

South Dakota Department of Health

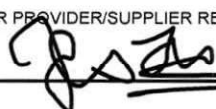
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| STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 11034 | (X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____ | (X3) DATE SURVEY COMPLETED C 03/07/2025 |
| NAME OF PROVIDER OR SUPPLIER HEARTLAND SENIOR LIVING-RUSHMORE, LLC | | STREET ADDRESS, CITY, STATE, ZIP CODE 413 E FAIRLANE DRIVE RAPID CITY, SD 57701 | | |
| (X4) ID PREFIX TAG | SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION) | ID PREFIX TAG | PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY) | (X5) COMPLETE DATE |
| S 000 | Compliance Statement A complaint survey for compliance with the Administrative Rules of South Dakota, Article 44:70, Assisted Living Centers, requirements for assisted living centers. The desk review survey was conducted from 2/4/25 through 3/7/25 of the information obtained from the provider. Areas surveyed included licensed bed capacity and use of requirement equipment for operation. Heartland Senior Living - Rushmore, LLC was found not in compliance with the following requirements: S010 and S1039. | S 000 | | |
| S 010 | 44:70:01:04 Bed Capacity The department shall establish the bed capacity of each facility pursuant to the physical plant and space provisions of this article. The resident census may not exceed the bed capacity for which the facility is licensed. A request by the facility for an adjustment in bed capacity because of change of purpose or construction shall be approved by the department before any changes are made. This Administrative Rule of South Dakota is not met as evidenced by: Based on assisted living license review, electronic mail (e-mail) communication, review of the resident roster, and interview, the provider failed to ensure the census did not exceed the number of beds identified on their license. Findings include: 1. Review of the provider's Assisted Living Center license revealed they were licensed for 16 beds. 2. Review of the e-mail communication between South Dakota Department of Health (SD DOH) | S 010 | Acknowledge building was over capacity, multiple notices were sent out to families for higher LOC and non-payment. No moves were made as a result of letters due to payor sources, or lack of. 2 of the 3 rooms that are double rooms were couples, and one of the rooms each resident had own separate bedroom. Though facility is now closed, in future, we will not accommodate or accept reasons related to financial difficulties, to assure we remain in building compliance with state regulations versus patient care. Acknowledge patient care and quality of life was chosen over state regulation of generator and generator decision was purposely delayed until facility could fiscally sustain the expense. Facility will be closed officially 3/31/25 | |

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

TITLE

(X6) DATE

Jesika Floyd



Owner/Administrator

3/27/25

STATE FORM

6899

E03U11

If continuation sheet 1 of 5

South Dakota Department of Health

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| S 010 | <p>Continued From page 1</p> <p>and administrator A revealed:</p> <p>*An 11/29/24 email from administrator A that requested an increase in beds for their facility from 16 to 19.</p> <p>*An onsite visit was conducted on 12/3/24 and a follow-up email was sent on 12/4/24 by the life safety surveyor that advised the facility on what they would need to complete for the license increase to be granted.</p> <p>-Informed space would be adequate and they would need to adhere to several regulations.</p> <p>--A portion of the Administrative Rule South Dakota (ARSD) 44:70:02:18 was highlighted stating, "Each resident shall have for use in the assigned room a bed, a bedside stand, and a chair appropriate for the needs and comfort for the resident."</p> <p>--A portion of the ARSD 44:70:10:32 was highlighted stating, "A facility with 17 beds or larger shall be equipped with an emergency electrical service that includes an automatic generator set and automatic transfer switches serving emergency panels."</p> <p>*Administrator A e-mailed the life safety surveyor on 12/19/24 indicating, "...yes such accommodations can be made and privacy curtains have been ordered, we have the closets on site."</p> <p>*Administrator A e-mailed the life safety surveyor again on 12/24/24 asking what additional action need to be taken to increase the number of beds on their license.</p> <p>-The life safety surveyor responded on 12/26/24 stating, "In order to license a building with more than 16 residents, you must comply with ARSD 44:70:10:32 regarding installation of an emergency electrical generator."</p> <p>*A 1/27/25 e-mail from Administrator A revealed that they had researched the cost of a generator and it was not economically feasible for them.</p> | S 010 | <p>All privacy and integrity related "space" 12/20/24 accommodations were Completed, curtain was up in the room not shared by a couple. each resident had their own closet in this room. The Couples shared closet and dressers per family set up. Facility will be closed officially 3/31/25</p> <p>Acknowledge the generator requirement was not met, as a 97% Medicaid payor rate, and facility had yet to be paid from SD Medicaid for 5 months of operation on 12/4/25. This facility combined was largest Medicaid assisted living bed occupancy in the state as of 12/13/24. Facility will be closed officially 3/31/25</p> | |

