



IDAHO DEPARTMENT OF
HEALTH & WELFARE

C.L. "BUTCH" OTTER -- GOVERNOR
RICHARD M. ARMSTRONG -- DIRECTOR

TAMARA PRISOCK -- ADMINISTRATOR
DIVISION OF LICENSING & CERTIFICATION
JAMIE SIMPSON -- PROGRAM SUPERVISOR
RESIDENTIAL ASSISTED LIVING FACILITY PROGRAM
P.O. Box 83720
Boise, Idaho 83720-0009
PHONE: 208-364-1962
FAX: 208-364-1888

November 20, 2015

Joseph Huskinson, Administrator
Lincoln Court Retirement Community
850 Lincoln Drive
Idaho Falls, Idaho 83401

Provider ID: RC-1020

Mr. Huskinson:

On September 16, 2015, a core deficiency follow-up survey was conducted at Lincoln Court Retirement Community. As a result of that survey, deficient practices were found. The deficiencies were cited at the following level(s):

- Non-core issues, which are described on the Punch List, and for which you have submitted evidence of resolution.

Your submitted evidence of resolution is being accepted by this office. Please ensure the corrections you identified are implemented for all residents and situations, and implement a monitoring system to make certain the deficient practices do not recur.

Thank you for your work to correct these deficiencies. Should you have questions, please contact Matt Hauser, QMRP, Health Facility Surveyor, Residential Assisted Living Facility Program, at (208) 364-1962.

Sincerely,

Matt Hauser, QMRP
Team Leader
Health Facility Surveyor

MH/sc

cc: Jamie Simpson, MBA, QMRP Supervisor, Residential Assisted Living Facility Program



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Boise, Idaho 83720-0009
EMAIL: ralf@dhw.idaho.gov
PHONE: 208-364-1962
FAX: 208-364-1888

October 19, 2015

Joseph Huckinson, Administrator
Lincoln Court Retirement Community
850 Lincoln Drive
Idaho Falls, Idaho 83401

Mr. Huckinson:

On September 16, 2015, a state licensure/follow-up/revisit and complaint investigation were conducted by Department staff at Lincoln Court Retirement Community. The facility was cited with multiple repeat non-core deficiencies. Several of these repeat deficiencies relate to the lack of capacity of Lincoln Court to ensure residents are protected from incidents, accidents and abuse including: failing to complete background checks on employees; failing to ensure the administrator is notified of all incidents; failing to notify adult protection of allegations of abuse and the administrator failing to investigate incidents, accidents, complaints and allegations of abuse.

PROVISIONAL LICENSE:

As a result of the survey findings, the provisional license, issued on May 20, 2015 is being extended through June 30, 2016. The following administrative rule for Residential Care or Assisted Living Facilities in Idaho (IDAPA 16.03.22) gives the Department the authority to issue a provisional license:

935. ENFORCEMENT REMEDY OF PROVISIONAL LICENSE.

A provisional license may be issued when a facility is cited with one (1) or more core issue deficiencies, or when non-core issues have not been corrected or become repeat deficiencies. The provisional license will state the conditions the facility must follow to continue to operate. See Subsections 900.04, 900.05 and 910.02 of these rules.

The conditions of the provisional license are as follows:

I. EVIDENCE OF RESOLUTION:

Non-core issue deficiencies were identified on the punch list, a copy of which was reviewed and left with you during the exit conference. The following administrative rule for Residential Care or Assisted Living Facilities in Idaho (IDAPA 16.03.22) describes the requirements for submitting evidence that the non-core issue deficiencies have been resolved:

910. Non-core Issues Deficiency.

Evidence of Resolution. Acceptable evidence of resolution as described in Subsection 130.09 of these rules, must be submitted by the facility to the Licensing and Survey Agency. If acceptable evidence of resolution is not submitted within sixty (60) days from when the facility was found to be out of compliance, the Department may impose enforcement actions as described in Subsection 910.02.a through 910.02.c of these rules.

The fourteen (14) non-core issue deficiencies must be corrected and evidence (including but not limited to receipts, pictures, completed forms, records of training) must be submitted to this office by **October 16, 2015**.

II. CIVIL MONETARY PENALTIES

Of the fourteen (14) non-core issue deficiencies identified on the punch list, seven (7) were repeat punches. One (1) of the repeat deficiencies was/were cited on each of the three (2) previous surveys, 6/13/2013 and 5/1/2015.

305.03 The facility nurse did not document the status of residents' wounds or when residents had changes in condition.

The following administrative rules for Residential Care or Assisted Living Facilities in Idaho give the Department the authority to impose a monetary penalty for this violation:

IDAPA 925. ENFORCEMENT REMEDY OF CIVIL MONETARY PENALTIES.

