

Department of Health & Human Services
Centers for Medicare & Medicaid Services

Printed: 06/08/2025
Form Approved OMB
No. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 335814	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED 07/03/2024
NAME OF PROVIDER OR SUPPLIER Elmhurst Care Center Inc		STREET ADDRESS, CITY, STATE, ZIP CODE 100 17 23rd Avenue East Elmhurst, NY 11369	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (Each deficiency must be preceded by full regulatory or LSC identifying information)		
F 0725 Level of Harm - Minimal harm or potential for actual harm Residents Affected - Some	<p>Provide enough nursing staff every day to meet the needs of every resident; and have a licensed nurse in charge on each shift.</p> <p>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** 44842</p> <p>Based on record review and interviews conducted during the Recertification and Abbreviated survey (NY00342009) from 6/26/24 to 7/03/24, the facility did not ensure that there was sufficient nursing staff to attain or maintain the highest practicable physical, mental, and psychosocial well-being of each resident. Specifically, 1) the facility reported short staffing on weekends confirmed by a review of the Daily Staffing and the Payroll Based Journal (PBJ) Staffing Data Report, and 2) multiple nursing staff members reported a lack of sufficient staffing.</p> <p>The findings include but are not limited to:</p> <p>The Facility Staffing policy reviewed March 2024 documented it is the policy of this facility to provide sufficient staffing to meet the needs of all residents.</p> <p>The Facility Assessment tool dated 11/28/23 did not provide a staff to resident ratio for comparison and did not provide the number of staff required to work on each of the units.</p> <p>The New York State Department of Health Intake #NY00342009 dated 5/13/2024 documented that hotline call from Certified Nurse Assistant #4 who claims staffing on the night shift is the worst. Management has cut staff down to 2 Certified Nurse Assistants to 40 residents but that it is always 1 Certified Nurse Assistant to 40 residents as someone will call out sick. Certified Nurse Assistant #4 also claimed this is causing residents to not be changed for many hours.</p> <p>The PBJ Staffing Data Report dated Fiscal Year (FY) Quarter 2 2024 (January 1- March 31) documented the facility triggered for the metric of excessively low weekend staffing.</p> <p>A review of Daily Staffing sheets from 5/01/24 to 6/16/24 revealed there were documented call outs or no shows on Sunday 5/05/24, Sunday 5/12/24, Monday 5/13/24, Sunday 6/02/24, Friday 6/14/24, Saturday 6/15/24, and Sunday 6/16/24 resulting in 1 Certified Nurse Assistant working on a 40-bed unit.</p> <p>Resident #176 has a diagnosis of Bipolar disorder, Schizophrenia, and Chronic kidney disease.</p> <p>Minimum Data Set, dated dated dated [DATE] documents resident #176 has intact cognition and needs extensive to total assistance of staff to complete Activities of Daily Living (ADL).</p> <p>(continued on next page)</p>		

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.

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER
REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

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<p>F 0725</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Some</p>	<p>On 7/03/24 at 11:03 AM Resident #176 was interviewed and stated weekends are horrible. The aides come eventually, and their incontinent brief is changed only once on over night shift. Resident #176 further stated they have to wait a long time to be changed lately.</p> <p>On 6/27/2024 at 4:10 PM, the Certified Nurse Assistant #4 was interviewed and stated if a Certified Nurse Assistant calls out, there is not much backup. There should be sufficient Certified Nurse Assistants scheduled on each floor in case there is a call out. In the past the facility used to schedule 3 Certified Nurse Assistants for a census of 40 residents then they cut back to only 2 Certified Nurse Assistants. So, when there is a call out, that leaves the floor with only one Certified Nurse Assistant and the Certified Nurse Assistant is instructed to only care for residents on one side of the unit. Certified Nurse Assistant #4 further stated the nurse on the unit does not help and many residents require 2 persons assist as well.</p> <p>On 7/2/24 at 9:06 AM the Certified Nurse Assistant #7 was interviewed and stated they worked one time by themself on the overnight shift because the aide who was scheduled to work with them did not show up. The Certified Nurse Assistant stated they started early and tried their best and was only able to change the incontinent residents one time during the night shift. The Certified Nurse Assistant further stated they worked as a team that night with the nurse on the unit.</p> <p>On 7/2/24 at 9:12 AM the Licensed Practical Nurse #1 was interviewed and stated they work nights and when there is a call out, they help the Certified Nurse Assistant with residents who need 2 assists.</p> <p>On 7/2/24 at 2:51 PM the Staffing Coordinator was interviewed and stated the Administrator's staffing goals are 5 Certified Nurse Assistants on the day shift, 4 Certified Nurse Assistants on the evening shift, and 3 Certified Nurse Assistants on the night shift. The Staffing Coordinator also stated they try to meet those goals as much as they can but are only able to staff 2 Certified Nurse Assistants on nights and sometimes 3. The Staffing Coordinator stated the problem is there are many call outs and no shows. The Staffing Coordinator further stated they are using incentives, agencies, and job sites to try and reach their goals.</p> <p>On 7/03/24 at 9:23 AM the Director of Nursing was interviewed and stated we schedule the appropriate amount of Certified Nurse Assistants, and some end up calling out or not showing up. When there is one Certified Nurse Assistant on the floor on the 11:00 PM to 7:00 AM shift, the nurse will help the Certified Nurse Assistant and together they can manage. Technically their Par level is 5 Certified Nurse Assistants on the day shift, 4 on the evening shift, and 3 on the night shift. The Director of Nursing stated they offer incentives to fill a call out such as they will give a 4-hour bonus for an 8-hour shift or if the aide can work 9:00 AM-3:00 PM, they will pay them an extra 2 hours. In addition, they will pay for an Uber to replace a call out quickly. The Director of Nursing further stated they also call agencies to inquire if any on-call Certified Nurse Aides are available.</p> <p>(continued on next page)</p>		

