

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 02/16/2022  
FORM APPROVED  
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>315202</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING <b>01</b>  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>11/01/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>LOPATCONG CENTER</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>390 RED SCHOOL LANE PHILLIPSBURG, NJ 08865</b>
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E 000	Initial Comments	E 000		
K 000	<p>INITIAL COMMENTS</p> <p>A Life Safety Code Survey was conducted by the New Jersey Department of Health, Health Facility Survey and Field Operations on 11/01/21, was found to be in noncompliance with the requirements for participation in Medicare/Medicaid at 42 CFR 483.90(a), Life Safety from Fire, and the 2012 Edition of the National Fire Protection Association (NFPA) 101, Life Safety Code (LSC), Chapter 19 EXISTING Health Care Occupancy</p> <p>Lopatcong is a 2-story building that was built in 80's, It is composed of Type II protected. The facility is divided into 6- smoke zones as per the Maintenance Director. The generator does approximately 30% of the building.</p> <p>The facility utilized 1135 waivers allowing for regulatory flexibilities during the Public Health Emergency for routine inspection, testing and maintenance requirements beginning January 31, 2020. The flexibilities did not extend to the following items: fire pump weekly/monthly testing, fire extinguisher monthly inspections, fire fighter operation monthly testing for elevators, monthly testing of generators, and daily inspection of the means of egress in areas of construction, repair, alterations or additions.</p> <p>The facility has 153 certified beds. At the time of the survey the census was 100.</p>	K 000		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE  Electronically Signed	TITLE	(X6) DATE  11/18/2021
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Any deficiency statement ending with an asterisk (\*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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K 222 SS=E	<p>Egress Doors CFR(s): NFPA 101</p> <p>Egress Doors Doors in a required means of egress shall not be equipped with a latch or a lock that requires the use of a tool or key from the egress side unless using one of the following special locking arrangements: CLINICAL NEEDS OR SECURITY THREAT LOCKING Where special locking arrangements for the clinical security needs of the patient are used, only one locking device shall be permitted on each door and provisions shall be made for the rapid removal of occupants by: remote control of locks; keying of all locks or keys carried by staff at all times; or other such reliable means available to the staff at all times. 18.2.2.2.5.1, 18.2.2.2.6, 19.2.2.2.5.1, 19.2.2.2.6 SPECIAL NEEDS LOCKING ARRANGEMENTS Where special locking arrangements for the safety needs of the patient are used, all of the Clinical or Security Locking requirements are being met. In addition, the locks must be electrical locks that fail safely so as to release upon loss of power to the device; the building is protected by a supervised automatic sprinkler system and the locked space is protected by a complete smoke detection system (or is constantly monitored at an attended location within the locked space); and both the sprinkler and detection systems are arranged to unlock the doors upon activation. 18.2.2.2.5.2, 19.2.2.2.5.2, TIA 12-4 DELAYED-EGRESS LOCKING ARRANGEMENTS Approved, listed delayed-egress locking systems installed in accordance with 7.2.1.6.1 shall be permitted on door assemblies serving low and ordinary hazard contents in buildings protected</p>	K 222		12/1/21

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K 222	<p>Continued From page 2</p> <p>throughout by an approved, supervised automatic fire detection system or an approved, supervised automatic sprinkler system. 18.2.2.2.4, 19.2.2.2.4</p> <p><b>ACCESS-CONTROLLED EGRESS LOCKING ARRANGEMENTS</b> Access-Controlled Egress Door assemblies installed in accordance with 7.2.1.6.2 shall be permitted. 18.2.2.2.4, 19.2.2.2.4</p> <p><b>ELEVATOR LOBBY EXIT ACCESS LOCKING ARRANGEMENTS</b> Elevator lobby exit access door locking in accordance with 7.2.1.6.3 shall be permitted on door assemblies in buildings protected throughout by an approved, supervised automatic fire detection system and an approved, supervised automatic sprinkler system. 18.2.2.2.4, 19.2.2.2.4</p> <p>This REQUIREMENT is not met as evidenced by: Based on observation and interview on 11/01/21, it was determined that the facility failed to ensure that exit doors locked with a delayed egress device were provided with instructional signage as per the requirements of NFPA 101:2012 - Chapter 7.2.1.6.1.1(4). This deficient practice was evidenced by the following in 1 of 6 egress doors observed:</p> <p>At 11:40 AM, the Surveyor observed with the Maintenance Director that the egress door on floor two by resident rooms 200 and 201 had a delayed egress device installed on the door for non-emergency egress. The door was not provided with a readily visible sign with 1-inch letters indicating "Push Until Alarm Sounds, Door Can Be Opened in 15-Seconds." The door was provided with a push button keypad and opened with the activation of the fire alarm.</p>	K 222	<p>HOW ANY CORRECTIVE ACTION WILL BE ACCOMPLISHED FOR THOSE RESIDENTS FOUND TO BE AFFECTED BY THE DEFICIENT PRACTICE:</p> <p>New sign was placed on a second floor egress door to correct the deficient practice on 11/1/2021.</p> <p>HOW THE FACILITY WILL IDENTIFY OTHER RESIDENTS HAVING THE POTENTIAL TO BE AFFECTED BY THE SAME DEFICIENT PRACTICE:</p> <p>All residents have the potential to be affected by the deficient practice.</p>		

