

**Iowa Department of Inspections and Appeals
Health Facilities Division
Citation**

Citation Number: #10285		Date: April 9, 2024		
Facility Name: Aspire of Muscatine		Survey Dates: March 20, 2024 to March 28, 2024		
Facility Address/City/State/Zip 2002 Cedar Street Muscatine, IA 52761		CP		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

58.28(3)e	<p>481—58.28(135C) Safety. The licensee of a nursing facility shall be responsible for the provision and maintenance of a safe environment for residents and personnel. (III)</p> <p>58.28(3) Resident safety.</p> <p>e. Each resident shall receive adequate supervision to protect against hazards from self, others, or elements in the environment. (I, II, III).</p> <p>DESCRIPTION:</p> <p>Based on clinical record review, facility policy review, and staff interviews the facility failed to provide needed staff supervision to residents requiring assistance to safely eat during a meal resulting in a burn from spilled food for one of three residents (Resident #2) reviewed. The facility reported a census of 34 residents.</p> <p>Findings include:</p> <p>The Minimum Data Set (MDS) assessment tool, dated 8/15/23, listed diagnosis for Resident #2 included type 2 diabetes, cerebrovascular accident (stroke), and muscle contractures. The MDS assessed Resident #2 required limited physical assistance from one staff member to eat. The MDS listed the resident's Brief</p>	CLASS I	\$ 5,000.00	UPON RECEIPT
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Facility Administrator