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F 0725 Level of Harm - Minimal harm or potential for actual harm Residents Affected - Some	<p>On 7/03/24 at 1:05 PM The Administrator was interviewed and stated the callouts are still shocking. Most of the time it's the newer employees. The Administrator stated many times, they have good staffing on the schedule but then the callouts occur. Sometimes there are 6 callouts on a weekend. The disciplinary situation is hard because if they discipline, they have no one to cover them. The Administrator stated it is a constant struggle to schedule the 5, 4, 3 PAR levels and they would also like to schedule an extra 3 Certified Nurse Assistants for callouts. The Administrator stated one Certified Nurse Assistant on nights is unacceptable. The Administrator further stated inhouse and agency salaries have been raised and they will keep hiring and they also give extra pay for weekends, for both in house and agency.</p> <p>415.13(a)(1) (i-iii)</p>		

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F 0732 Level of Harm - Minimal harm or potential for actual harm Residents Affected - Some	<p>Post nurse staffing information every day.</p> <p>44842</p> <p>Based on observations and interviews conducted during the Recertification Survey from 06/26/2024 to 07/03/2024, the facility did not ensure that the nurse staffing information was posted appropriately. Specifically, the posting of daily nurse staffing information was not posted in a prominent area which was readily accessible to residents and visitors.</p> <p>The findings are:</p> <p>The facility policy and procedure titled Staff Posting Policy reviewed March 2024 documented the daily nursing patterns will be posted daily and updated by shifts in front of the nursing supervisor's office to ensure prominent placement to allow accessibility to all residents and visitors of the facility.</p> <p>During observations conducted on 06/26/2024, 06/27/2024, 06/28/2024, 07/01/2024, and 07/02/2024, the State Surveyor was unable to locate the postings of the daily nurse staffing levels for each shift or any signage instructing residents or visitors where it was located.</p> <p>On 07/02/2024 at 2:50 PM, the State Surveyor asked the Staffing Coordinator where the staffing information was located and was shown the posting located in the Subcellar level hallway posted on a staff bulletin board near the nursing supervisor's office. This area was not readily accessible to residents or visitors.</p> <p>On 07/02/2024 at 2:51 PM, the Staffing Coordinator was interviewed and stated the Registered Nurse Supervisors are responsible to post the staffing on the bulletin board 15 minutes before the shift starts. The Staffing Coordinator stated Staffing used to be posted in a common area in the lobby on the cellar level, but that area is under construction. The Staffing Coordinator further stated there is no staff postings posted in the temporary main entrance.</p> <p>On 07/03/2024 at 9:23 AM The Director of Nursing was interviewed and stated we previously posted the staff posting in the main entrance area but due to construction we had to move it. The Director of Nursing stated they do not post the staffing in the temporary entrance area where security is situated because of the Health Insurance Portability and Accountability Act. The Director of Nursing further stated they will read the regulations on staff postings.</p> <p>10 NYCRR 415.13</p>		