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K 222	Continued From page 3  The Maintenance Director stated and confirmed the finding during the observation.  The Administrator was informed of these findings during the Life Safety Code survey exit conference on 11/01/21.  NJAC 8:39-31.2(e) NFPA 101:2012 - 7.2.1.6.1(4)	K 222	WHAT MEASURES WILL BE PUT INTO PLACE OR SYSTEMATIC CHANGES MADE TO ENSURE THAT THE DEFICIENT PRACTICE WILL NOT RECUR:  Education was provided to the Maintenance personnel on 11/2/21 re: this deficient practice. the deficient practice was corrected by placing a sign on all Egress doors in the building that visibly state "PUSH until alarm sounds, doors can be opened in 15 seconds."  HOW THE FACILITY WILL MONITOR ITS CORRECTIVE MEASURES TO ENSURE THAT THE DEFICIENT PRACTICE IS BEING CORRECTED AND WILL NOT RECUR:  Maintenance Director/Designee will report findings of weekly audits that exits locked with a delayed egress device and have proper signage as per the requirements of NFPA 101:2012, monthly to QAPI committee x 6 months QAPI Committee and Administrator will review effectiveness of plan to ensure compliance of the deficient practice.		
K 351 SS=D	Sprinkler System - Installation CFR(s): NFPA 101  Spinkler System - Installation 2012 EXISTING Nursing homes, and hospitals where required by construction type, are protected throughout by an approved automatic sprinkler system in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems.	K 351		12/7/21	

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K 351	<p>Continued From page 4</p> <p>In Type I and II construction, alternative protection measures are permitted to be substituted for sprinkler protection in specific areas where state or local regulations prohibit sprinklers.</p> <p>In hospitals, sprinklers are not required in clothes closets of patient sleeping rooms where the area of the closet does not exceed 6 square feet and sprinkler coverage covers the closet footprint as required by NFPA 13, Standard for Installation of Sprinkler Systems.</p> <p>19.3.5.1, 19.3.5.2, 19.3.5.3, 19.3.5.4, 19.3.5.5, 19.4.2, 19.3.5.10, 9.7, 9.7.1.1(1)</p> <p>This REQUIREMENT is not met as evidenced by:</p> <p>Based on observation and interview on 11/01/21, the facility did not provide complete sprinkler coverage as required by Centers for Medicare/Medicaid Services regulation § 483.90(a) physical environment. Also, the facility failed to install the sprinkler system in accordance with the requirements of NFPA 101, 2012 Edition, Section 19.3.5, 4.6.12 and 9.7, NFPA 13, 2012 Edition, Section 6.2.7.1, 8.1, 8.1.1, 8.5.2.1, 8.5.5, 8.5.5.2 8.15.7, 8.15.7.1 and 8.15.7.5. The lack of sprinkler coverage could delay or prevent the extinguishment of a fire in this area. The deficient practice was evidenced by the following:</p> <p>At approximately 12:52 PM, the Surveyor observed with the Maintenance Director that the physical therapy (heating, ventilation, and air conditioning) HVAC closet was not provided with fire sprinkler coverage. The closet was approximately 8' x 6' in size and contained HVAC equipment</p> <p>An interview was conducted with the Maintenance Director and he stated and agreed that the physical therapy HVAC closet did not have fire sprinkler coverage.</p>	K 351	<p>HOW THE CORRECTIVE ACTION WILL BE ACCOMPLISHED FOR THOSE RESIDENTS FOUND TO HAVE BEEN AFFECTED BY THE DEFICIENT PRACTICE:</p> <p>Upon notification of the deficient practice, the Maintenance Director contacted the facility's FIRE Protection Company on 11/1/21. Two sprinkler heads were ordered and installation was scheduled</p> <p>HOW THE FACILITY WILL IDENTIFY OTHER RESIDENTS HAVING THE POTENTIAL TO BE AFFECTED BY THE SAME DEFICIENT PRACTICE:</p> <p>All residents have the potential to be affected by the same deficient practice.</p> <p>WHAT MEASURES WILL BE PUT INTO PLACE OR SYSTEMATIC CHANGES MADE TO ENSURE THAT THE</p>		

