

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U 189	Continued From page 12	U 189		

"I'm supposed to get my room cleaned every week, but I don't ever." Tenant 1 also discussed concern that his/her apartment had bed bugs.

At 12:53 PM, Surveyor interviewed Caregiver A. Caregiver A stated, "[Tenant 1's] room is a mess because [s/he] is a hoarder... we can't clean it because [s/he] has too much stuff... we can't touch [his/her] stuff."

Surveyor reviewed Tenant 1's record. Tenant 1 was admitted to the provider on 04/14/2015. His/her risk agreement, updated on 04/23/2015, did not reference an identified risk related to hoarding.

On 01/30/2025 at 8:30 AM, Surveyor interviewed Licensee B. Licensee B stated a risk agreement should include any situation that presented a health or safety risk to a tenant. Licensee B stated s/he revised risk agreements when there was a change in condition that presented a new risk. Surveyor asked if hoarding presented a risk. Licensee B replied, "I haven't done a risk agreement for hoarding... that's a good suggestion." Licensee B stated the provider had bed bugs off and on for years. Licensee B discussed having difficulty treating and inspecting Tenant 1's apartment due to the amount of stuff in it.

TENANT 2:
On 11/28/2025 at 11:22 AM, Surveyor observed Tenant 2's apartment. Tenant 2's floors were soiled with food debris, cat food, and cat litter. Tenant 2's apartment had a strong stale urine-like odor. Tenant 2 had a litter box in his/her kitchen that needed to be cleaned out. Tenant 2 was in bed and stated nobody had been in to check on him/her today.

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U 189	Continued From page 13 At 11:30 AM, Surveyor interviewed Caregiver A. Surveyor asked when Tenant 2's apartment was last cleaned. Caregiver A said, "Hard to say." Caregiver A stated s/he was not responsible for cleaning Tenant 2's apartment. Caregiver A stated s/he was aware of the odor and condition of Tenant 2's apartment. Caregiver A said, "[Managed Care Organization (MCO)] won't do anything about it... [Tenant 2] won't change [his/her] pull up... we give [him/her] cues, but [s/he] ignores us." Surveyor reviewed Tenant 2's record. Tenant 2 was admitted to the provider on 11/29/2021. His/her record did not include a risk agreement. On 01/30/2025 at 8:30 AM, Surveyor interviewed Licensee B. Licensee B discussed recent changes to Tenant 2's health and cognition. Licensee B stated Tenant 2's ability to perform activities of daily living, care for his/her cat, and recognize his/her personal needs had declined since s/he was last assessed. Licensee B confirmed Tenant 2's last assessment was 08/06/2023. Tenant 2 should have been assessed more recently and his/her agreements (service agreement and risk agreement) should have been updated with his/her change in condition. Cross reference: U0116 DHS 89.23(2)(a)2.a Services U0171 DHS 89.26(4) Annual Review	U 189		
U 252	89.34(1) TENANT RIGHTS Rights of tenants. A tenant of a residential care apartment complex shall have all the rights listed in	U 252		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	0014850	A. BUILDING: _____ B. WING _____	R-C 02/03/2025

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
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U 252	Continued From page 14	U 252		

this section. These rights in no way limit or restrict any other rights of the individual under the U.S. Constitution, civil rights legislation or any other applicable statute, rule or regulation. Tenant rights are all of the following:

(1) COURTESY AND RESPECT. To be treated with courtesy, respect and full recognition of the tenant's dignity and individuality by all employes of the facility and all employes of service providers under contract to the facility.

This Rule is not met as evidenced by:
Based on observation and interview, Tenant 1 was not treated with courtesy and respect when Caregiver A yelled at him/her on 01/28/2025.

Findings include:

On 01/28/2025 at approximately 12:20 PM, Surveyor entered the dining room. Caregiver A and 5 tenants were present. Caregiver A told Surveyor that Tenant 5 wanted to talk about his/her concerns with Caregiver C. Caregiver A encouraged Tenant 5 to discuss his/her concerns while Caregiver A added his/her own concerns about Caregiver C. Caregiver A encouraged Tenant 7 to talk about a situation s/he had with Caregiver C as well. At 12:35 PM, Surveyor heard shouting in the hallway near the staff desk/facility entrance. Surveyor left the dining room and found Tenant 1 and Caregiver A shouting at one another. Tenant 1 asked Caregiver A to leave the area so Tenant 1 could speak with Surveyor privately. Caregiver A responded that s/he would not leave because s/he worked here. Surveyor

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
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U 252	Continued From page 15 asked Tenant 1 if there was another location they could go to speak in private. Tenant 1 brought Surveyor to his/her apartment. Tenant 1 stated s/he left the dining area while Caregiver A was discussing Caregiver C. Tenant 1 stated s/he was waiting by the facility exit so s/he could catch Surveyor before s/he left. Tenant 1 stated Caregiver A followed him/her. Tenant 1 stated s/he told Caregiver A s/he was unprofessional and other tenants did not need to hear about his/her opinions about the other employees. Caregiver A became upset and shouted back at Tenant 1. Tenant 1 stated, "[Caregiver A] always talks about employees in front of us. We shouldn't hear about this stuff... it is unprofessional." Tenant 1 stated s/he did not think Caregiver A wanted to do his/her job, and s/he made tenants feel like an inconvenience. Tenant 1 stated, "[Caregiver A] always huffs when we ask for something."	U 252		