

### *A Culture of Fear*

The nursing home failed to ensure that residents were treated with respect and dignity for 11 residents.

The nursing home also failed to ensure that residents could voice grievances without fear of reprisal for six residents.

The deficient practice is likely to result in residents not voicing grievances due to fear of staff not assisting them when they need help with any of their activities of daily living, or when they ask a question, or when they try to correct a staff member when something is wrong, which could likely result in residents not getting the care and assistance they need.

During a Resident Council meeting, residents stated that they are not receiving medications on time.

Resident 301 stated when she needs to be changed or needs pain medications, staff will come in and turn off the light, say they will be back, and don't come back for hours.

Resident 27 stated that when she notes that staff are giving her the wrong pill, they argue; this has happened five or six times. A review of a grievance form indicated resident 27 stated CNAs want things done on their own time and that the residents' wants (i.e., requests to be changed) are not important. She stated she does not frequently use her call light so that staff don't get upset with her. The resident stated that they are always afraid of retaliation when they complain about something or put a grievance in.

Resident 19 stated the attitude that they get from some of the agency staff is monumental.

During an interview, resident 241 stated that this morning a CNA "was very rough when changing my underpants and caused me pain while cleaning my testicles." The Director of Nursing stated she spoke with resident 241 last night and he stated he did not want to file a grievance or get anyone in trouble.

During an interview, resident 48 stated that staff don't listen to you and added that she is afraid to say anything because she fears retaliation.

Review of a grievance form indicated that resident 393 had several complaints ranging from long wait times for call lights to be answered, to asking questions to the staff and no one having any information or answers, to resident 393 not wanting to complain; scared that the staff would retaliate.

During an interview, the Administrator and the Infection Preventionist stated that previously there had been a culture in the building that had created fear for residents that staff may retaliate.

Name of Nursing Home	Uptown Rehabilitation Center / Provider ID: 325042
Address	7900 Constitution Ave. NE, Albuquerque, New Mexico
Date investigation completed	January 10, 2019
Type of deficiency issued	F550 – Resident Rights F585 – Grievances
Severity level	Minimal Harm or Potential for Actual Harm
Overall Quality Star Rating: 4; Staffing Rating: 4	

Investigation report: No longer available on *Care Compare* website.