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	<p>Interview for Mental Status (BIMS) score as 13 out of 15, indicating intact cognition.</p> <p>The Care Plan revealed a Focus Area for ADL (Activities of Daily Living) self-care performance deficit related to a history of a stroke created on 3/9/19. The plan included an intervention for Eating with the resident able to feed herself with supervision for staff, with an initiation date of 10/6/23.</p> <p>A clinical record review revealed a 10/6/23 incident note documenting Resident #2 placed her left hand in a plate of pasta causing a burn with blistering of the skin and reported pain of 10 out of 10. The facility Nurse Practitioner notified of the incident and verbally ordered the resident be sent to the emergency room for evaluation and treatment.</p> <p>A Burn Unit provider note, dated 10/10/23, revealed Resident #2 sustained a scald burn involving less than 10% body surface on her left hand. The burn wound appeared to be superficial mixed with deep partial-thickness that may require surgical intervention.</p> <p>The Burn Unit provider note, dated 10/17/23, revealed a new diagnosis of acute pain due to trauma. The wound showed interval healing, and at the time did not require any surgical intervention, with a</p>			
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	<p>recommendation to continue wound care application of Silvadene.</p> <p>During an interview on 3/21/24 at 12:09 PM, Staff J, Cook stated 10/6/23 she made Shrimp Alfredo for lunch. Staff J stated she served a plate to Resident #2, placing it slightly out of reach and telling her to wait to eat as the plate needed to cool.</p> <p>Staff J stated Resident #2 grabbed for the plate and her left hand had a spasm and got stuck in the plate causing a burn.</p> <p>Staff J stated there were no staff at the table when she served Resident #2 her lunch. She stated the CNA's (Certified Nursing Assistant) were assisting other residents from their rooms to the dining room for lunch. Staff J stated a nurse and a medication aide were at the nursing station when the resident placed her hand in the food.</p> <p>Staff J stated after this incident, as staff needs to be at the table before Resident #2 is served her meal.</p> <p>During an interview on 3/26/24 at 10:07 AM, Staff K, Licensed Practical Nurse (LPN) stated she had been at the nurses' station when Resident #2 put her hand in her food. Staff K stated she heard the resident yell,</p>			
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	<p>and within 10 seconds she was able to lift her hand out of the food.</p> <p>Staff K stated when she lifted Resident #2 hand out of the food, she immediately noted blisters on the resident's hand. Staff K stated the palm and side of the residents left hand blistered.</p> <p>Staff K stated looked Resident #2 Care Plan in the Electronic Health REcord (EHR). She stated she had not been able to determine what assistance the resident required to eat. Staff J stated the resident did not have eating addressed on her care plan. She stated the resident now is care planned to have a staff assist with eating.</p> <p>During an interview on 3/26/24 at 11:31 AM, Staff L, CNA stated Resident #2 required a staff member to sit with her when eating. She stated the resident did not have control of her left hand and due to spasms, she could spill hot food on herself. Staff L stated the resident required total assistance to eat foods that require a spoon or a fork.</p> <p>During an interview on 3/26/24 at 10:53 AM, Staff F, LPN stated Resident #2 has always needed a staff member present at the table prior to her hand. Staff F stated the CNA's have a sheet for each hallway listing</p>			
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58.43(9)	<p>what assistance residents need, including in the area of eating.</p> <p>A review of the Hall 2 sheet revealed Resident #2 listed as an ADR (Assisted Diner Resident).</p> <p>During an interview on 3/28/24 at 2:11 PM, the Director of Nursing (DON) stated if a resident requires limited assistance to eat when would expect a staff to be at the table prior to a plate being served.</p> <p>The facility policy, dated August 2021, titled Nutrition and Weight Management Standard lacked staff direction on providing limited physical assistance to residents to safely eat meals.</p> <p>FACILITY RESPONSE:</p> <p>481—58.43(135C) Resident abuse prohibited. Each resident shall receive kind and considerate care at all times and shall be free from mental, physical, sexual, and verbal abuse, exploitation, neglect, and physical injury.</p> <p>58.43(9) Allegations of dependent adult abuse. Allegations of dependent adult abuse shall be</p>	CLASS II	\$500.00	UPON RECEIPT
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	<p>reported and investigated pursuant to Iowa Code chapter 235E and 481—Chapter 52. (I, II, III)</p> <p>DESCRIPTION:</p> <p>Based on clinical records, facility policy, and staff interviews the facility failed to report an incident of possible financial exploitation to the State Agency for one of three (Resident#7) residents reviewed. The facility reported a census of 34 residents.</p> <p>Findings include:</p> <p>The Quarterly Minimum Data Set (MDS) assessment tool, dated 2/5/24, listed diagnosis for Resident#7 included paranoid schizophrenia, vascular dementia, and epilepsy. The MDS listed the resident's Brief Interview for Mental Status (BIMS) score as 15 out of 15, indicating intact cognition.</p> <p>A clinical record review revealed Resident#7 had Representative Payee services.</p> <p>The Administrator provided A Resident Fund Management Service Authorization and Agreement signed by the Resident #7 Legal Guardian on 5/18/21.</p>			
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	<p>During an interview on 3/26/24 at 4:05 PM, the assigned Representative Payee provider stated they have not provided payee services to Resident #7 since February of 2022.</p> <p>During an interview on 3/27/24 at 12:34 PM, Staff I, former employee, stated during her employment at the facility she assisted residents with their funds.</p> <p>Staff I stated in November of 2023 she had been instructed by the former Administrator, to assist Resident #7 with closing a community-based bank account.</p> <p>Staff I stated she assisted the resident, and a check for approximately \$8500 had been sent to the facility.</p> <p>After the check arrived, Staff I stated she emailed the former Administrator to inform her the check arrived. Staff I stated the former Administrator instructed her to put the check in the locked money bin until she [former Administrator] could pick it up. Staff I stated the former Administrator also instructed her to not tell Resident #7 the check arrived.</p> <p>Staff I stated when she arrived to work the following day, the check was not in the locked money bin.</p>			
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	<p>A review of the Resident #7 Resident Statements for the month of November 2023 and December 2023 revealed a lack of a deposit for approximately \$8500.</p> <p>During an interview on 3/27/24 at 3:37 PM, the Provisional Administrator of a sister facility stated a staff member brought her information regarding a concern with Resident #7 funds. The Provisional Administrator stated she reported the concern to the Vice President of Human Resources.</p> <p>During an interview on 3/28/24 at 10:15 AM, the Vice President of Human Resources (VP of HR) stated she interviewed the former Administrator regarding Resident #7 funds. The VP of HR stated the former Administrator stated she assisted Resident #7 with depositing a check for \$8523.40 into her personal bank account.</p> <p>The former Administrator provided a breakdown of expenses from the \$8523.40. The expenditures included \$3500 to Resident #7 Resident Funds.</p> <p>The Resident Statement included a credit on 12/8/23 from a personal check in the amount of \$3500. On 12/11/23 the statement revealed a \$1500 debit transfer to burial fund.</p>			
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	<p>The Resident Statement included a credit on 2/1/24 from a cashier's check in the amount of \$3201.71.</p> <p>The VP of HR stated \$632.68 of Resident #7 money cannot be accounted for after the investigation.</p> <p>The VP of HR denied notifying local law enforcement or the State Agency of possible financial exploitation.</p> <p>During an interview on 3/28/24 at 1:04 PM, the Regional Vice President (VP) of Operations stated the investigation of potential financial exploitation regarding Resident #7 funds occurred a month prior to her employment with the facility. The VP of Operations stated she does not know that anything had been reported to local law enforcement or the State Agency.</p> <p>The facility policy, dated October 2023, titled Freedom of Abuse, Neglect and Exploitation directed staff to ensure that all alleged violations involving abuse, neglect, exploitation or mistreatment including injuries of unknown source and misappropriation of resident property are reported immediately, but not later than 2 hours after the allegation is made, if the events that cause the allegation involve abuse or result in serious bodily injury or not later than 24 hours if the events that cause the allegation do not</p>			
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	involve abuse and do not result in serious bodily injury.			
	FACILITY RESPONSE:			

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