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K 351	Continued From page 5  The Administrator was informed of the deficiencies at the Life Safety Code exit conference on 11/01/21 at 02:30 PM.,.  NJAC 8:39-31.2(e)	K 351	DEFICIENT PRACTICE WILL NOT RECUR:  The Installation of two sprinkler heads was performed and completed on 12/7/21  HOW THE FACILITY WILL MONITOR ITS CORRECTIVE MEASURES TO ENSURE THAT THE DEFICIENT PRACTICE IS BEING CORRECTED AND WILL NOT RECUR:  Maintenance Director/Designee will report findings of the installation to QAPI Committee/Administrator to ensure deficient practice was corrected. The facility Fire Protection Company/Maintenance Director/Designee will monitor inspection of the Sprinkler System quarterly to ensure proper functioning.		
K 521 SS=F	HVAC CFR(s): NFPA 101  HVAC Heating, ventilation, and air conditioning shall comply with 9.2 and shall be installed in accordance with the manufacturer's specifications. 18.5.2.1, 19.5.2.1, 9.2  This REQUIREMENT is not met as evidenced by: Based on observation and interview on 11/01/21, in the presence of the facility Maintenance Director, it was determined that the facility failed	K 521	HOW THE CORRECTIVE ACTION WILL BE ACCOMPLISHED FOR THOSE RESIDENTS FOUND TO HAVE BEEN	12/1/21	

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K 521	<p>Continued From page 6</p> <p>to ensure resident bathroom ventilation system's for 20 of 75 units were adequately maintained in accordance with the National Fire Protection Association (NFPA) 90 A, B. This deficient practice was evidenced by the following:</p> <p>Starting from 11:00 AM, to 02:30 PM, the surveyor observed that the ventilation in the following resident room bathrooms did not function:</p> <p><b>[REDACTED]</b> and <b>[REDACTED]</b></p> <p>The surveyor requested that the Maintenance Director, confirm if the units were functioning by placing a piece of single-ply toilet tissue paper across the ceiling grills to confirm ventilation. When tested, the tissue did not hold in place. The resident bathrooms were not provided with a window and required reliance on mechanical ventilation.</p> <p>At that time, the surveyor interviewed the Maintenance Director, who stated and confirmed the ventilation in the resident room bathrooms was not working and that the rooftop units may need to have the belts replaced or new motors installed.</p> <p>The Administrator was informed of the findings at the Life safety code exit conference on 11/01/21 at 2:30 PM.</p> <p>NFPA 90 A NFPA 101-2012 -19.5.2.1 section 9.2.2 NFPA 101-2012- 19.5.2.1 Chapter 9.1 Utilities 9.2.1</p> <p>NJAC 8:39-31.2(e)</p>	K 521	<p>AFFECTED BY THE DEFICIENT PRACTICE:</p> <p>On 11/1/21 during the Life Safety survey, HVAC unit was checked and inspected by Maintenance Director and was found to be non operational.</p> <p>HOW THE FACILITY WILL IDENTIFY OTHER RESIDENTS HAVING THE POTENTIAL TO BE AFFECTED BY THE SAME DEFICIENT PRACTICE:</p> <p>All residents have the potential to be affected by the deficient practice.</p> <p>WHAT MEASURES WILL BE PUT INTO PLACE OR SYSTEMATIC CHANGES MADE TO ENSURE THAT THE DEFICIENT PRACTICE WILL NOT RECUR:</p> <p>An order was placed for parts on 11/4/2021 so that the HVAC unit would become operational. A new motor was received and installed on 11/5/21 and the HVAC unit was operational.</p> <p>HOW THE FACILITY WILL MONITOR ITS CORRECTIVE ACTIONS TO ENSURE THAT THE DEFICIENT PRACTICE IS BEING CORRECTED AND WILL NOT RECUR:</p> <p>Maintenance Director/Designee will do audits on the HVAC unit weekly x 4 weeks, then monthly thereafter.</p>		

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K 521	Continued From page 7	K 521	Mainteneance Director/Designee will report monthly x 6 to QAPI committee on findings of the inspection of the exhaust fans on the preventative maintenance schedule and make recommendations to the Committee for proper operation if necessary.		