01. Civil Monetary Penalties. Civil monetary penalties are based upon one (1) or more deficiencies of noncompliance. Nothing will prevent the Department from imposing this remedy for deficiencies which existed prior to survey or complaint investigation through which they are identified. Actual harm to a resident or residents does not need to be shown. A single act, omission or incident will not give rise to imposition of multiple penalties, even though such act, omission or incident may violate more than one (1) rule.

02. Assessment Amount for Civil Monetary Penalty. When civil monetary penalties are imposed, such penalties are assessed for each day the facility is or was out of compliance. The amounts below are multiplied by the total number of occupied licensed beds according to the records of the Department at the time noncompliance is established.

b. Repeat deficiency is ten dollars (\$10). (Initial deficiency is eight dollars (\$8)).

For the dates of June 18, 2015 through September 16, 2015.

Penalty	Number of Deficiencies	Times number of Occupied Beds	Times Number of days of non-compliance	Amount of Penalty
\$10.00	1	132	90	\$118,800

Maximum penalties allowed in any ninety-day period per IDAPA 16.03.22.925.02.c:

# of Occupied Beds in Facility	Initial Deficiency	Repeat Deficiency
3-4 Beds	\$1,440	\$2,880
5-50 Beds	\$3,200	\$6,400
51-100 Beds	\$5,400	\$10,800
101-150 Beds	\$8,800	\$17,600
151 or More Beds	\$14,600	\$29,200

Your facility had 132 occupied beds at the time of the survey. Therefore, your maximum penalty is: \$17,600

Send payment of \$17,600 by check or money order, made payable to:

Licensing and Certification

Mail your payment to:

**Licensing and Certification - RALF
PO Box 83720
Boise, ID 83720-0009**

Payment must be received in full within 30 calendar days from the date this notice is received. Interest accrues on all unpaid penalties at the legal rate of interest for judgments. Failure of a facility to pay the entire penalty, together with any interest, is cause for revocation of the license.

ADMINISTRATIVE REVIEW

You may contest the provisional license or civil monetary penalty by filing a written request for administrative review pursuant to IDAPA 16.05.03.300, which states: the request must be signed by the licensed administrator of the facility, identify the challenged decision, and state specifically the grounds for your contention that this decision is erroneous. The request must be received no later than twenty-eight (28) days after this notice was mailed. Any such request should be addressed to:

Tamara Prisock, Administrator
Division of Licensing and Certification - DHW
3232 Elder Street
P.O. Box 83720
Boise, ID 83720-0036

Upon receipt of a written request that meets the requirements specified in IDAPA 16.05.03.300, an administrative review conference will be scheduled and conducted. The purpose of the conference is to clarify and attempt to resolve the issues. A written review decision will be sent to you within thirty (30) days of the date of the conclusion of the administrative review conference.

If the facility fails to file a request for administrative review within the above specified time period, this decision shall become final.

FOLLOW-UP SURVEY

An on-site, follow-up survey may be scheduled after the administrator submits a letter stating that all deficiencies have been corrected and systems are in place to assure the deficient practices remain corrected. If at the follow-up survey, the repeat non-core issue deficiencies still exists or the facility has failed to abide by the conditions of the provisional license, the Department will take further enforcement action against the license held by Lincoln Court Retirement Community. Those enforcement actions will include one or more of the following:

- Revocation of the Facility License
- Summary Suspension of the Facility License
- Imposition of Temporary Management
- Limit or Ban on Admissions
- Additional Civil Monetary Penalties

Division of Licensing and Certification staff is available to assist you in determining appropriate corrections and avoiding further enforcement actions. Please contact our office at (208) 364-1962 if we may be of assistance, or if you have any questions.

Sincerely,



JAMIE SIMPSON, MBA, QMRP
Program Supervisor
Residential Assisted Living Facility Program

JS/sc

cc: Medicaid Notification Group



Facility LINCOLN COURT RETIREMENT COMMUNITY	License # RC-1020	Physical Address 850 Lincoln Drive	Phone Number (208) 529-3456
Administrator Joe Huskinson	City Idaho Falls	ZIP Code 83401	Survey Date September 16, 2015
Survey Team Leader Matt Hauser, QMRP/QIDP	Survey Type Complaint Investigation and Follow-up	RESPONSE DUE: October 16, 2015	
Administrator Signature 	Date Signed 9/16/15		