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| S 010 | Continued From page 2 *SD DOH requested their census in each of their occupied buildings on 1/31/25. -Administrator A responded on 2/4/25 that there were 19 residents who resided in the building. 3. Review of the resident roster for the building revealed: *The census was 16 on 12/10/24. *The following residents were admitted from neighboring buildings on the campus after 12/10/24: -Resident 1 on 12/11/24. -Resident 2 on 1/7/25. -Resident 3 on 1/9/25. 4. Interview on 2/4/24 at 10:29 a.m. with administrator A by telephone revealed: *She acknowledged there were 19 residents in the building. *They were attempting to discharge several residents who were determined to be over the level of care but were having difficulty with placement. | S 010 | | |
| S1039 | 44:70:10:32 Electrical Distribution System A facility with 17 beds or larger shall be equipped with an emergency electrical service that includes an automatic generator set and automatic transfer switches serving emergency panels. A facility with 17 beds or larger shall have automatic emergency lighting for each exit way, staff work areas, dining room, medication room, dietary department, medication room, room where main entrance electrical panels are located, boiler room, and exterior lighting serving required exits. A facility with 17 beds or larger shall have automatic emergency power for the fire alarm system, electrical receptacle servicing computers | S1039 | In the event of electrical outage, emergency lighting to all areas are backed up via battery in the event of electrical outage, as well as fire alarm system, call light system. EP plan included cell phones of staff, and data usage on computers that would not require electricity with back up computer batteries in storage. Facility will be closed officially 3/31/25 | 7/31/24 |

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| S1039 | <p>Continued From page 3</p> <p>containing resident care records, telephone system, door alarms, and staff call system.</p> <p>This Administrative Rule of South Dakota is not met as evidenced by: Based on review of electronic mail (e-mail) communication, resident roster review, and interview, the facility failed to ensure an automatic generator was installed when more than seventeen residents resided in the facility. Findings include:</p> <p>1. Review of email communication between South Dakota Department of Health (SD DOH) and administrator A revealed: *An 11/19/24 email from administrator A that requested an increase in beds for their facility from 16 to 19. *An onsite visit was conducted on 12/3/24 and follow-up email sent on 12/4/24 by the life safety surveyor that advised the facility on what they would need to complete for the license increase to be granted. -Informed space would be adequate and they would need to adhere to several regulations. --A portion of the Administrative Rules South Dakota (ARSD) 44:70:10:32 was highlighted stating, "A facility with 17 beds or larger shall be equipped with an emergency electrical service that includes an automatic generator set and automatic transfer switches serving electrical panels. *Administrator A emailed the life safety surveyor on 12/24/24 asking what additional action needed to be taken to increase the number of beds on their license. -They had complied with the addition of furniture and privacy curtains. -LSC responded on 12/26/24 stating, "In order to license a building with more than 16 residents,</p> | S1039 | | | |

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| S1039 | <p>Continued From page 4</p> <p>you must comply with ARSD 44:70:10:32 regarding installation of an emergency electrical generator."</p> <p>*On 1/27/25, administrator A revealed that they had researched the cost of a generator and it was not an economically feasible option.</p> <p>*SD DOH requested their census in each of their occupied buildings as of 1/31/25.</p> <p>-Administrator A responded on 2/4/25 that there were 19 residents located in the building.</p> <p>2. Review of the resident roster for the building revealed:</p> <p>*The census was 16 on 12/10/24.</p> <p>*The following residents were admitted from neighboring buildings on the campus after 12/10/24.</p> <p>-Resident 1 on 12/11/24.</p> <p>-Resident 2 on 1/7/25.</p> <p>-Resident 3 on 1/9/25.</p> <p>3. Interview on 2/4/25 at 10:29 am. with administrator A by telephone revealed she acknowledged there were 19 residents in the building.</p> | S1039 | <p>One resident remains in the building, and the building will be vacant 3/31/25. Will be officially closed.</p> | |