

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

FC#6439				
		Date: February 9, 2017		
Sunset Knoll Care & Rehab Center		Fine amount reduced by 35% to \$325.00 on March 6, 2017 pursuant to Iowa Code Section 135C.43A		Survey Dates: January 9-12,17,2017
401 W. 5 th Street				
Aurelia, Iowa 51005		DS/pg/mw		
		Class	Fine Amount	Correction date
135C.33 1b +	<p>135C.33 Employees and certified nurse aide trainees-child or dependent adult abuse information and criminal record checks-evaluations-application to other providers-penalty.</p> <p>1 b. 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. A facility shall inform all persons prior to employment regarding the performance of the record checks and shall obtain, from the persons, a signed acknowledgment of the receipt of the information. A facility shall include the following inquiry in an application for employment.</p>	II	\$500	Upon Receipt
50.9(3)b	<p>481-50.9 (135C) Criminal, dependent adult abuse, and child abuse record checks.</p> <p>50.9(3) Requirements for prospective employer prior to employing an individual. 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>b. Conducting a background check.</i> The facility may access the single contact repository (SING) to perform the required background check. If the SING is used, the facility shall submit the person's maiden name, if applicable, with the background check request. If the SING is not used, the facility</p>			

Facility Administrator _____

Date _____

If, within thirty (30) days of the receipt of the citation, you (1) do not request a formal hearing or withdraw your request for formal hearing, and (2) pay the penalty, the assessed penalty will be reduced by thirty-five percent (35%) pursuant to Iowa Code section 135C.43A (Supp. 2009).

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+ 58.11(3)	<p>must obtain a criminal history check from the department of public safety and a check of the child and dependent adult abuse registries from the department of human services. (I, II, III).</p> <p>481-58.11(135C) Personnel. 58.11(3) 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. 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>DESCRIPTION:</p> <p>Based on review of personnel files and staff interview, the facility failed to obtain a criminal background and abuse check prior to the hiring of Staff C (nursing). The sample consisted of 9 personnel files reviewed.</p> <p>Findings include:</p> <p>The personnel file identified Staff C (nursing) had a date of termination from the facility on 10/7/16. A New Employee Worksheet identified Staff C had a date of hire as 12/6/16.</p> <p>The personnel file lacked a criminal background</p>			

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	<p>and abuse history check prior to the hiring of Staff C on 12/6/16.</p> <p>On 1/12/17 at 11:35 a.m. the Business Office Manager was interviewed and stated she thought she had rechecked the criminal background and abuse history checks when the facility rehired Staff C. The Business Office Manager stated when she looked on the Single Contact License and Background Check (SING) site; it only showed the check from her previous employment.</p> <p>FACILITY RESPONSE:</p>			

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