NON-CORE ISSUES

Item #	IDAPA Rule #	Description	Department Use Only	
			EOR Accepted	Initials
1	009.06.c	The facility did not have evidence that Idaho State police background checks had been conducted for 2 employees. **Previously cited on 5/1/15**	10/28/15	JM
2	153.01	The facilities abuse policy did not include reporting to Adult Protection, per state statutes.	10/28/15	JM
3	215.07	The administrator did not ensure that AP and Law Enforcement were notified of all allegations of abuse according to Idaho Code.	10/28/15	JM
4	220.02	The facility's admission agreement was not transparent and clearly understandable regarding how level of care charges were determined.	10/28/15	JM
5	225.01	The facility did not evaluate Residents' specific behaviors. **Previously cited on 5/1/15**	11/10/15	JM
6	250.20	The water in the MC Unit was temped at 126.6 degrees.	10/28/15	JM
7	305.03	The facility nurse did not document the status of residents' wounds or when residents had changes in condition. **Previously cited on 6/13/13 & 5/1/15**	10/28/15	JM
8	310.04.d	The facility did not monitor residents for side-effects of psychotropic medications that impacted residents health and safety. **Previously cited on 5/1/15**	11/10/15	JM
9	350.01	The administrator not was notified of all incidents, accidents and complaints.	10/28/15	JM
10	350.02.	The administrator did not conduct investigations of all accidents, incidents and complaints. **Previously cited on 5/1/15**	10/28/15	JM
11	350.04	The administrator did not provide a written response to complainants. **Previously cited on 5/1/15**	10/28/15	JM
12	451.02	The facility did not offer snacks to all residents 3 times a day.	10/28/15	JM
13	711.01	The facility did not track resident's behaviors to include: the <u>date</u> and <u>time</u> a specific behavior was <u>observed</u> , what specific <u>interventions</u> were used and the effectiveness of the intervention.	10/28/15	JM
14	730.02.a	Work records did not include the days and hours the facility nurses and administrator worked. **Previously cited on 5/1/15**	10/28/15	JM
15				



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October 19, 2015

Joseph Huckinson, Administrator
Lincoln Court Retirement Community
850 Lincoln Drive
Idaho Falls, Idaho 83401

Provider ID: RC-1020

Mr. Huckinson:

An unannounced, on-site complaint investigation was conducted at Lincoln Court Retirement Community between 09/14/2015 and 09/16/2015. During that time, observations, interviews or record reviews were conducted with the following results:

Complaint # 5606

Allegation #1: A resident in the memory care unit was restrained.

Findings #1: Substantiated. The facility was issued a core deficiency at IDAPA 16.03.22.510, for not ensuring a resident was protected from abuse. The facility was required to submit a plan of correction within 10 days.

Allegation #2: The facility gave residents expired medications.

Findings #2: Unsubstantiated. Although the incident may have occurred, it could not be proven during the complaint investigation.

Allegation #3: The new pillars in the facility had sharp corners which presented safety concerns for residents.

Findings #3: Substantiated. However, since no residents had been injured, the facility was given technical assistance regarding making the pillars safer for the residents.

Allegation #4: The administrator did not respond to complaints in writing.

Findings #4: Substantiated. The facility was issued a deficiency at IDAPA 16.03.22.350.04, for not providing a written response to all complainants. The facility was required to submit evidence of resolution within 30 days.

Please bear in mind that non-core issue deficiencies were identified on the punch list, a copy of which was reviewed and left with you during the exit conference. Your evidence of resolution (e.g., receipts, pictures, policy updates, etc.) for each of the non-core issue deficiencies is to be submitted to this office by October 17, 2015.

Joseph Huckinson, Administrator

October 19, 2015

Page 2 of 2

If you have questions or concerns regarding our visit, please call us at (208) 364-1962. Thank you for the courtesy and cooperation you and your staff extended to us while we conducted our investigation.

Sincerely,



MATT HAUSER, QMRP

Health Facility Surveyor

Residential Assisted Living Facility Program

MH/sc

c: Jamie Simpson, MBA, QMRP, Supervisor, Residential Assisted Living Facility Program



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Provider ID: RC-1020

Mr. Huckinson:

An unannounced, on-site complaint investigation was conducted at Lincoln Court Retirement Community between 09/14/2015 and 09/16/2015. During that time, observations, interviews or record reviews were conducted with the following results:

Complaint # 5613

Allegation #1: The facility did not report allegations of abuse to Adult Protection.

Findings #1: Substantiated. The facility was issued a deficiency at IDAPA 16.03.22.215.07, for not ensuring Adult Protection was notified after an allegation of abuse was made. The facility was required to submit evidence of resolution within 30 days.

Allegation #2: The facility did not protect residents from abuse.

Findings #2: Substantiated. The facility was issued a deficiency at IDAPA 16.03.22.350.02, for the administrator not investigating allegations of abuse. The facility was required to submit evidence of resolution within 30 days.

Allegation #3: The memory unit did not have a call system in place.

Findings #3: Unsubstantiated.

Please bear in mind that non-core issue deficiencies were identified on the punch list, a copy of which was reviewed and left with you during the exit conference, on September 16, 2015. The completed punch list form and accompanying evidence of resolution (e.g., receipts, pictures, policy updates, etc) are to be submitted to this office within thirty (30) days from the exit date.

Joseph Huckinson, Administrator

October 19, 2015

Page 2 of 2

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