DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES
CORRECTIVE ACTION PLAN

Investigation ID: **83**
License #: **3187-14-011**
Organization Name: **STARS**

Date of Inspection: **05-02-2023**
Program Type/Facility Name: **14-011 Zenith House**

Standard(s) Cited	Comp	Description of Noncompliance	Actions to be Taken	Planned Comp. Date
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	This regulation was NOT MET as evidenced by: See Office of Human Rights citations noted in this report.	PR) 05/31/2023 The resident will go over new goals and ISP during their treatment team meeting. If the resident feels like changes need to be made, then the case manager can make them. The resident will sign the ISP when they feel like the information is correct. The case manager will get the resident and clinician to sign the ISP. IT will then get sent to the legal guardian for a signature. If it is sent via email, then an email receipt will be attached to the ISP. The Program Director/Case Manager Supervisor/ Senior Case Manager will ensure that this happens. This will start on June 2023 ISP's. OLR) Accepted 05/31/2023	6/30/2023
12VAC35-46-750. A. - An individualized service plan shall be developed and placed in the resident's record within 30 days following admission and implemented immediately thereafter.	N	This regulation was NOT MET as evidenced by: Based on the intent of regulation 12VAC35-46-750, though the Individualized Service Plan (ISP) was on file for review on May 2, 2023 for Individual #1, the ISP did not include the signature of Individual #1 nor Individual #1's guardian to indicate their participation in the development of the service plan. Additionally, there was no evidence on filed that Individual #1's guardians received a copy of the ISP or requested signatures on the ISP.	PR) 05/31/2023 The case manager will get the resident and clinician to sign the ISP. IT will then get sent to the legal guardian for a signature. If it is sent via email, then an email receipt will be attached to the ISP. The Program Director/Case Manager Supervisor/ Senior Case Manager will ensure that this happens. This will start on June 2023 ISP's. OLR) Accepted 05/31/2023	6/30/2023
12VAC35-115-70. A. (2a) (7b) - Each individual has a right to participate	N	This regulation was NOT MET as evidenced by:	PR) 05/31/2023 When the resident finishes their treatment team meeting, and they discuss the goals for their new	6/30/2023

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meaningfully in decisions regarding all aspects of services affecting him. This includes the right to: 2. Give or not give informed consent to receive or participate in treatment or services that pose a risk of harm greater than ordinarily encountered in daily life and to participate in human research except research that is exempt under § 32.1-162.17 of the Code of Virginia. Informed consent is always required for surgical procedures, electroconvulsive treatment, or use of psychotropic medications: 2a. To be informed, consent for any treatment or service must be based on disclosure of and understanding by the individual or his authorized representative of the following information: 7. A description of the ways in which the individual or his		During records review, the advocate discovered the following: • Individual 1's ISP did not include the signature of Individual 1 • Individual 1's ISP did not include the signature of Individual 1's guardian • The provider was unable to provide evidence that the ISP was sent to the guardian to request signature indicating consent for services as identified on the ISP	ISP and discuss the ISP the Case Manager will ask if they feel the information is accurate. When the Case Manager completes the ISP, the resident will read over it and make changes if need be and sign it. The case manager will get the resident and clinician to sign the ISP. IT will then get sent to the legal guardian for a signature. The Program Director/Case Manager Supervisor/ Senior Case Manager will ensure that this happens. This will start on June 2023 ISP's. OHR/OLR) Accepted 05/31/2023	

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authorized representative can raise concerns and ask questions about the research, treatment, or service to which consent is given. 7b. Evidence of informed consent shall be documented in an individual's services record and indicated by the signature of the individual or his authorized representative on a form or the ISP.				

General Comments / Recommendations:
NOTE: Confirmed with the Provider on May 2, 2023. This report is based on activities noted for service location 14-012, not service 14-011.

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.

Kevin Lassiter, Licensing Specialist	(Signature of Organization Representative)	Date

C = Substantial Compliance, N = Non Compliance, NS = Non Compliance Systemic, ND = Non Determined