

“No Matter What You Say, They Will Make You Pay for It”

The nursing home failed to ensure each resident has the right to voice grievances to the nursing home or to other agency or entity that hears grievances without discrimination or reprisal and without fear of discrimination or reprisal for seven residents in the confidential group interview, one individual interview (resident 1), and six additional residents and/or representatives.

Seven residents reported fearing retaliation from staff if they reported care concerns, regardless of who they reported it to. The failure could place the residents at risk of being fearful of voicing grievances and a decreased quality of life.

During a Confidential Group Interview, seven residents stated if the residents questioned a staff member or tried to tell them how they wanted something done, the staff member would shut down and leave. The residents said if that happened, the staff would make the residents wait longer.

One resident said, “No matter what you say, they will make you pay for it.” All the residents present at the meeting agreed with the statement. The residents initially said there was no staff they felt safe with, and later identified one.

When the surveyor pointed out that the residents did not voice these concerns in the survey, the residents stated, “It got smooth because we got tired of [OBSCENITY]ing, they won’t talk to us, so we clammed up.”

Grievance/Complaint Reports documented: Resident 12’s family reported the family asked a CNA why the resident had not been showered, had his teeth brushed, or had his brief changed (the brief was soiled). The aide did not have a clear response as to why, but she had an attitude toward the family. The aide made the comment, “You better not call state (regulatory services) or it will be worse for the residents.”

Review of the nursing home’s policy indicated,

“Residents, family, and resident representatives have the right to voice or file grievances without discrimination or reprisal in any form, and without fear of discrimination or reprisal of any form.”

Name of Nursing Home	Focused Care at Hogan Park / Provider ID: 675910
Address	3203 Sage Street, Midland, Texas
Date investigation completed	May 11, 2022
Type of deficiency issued	F585 – Grievances
Severity level	Minimal Harm or Potential for Actual Harm
Overall Quality Star Rating: 2; Staffing Rating: 3	

Investigation report: <https://www.medicare.gov/care-compare/inspections/pdf/nursing-home/675910/health/complaint?date=2022-05-11>