

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

FC# 6260				
		Date: August 29, 2016		
ManorCare Health Services		Survey dates: August 8, 16-17, 2016		
201 West Ridgeway Ave.				
Waterloo, Iowa 50701		Ds/jm/kk		
		Class	Fine Amount	Correction date
56.12 +	481-56.12 (135C) Class I violation as a result of multiple lesser violations. The director of the department of inspections and appeals may issue a citation for a class I violation when a physical condition or one or more practices exist in a facility which are a result of multiple lesser violations of the statutes or rules, but which taken as a whole constitute an imminent danger or a substantial probability of resultant death or physical harm to the residents of the facility.	I	\$2,000 Held in suspension	Upon Receipt
58.43	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. Each resident shall be free from chemical and physical restraints except as follows; When authorized in writing by a physician for a specific period of time; when necessary in an emergency to protect the resident from injury to the resident or to others, in which case restraints may be authorized by designated professional personnel who promptly report the action taken to the physician; and in the case of an intellectually disabled individual when ordered in writing by a physician and authorized by a designated qualified intellectual disabilities professional for use during behavior modification sessions. Mechanical supports used in normative situations to achieve proper body position and balance shall not be considered to be a restraint. 58.43(2) Physical abuse includes, but is not limited			

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Date _____

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+ 58.45(1)	<p>to corporal punishment and the use of restraints as punishment. (II)</p> <p>481-58.45(135C) Dignity preserved. The resident shall be treated with consideration, respect and full recognition of dignity and individuality, including privacy in treatment and in care for personal needs. (II)</p> <p>58.45(1) Staff shall display respect for residents when speaking with, caring for, or talking about them, as constant affirmation of their individuality and dignity as human beings. (II).</p> <p>DESCRIPTION:</p> <p>Based on record review and staff and resident interviews, the facility failed to ensure Resident #2 was free from verbal and sexual abuse. The sample consisted of 4 residents and the facility reported a census of 66 residents.</p> <p>Findings include:</p> <p>1. The Admission Record Report for Resident #2 identified an original admission date of 01-24-16 with a readmission on 03-17-16 and had diagnoses which included adenocarcinoma of cecum (at the beginning of the large intestine), fractured humerus (upper arm), vitamin D deficiency, severe malnutrition and severe frailty.</p> <p>Resident #2 had a MDS (Minimum Data Set) assessment dated 06-23-2016. The MDS identified the resident with a BIMS (Brief Interview for Mental Status) score of 11 out of 15. A score of 11 identified the resident had a moderate</p>			

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	<p>cognitive impairment. The assessment indicated the resident as independent with bed mobility, transferring, ambulating, eating and personal hygiene. Resident #2 required staff supervision with dressing and extensive staff assistance with bathing.</p> <p>The Care Plan dated 06-09-2016 identified a problem with potential grief reaction related to restarting chemotherapy treatment. The interventions directed the staff to do the following:</p> <p>Attempt to involve in activities respecting choice and preferences; Discuss feelings of sadness/hopelessness and options of appropriate channeling of these feelings; Offer choices to enhance sense of control; and validate feelings</p> <p>During an interview on 08-16-2016 at 3:50 p.m. Resident #2 stated there were several times in which the night shift nurse, Staff A had kissed him/her on the lips. Resident #2 stated this had happened 4 or 5 times in the last 2 or 3 weeks. Resident #2 stated he/she felt like Staff A held his/her mouth open and tried to "French kiss ". Resident #2 stated the first time he/she was surprised. The second and third time the resident stated he though Staff A had an agenda and the fourth time he/she pushed Staff A away. Resident #2 stated he/she would ask who would be coming on to work. Resident #2 stated he/she would feel 'dread' when learned it was Staff A coming on duty. Resident #2 stated he/she does not have those kind of needs</p> <p>Resident #2 stated Staff A never touched any other part of his/her body, but he/she felt Staff A had plans, and/or an agenda and would have</p>			

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	<p>made further advances. Resident #2 also stated Staff A once stated, "You know if I was younger I'd be working up to marrying you when you get out ".</p> <p>On 08-17-2016 at 1:27 p.m. Staff A (Registered Nurse) was interviewed and admitted she had kissed Resident #2, adding it was on the top of the head, maybe three times at most. Staff A stated it was a kiss comparable to kissing a baby on the top of their head and there was no sexual meaning in it what so ever. Staff A stated that he/she did not expect anything in return from the kiss.</p> <p>During the interview Staff A also described Resident #2 as being special. Staff A also stated she once commented to Resident #2, that "when you get better and I grow up, we should get married." Staff A stated Resident #2 just laughed about the statement.</p> <p>During an interview on 08-17-16 at 4:08 p.m. Staff B stated she was called into Resident #2's room one night. The resident stated Staff A was being very rude and short with him/her. Staff B stated all of a sudden during the conversation, Resident #2 stated, "And that bitch had the nerve to grab my face and kiss me all over". Staff B stated Resident #2 became teary, then broke down and cried. Staff B stated the resident informed her it was not the first time this had happened. Staff B stated she didn't want to believe it, but when Resident #2 broke down [cried], she knew something had happened.</p> <p>Staff B stated the resident told her "If she is doing this to me, what is she doing to others? "</p>			

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	FACILITY RESPONSE:			

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