

**DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES
CORRECTIVE ACTION PLAN**

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License #: **2172-14-001**

Organization Name: **Kempsville Center for Behavioral Health**

Date of Inspection: **02-02-2022**

Program Type/Facility Name: **14-001 The Kempsville Center for B.H.**

<u>Standard(s) Cited</u>	<u>Comp</u>	<u>Description of Noncompliance</u>	<u>Actions to be Taken</u>	<u>Planned Comp. Date</u>
12VAC35-46-70. - Each provider shall guarantee resident rights as outlined in § 37.2-400 of the Code of Virginia and in the Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded, or Operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services (12VAC35-115).	N	The Kempsville Center for B.H. This regulation was NOT MET as evidenced by: See OHR citation below.	PR) 03/01/2022 PR) By submitting this Plan of Correction, the Hospital does not agree that the facts alleged are true or admit that it violated the rules. The Hospital submits this Plan of Correction to document the actions it has taken to address the citations and the allegations of deficiencies with respect to compliance. The actions displayed by Employee 1 are not tolerated by Kempsville Center for Behavioral Health and are not representative of our mission, vision, values, or usual provision of services. Kempsville leadership took immediate action to investigate and address the staff involved which included promptly ending the employees shift immediately post event and ultimately led to the termination of the employment relationship with Employee 1 effective 1/4/2022. Following this event, a timely call was placed to Child Protective Services. Kempsville Center for Behavioral Health remains compliant with all Mandated Reporting requirements. Staff training was initiated 1/11/2022 by The Program Director and Nurse Manager to all Mental Health Technicians and Unit Nurses regarding appropriate staff to patient interaction that assure a safe environment to all patients serviced as outlined in facility policy and state regulations. Any Nurse or Mental Health Technician who was not available to attend the scheduled training will be required to do so prior to their next worked shift. Full compliance with this training is expected on or before 3/11/2022 in accordance with staff members' next worked shift.	3/11/2022

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			Kempsville Center for Behavioral Health continues to be committed to the highest quality behavioral healthcare. Additional training was initiated on 1/19/2022 by the Director of Social Services focusing on compassion, dignity and respect in all actions and interactions, best practices for safely managing challenging behaviors and the management of Compassion Fatigue among staff members. These trainings sessions will continue to be offered to all Mental Health Technicians and Nurses until full compliance is met which is expected on or before 3/11/2022. Compliance will be monitored through Program Director/Nurse Manager and Human Resources. OLR) Accepted 03/11/2022	
12VAC35-115-50. B. (2) - In receiving all services, each individual has the right to: 2. Be protected from harm including abuse, neglect, and exploitation.	N	The Kempsville Center for B.H. This regulation was NOT MET as evidenced by: "Abuse" means any act or failure to act by an employee or other person responsible for the care of an individual in a facility or program operated, licensed, or funded by the department, excluding those operated by the Department of Corrections, that was performed or was failed to be performed knowingly, recklessly, or intentionally, and that caused or might have caused physical or psychological harm, injury, or death to a person receiving care or treatment for mental illness, intellectual disability, or substances abuse. On January 3, 2022, Employee 1 self-reported that they were physically aggressive towards Individual 1. Employee 1 report that they punched Individual 1 in the face. Upon further Investigation Individual 1 was interviewed where they shared that they were provoking staff by throwing	PR) 03/01/2022 PR) By submitting this Plan of Correction, the Hospital does not agree that the facts alleged are true or admit that it violated the rules. The Hospital submits this Plan of Correction to document the actions it has taken to address the citations and the allegations of deficiencies with respect to compliance. The actions displayed by Employee 1 are not tolerated by Kempsville Center for Behavioral Health and are not representative of our mission, vision, values, or usual provision of services. Kempsville leadership took immediate action to investigate and address the staff involved which included promptly ending the employees shift immediately post event and ultimately led to the termination of the employment relationship with Employee 1 effective 1/4/2022. Following this event, a timely call was placed to Child Protective Services. Kempsville Center for Behavioral	3/11/2022

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		paper balls at them. It was shared on the fourth occasion that Employee 1 grabbed Individual 1 by the hair and punched them in the face.	Health remains compliant with all Mandated Reporting requirements. Staff training was initiated 1/11/2022 by The Program Director and Nurse Manager to all Mental Health Technicians and Unit Nurses regarding appropriate staff to patient interaction that assure a safe environment to all patients serviced as outlined in facility policy and state regulations. Any Nurse or Mental Health Technician who was not available to attend the scheduled training will be required to do so prior to their next worked shift. Full compliance with this training is expected on or before 3/11/2022 in accordance with staff members' next worked shift. Kempsville Center for Behavioral Health continues to be committed to the highest quality behavioral healthcare. Additional training was initiated on 1/19/2022 by the Director of Social Services focusing on compassion, dignity and respect in all actions and interactions, best practices for safely managing challenging behaviors and the management of Compassion Fatigue among staff members. These trainings sessions will continue to be offered to all Mental Health Technicians and Nurses until full compliance is met which is expected on or before 3/11/2022. Compliance is being monitored through the Program Director/Nurse Manager and Human Resources. OHR/OLR) Accepted 03/09/2022	

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General Comments / Recommendations:				
I understand it is my right to request a conference with the reviewer and the reviewer's supervisor should I desire further discussion of these findings. By my signature on the Corrective Action Plan, I pledge that the actions to be taken will be completed as identified by the date indicated.				
Tonya Carr, Legal Operations Manager		(Signature of Organization Representative)		Date
C = Substantial Compliance, N = Non Compliance, NS = Non Compliance Systemic, ND = Non Determined				