

Facility Name: WESTCHESTER PLAZA
Facility ID: 000846
Dates of Visit: 02/07/2012 - 02/09/2012

Investigation Report
Abuse, Neglect and Exploitation

Control Number / Purpose of Visit: 537260 / COMPLAINT INVESTIGATION

Allegation: 13 RESIDENT RIGHTS/CLIENT PROTECTIONS

1. failed to allow resident Jalilian to receive her mail. 2. The facility failed to provide a non-retaliatory environment through which resident Jalilian can voice grievances.

Finding: SUBSTANTIATED BUT NOT CITED

Deficiencies Cited:

Summary of Findings:

Surveyors from the Texas Department of Aging & Disability Services entered the facility on 02/07/12 to investigate several complaints. The entrance conference was conducted at 8:30 AM with The was not in the facility when the surveyors arrived.

The Ombudsman was notified on 02/07/12 at 9:00 AM. The complainant, Fatima Jalilian was contacted after arrival at the facility at approximately 11:15 AM on 02/07/12 and at the end of the investigation.

Complaint # 537260 was investigated regarding the following allegations: a) failed to allow Resident Jalilian to receive her mail b) The facility failed to provide a non-retaliatory environment through which Resident Jalilian can voice grievances.

A sample of six alert residents were interviewed concerning receipt of mail and how the facility handled their complaints. The following alert residents were interviewed (Residents

including in the sample was Fatima Jalilian who were interviewed regarding receipt of personal mail and how the facility handled their complaints.

Resident Fatima Jalilian was born on 09/19/72. She was admitted to the facility on 02/24/01. Resident Jalilian is bedfast and according to her History & Physical examination,

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she is a Quadriplegic. Resident Jalilian does not leave her room. Resident Jalilian has a large apartment with a large number of very nice items in her room.

An interview was conducted on 02/07/12 with Resident Fatima Jalilian and two surveyors at 11:15 AM. Resident Jalilian stated that the stated "I can't receive packages because I filed a complaint against The resident further stated that had pushed against my nose in front and had yelled at me 3 times in less than 3 months."

Resident Jalilian further stated that is denying my packages due to her possibly losing an employee, . In the past had yelled about the boxes [packages] that I had received." Additionally, Resident Jalilian stated she "had been in the facility for 11 years and had no problems with the previous I had a good rapport with but when came, all hell broke loose."

The surveyors asked Resident Jalilian if she would be willing to meet with the and the surveyors in order to work out a resolution for delivery of her packages. The resident agreed to talk with along with the two surveyors.

is the present who has only been in the facility for approximately four months. Initially the facility was accepting boxes delivered to the facility for Resident Jalilian and would deliver the boxes during the day as time permitted. Resident Jalilian complained that she wanted her packages delivered as soon as they arrived and that was not happening. According to the , the resident had accused staff of stealing her items which were shipped. At some point, had stopped accepting Resident Jalilian's boxes stating staff could not be held responsible when Resident Jalilian accused them of stealing her things. Resident Jalilian showed the surveyors documentation where several packages had been rejected and returned. The packages had been rejected in January, 2012.