

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

Number 5322		Fine amount reduced by 35% to \$325.00 on January 3, 2014, pursuant to Iowa Code section 135C.43A (2013)		Report date December 18, 2013	
Facility name Scenic Acres				Survey dates November 25-27, 2013	
Facility address 23105 Granite Avenue		Surveyor Brian Imhoff, QIDP			
City Saint Olaf, IA. 52072		HL			
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction Date	
57.12(3)	<p>57.12(3) <i>Employee criminal record checks, child abuse checks and dependent adult abuse checks and employment of individuals who have committed a crime or have a founded abuse.</i> The facility shall comply with the requirements found in Iowa Code section 135C.33 as amended by 2013 Iowa Acts, Senate File 347, and rule 481—50.9(135C) related to completion of criminal record checks, child abuse checks, and dependent adult abuse checks and to employment of individuals who have committed a crime or have a founded abuse. (I, II, III)</p> <p>[ARC 0903C, IAB 8/7/13, effective 9/11/13]</p>	II	\$500.00	Upon Receipt	
50.9(3)c	<p>481—50.9(135C) Criminal, dependent adult abuse, and child abuse record checks.</p> <p>50.9(3) <i>Requirements for employer prior to employing an individual.</i> Prior to employment of a person in a facility, the facility shall request that the department of public safety perform a criminal history check and the department of human services perform child and dependent adult abuse record checks of the person in this state.</p> <p><i>c. If a person being considered for employment has been convicted of a crime.</i> If a person being considered for employment in a facility has been convicted of a crime under a law of any state, the department of public safety shall notify the facility that upon the request of the facility the department of human services will perform an evaluation to determine whether the crime warrants prohibition of the person's employment in the facility. (I, II, III)</p> <p>DESCRIPTION:</p> <p>Based on interview and record review the facility failed to have the Department of Human Services (DHS) evaluate a prospective employee's criminal record prior to hire for</p>				

If, within thirty (30) days of the receipt of the citation, you: (1) do not request a formal hearing or; (2) withdraw your request for formal hearing; and (3) pay the penalty, the assessed penalty will be reduced by thirty-five percent (35%) pursuant to Iowa Code section 135C.43A (2013).

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

Number 5322	Fine amount reduced by 35% to \$325.00 on January 3, 2014, pursuant to Iowa Code section 135C.43A (2013)	Report date December 18, 2013		
Facility name Scenic Acres	Survey dates November 25-27, 2013			
Facility address 23105 Granite Avenue	Surveyor Brian Imhoff, QIDP			
City Saint Olaf, IA. 52072	HL			
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction Date
	<p>1 of 7 employees reviewed (Staff D). Findings follow:</p> <p>Record review on 11/26/13 at 3:30 p.m. revealed Staff D had a hire date of 10/20/12. The criminal background completed on 10/4/12 revealed a possible hit. The Department of Criminal Investigation (DCI) was going to send additional information. The information received from DCI on 10/11/12 included a history of criminal charges. The employee record lacked a DHS approval letter for Staff D to work prior to his/her hire date of 10/20/12. The DHS letter approving Staff D to work at the facility was dated 8/13/13.</p> <p>Interview with the Administrator on 11/26/13 at 3:50 p.m. confirmed this finding. The Administrator stated the DCI form received on 10/11/12 regarding Staff D indicated there was a waiver on file which was interpreted as DHS approving the employee to work at the facility. Therefore the facility did not contact DHS for approval to hire Staff D. The Administrator stated this error was discovered during an audit in August 2013 and was corrected.</p> <p>FACILITY RESPONSE:</p>			

If, within thirty (30) days of the receipt of the citation, you: (1) do not request a formal hearing or; (2) withdraw your request for formal hearing; and (3) pay the penalty, the assessed penalty will be reduced by thirty-five percent (35%) pursuant to Iowa Code section 135C.43A (2013).

Administrator

Date

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

Number 5322	Fine amount reduced by 35% to \$325.00 on January 3, 2014, pursuant to Iowa Code section 135C.43A (2013)	Report date December 18, 2013		
Facility name Scenic Acres	Survey dates November 25-27, 2013			
Facility address 23105 Granite Avenue	Surveyor Brian Imhoff, QIDP			
City Saint Olaf, IA. 52072	HL			
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction Date

If, within thirty (30) days of the receipt of the citation, you: (1) do not request a formal hearing or; (2) withdraw your request for formal hearing; and (3) pay the penalty, the assessed penalty will be reduced by thirty-five percent (35%) pursuant to Iowa Code section 135C.43A (2013).

Administrator

Date

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

Number 5322	Fine amount reduced by 35% to \$325.00 on January 3, 2014, pursuant to Iowa Code section 135C.43A (2013)	Report date December 18, 2013		
Facility name Scenic Acres	Survey dates November 25-27, 2013			
Facility address 23105 Granite Avenue	Surveyor Brian Imhoff, QIDP			
City Saint Olaf, IA. 52072	HL			
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction Date

If, within thirty (30) days of the receipt of the citation, you: (1) do not request a formal hearing or; (2) withdraw your request for formal hearing; and (3) pay the penalty, the assessed penalty will be reduced by thirty-five percent (35%) pursuant to Iowa Code section 135C.43A (2013).

Administrator

Date