

Iowa Department of Inspections and Appeals
Health Facilities Division
Citation

Citation Number: 6483		Date: March 20, 2017		
Facility Name: Highland Drive Group Home i.e. Comprehensive Systems, Inc.	Fine amount reduced by 35% to \$325.00 on April 4, 2017 pursuant to Iowa Code Section 135C.43A	Survey Dates: March 1-9, 2017		
Facility Address/City/State/Zip 202 Highland N. Cedar Falls, Iowa 50613				
	DS/cc/LK			
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

64.60 +	481—64.60 (135C) Federal regulations adopted—conditions of participation. Regulations in 42 CFR Part 483, Subpart D, Sections 410 to 480 effective October 3, 1988, are adopted by reference and incorporated as part of these rules. A copy of these regulations is available on request from the Health Facilities Division, Department of Inspections and Appeals, Lucas State Office Building, Des Moines, Iowa 50319. Classification of violations is I, II, and III, determined by the division using the provisions in 481—Chapter 56, “Fining and Citations,” to enforce a fine to cite a facility. This rule is intended to implement Iowa Code section 135C.2 (3).	II	\$500	Upon Receipt
64.33(1) +	481-64.33(135C) Allegations of dependent adult abuse. 64.33(1) Allegations of dependent adult abuse. Allegations of dependent adult abuse shall be reported and investigated pursuant to Iowa Code chapter 235E and 481-Chapter 52. (I,II,III)			
235E.2 3.a	235E.2 Dependent adult abuse reports in facilities and programs.			

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Facility Administrator

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).

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52.2(2)a + W153	3. a. If a staff member or employee is required to make a report pursuant to this section, the staff member or employee shall immediately notify the person in charge or the person's designated agent who shall then notify the department within twenty-four hours of such notification. If the person in charge is the alleged dependent adult abuser, the staff member shall directly report the abuse to the department within twenty-four hours. 481-52.2 (235E) Persons who must report dependent adult abuse and the reporting procedure for those persons. 52.2(2) Reporting suspected dependent adult abuse in facilities or programs. a. If a staff member or employee is required to make a report pursuant to this rule, the staff member or employee shall immediately notify the person in charge or the person's designated agent who shall then notify the department within 24 hours of such notification or the next business day. 483.420(d)(2) The facility must ensure that all allegations of mistreatment, neglect or abuse, as well as injuries of unknown source, are reported immediately to the administrator or to other			

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	<p>officials in accordance with State law through established procedures.</p> <p>DESCRIPTION:</p> <p>Based on interviews and record review, the facility failed to ensure staff immediately reported allegations of abuse to the administrator and the Department of Inspections and Appeals per state law and facility policy (Client#1).</p> <p>Finding follows:</p> <p>Record review revealed a facility self-report, dated 2/10/17, which addressed staff's failure to report an allegation of verbal abuse. The facility investigation documented the incident possibly occurred on 1/19/17, but was not reported until 2/10/17. The investigation concluded two staff witnessed another staff speak inappropriately toward a client. The alleged incident resulted in the staff's termination. Also, staff received disciplinary action due to not following company policy by not reporting immediately to a working supervisor when abuse was suspected.</p> <p>When interviewed on 3/1/17 at 4:50 p.m. Direct</p>			
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	Support Staff (DSS) A stated on 2/10/17 she reported to the nurse an incident she had witnessed a couple of weeks prior to her report, which concerned her. DSS A could not recall the exact date, but did recall DSS B, DSS C and DSS D were working at the facility. DSS A stated she was the assigned cook, while other staff assisted the clients. Prior to supper, Client #1 had increased anxiety and staff made several unsuccessful attempts to calm the client. DSS D sat on the couch when he yelled and swore at the client. She and DSS B responded by saying that was not very nice. DSS D said he was just kidding. At the time DSS A knew the interaction was inappropriate, but felt uncomfortable about saying something due to being fairly new to the facility. The incident continued to bother her until she decided to report it on 2/10/17. DSS A stated when talking with facility management staff, they were able to determine the date of the incident was possibly 1/19/17. She further stated on 2/9/17 the same staff told Client #1 to go kill him/herself and felt this was inappropriate as well. DSS A stated she understood her role as a mandatory reporter and knew she should have reported the incidents immediately.			
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	<p>When interviewed on 3/6/17 at 3:55 p.m. DSS B stated she heard DSS D make inappropriate comments to Client #1, which included swearing and telling the client to kill him/herself. She could not recall the date but thought it might have been a couple of weeks prior to her interview with Comprehensive Systems management staff on 2/10/17. She recalled saying to DSS D the comment was not very nice in which he responded "just kidding." DSS B stated she also heard the staff, on the same day, comment he wished the client would die. DSS B stated DSS D had been withdrawn recently and at different times when talking to clients, sounded irritated. She stated, in retrospect, she should have reported his inappropriate comments to management staff because he crossed the line.</p> <p>The policy and procedures titled <u>Abuse Reporting</u>, last updated on 3/14/16, documented the following: Individuals served have the right to be free of abuse. If an employee of Comprehensive Systems, Inc. suspects, witnesses, or has knowledge of the abuse of an individual served by Comprehensive Systems, Inc. by an agency employee or another party, it is that employee's responsibility to report this action</p>			
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	<p>immediately... The policy also noted within 24 hours of the alleged incident an electronic report to the Department of Inspections and Appeals should be completed. The alleged perpetrator will not have direct contact with individuals involved in the situation until the situation has been resolved.</p> <p>When interviewed on 3/8/17 at 3:00 p.m. the Program Director confirmed staff should have reported the information immediately if they felt the comments were abusive.</p> <p>FACILITY RESPONSE:</p>			
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