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

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| **Citation Number:**<br>**6530** | | | **Date:**<br>**May 11, 2017** |
| **Facility Name:**<br>**Bishop Drumm Care Center** | | **Survey Dates:**<br>**April 6, 2017 to April 26, 2017** | |
| **Facility Address/City/State/Zip**<br>**5837 Winwood Drive**<br>**Johnson, IA. 50131** | | | |
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| **58.43(9)** | **481- 58.43(9) 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)** | **II** | **$500.00 Held In Suspension** | **Upon Receipt** |
| **52.2(2)a** | **481—52.2(235E) Persons who must report dependent adult abuse and the reporting procedure for those persons.**<br>**52.2(2)** Reporting suspected dependent adult abuse in facilities or programs.<br>*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. | | | |
| **235E.2(3)(a)** | **Iowa Code section 235E.2(3)(a)**<br>**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.**<br><br>**DESCRIPTION:**<br>Based on observation, clinical record review and staff interviews the facility failed to ensure that all alleged violations involving mistreatment, neglect, or abuse were reported immediately to the Iowa Department of | | | |



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| | Inspections & Appeals within 24 hours or the next business day. A concern was identified for one (1) of six (6) residents reviewed (Resident #6). The facility reported a census of 111 residents.<br><br>Findings Include:<br><br>A Minimum Data Set (MDS) assessment form dated 3/11/17 indicate Resident #6 had diagnoses that included non-Alzheimer's dementia, anxiety and depression. The assessment indicated the resident sometimes had the ability to make him/her(self) understood and understood others. The MDS revealed Resident #6 had severe cognitive impairment and short term and long term memory deficits with continuous inattention, disorganized thinking and an altered level of consciousness. The MDS revealed Resident #6 did not exhibit other behaviors symptoms, such as physical symptoms such as hitting or scratching him/her(self). The MDS revealed the resident did not have psychosis (hallucinations or delusions).<br>The assessment indicated the resident required extensive assistance of 2 staff members for bed mobility, transfers, ambulation, locomotion and toilet use. The MDS revealed the resident as always incontinent of bladder and frequently incontinent of bowels. The MDS revealed Resident #6 had no falls since admission/entry or reentry or prior assessment whichever is more recent; and used a wheelchair and walker for ambulation. | | | |



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| | A Care Plan with a target date of 6/29/17 had the following focus areas:<br>The resident is alert and oriented times 1 (to person) with severe long and short term memory problems due to dementia. The resident responded with short responses/body language. The resident's mood appeared stable but he/she can be anxious/frustrate at times.<br>The resident can be resistive with cares and to other residents on occasion. When sitting in the lounge and staff should monitor him/her and keep the resident away from others. Staff should sit/position Resident #6 an arm's length reach from other residents. When awake, staff should keep him/her in a visible area when awake.<br>The care plan identified the resident had a history of falling related to (r/t) general weakness and poor safety awareness due to (d/t) dementia ; and had impaired activities of daily living (ADL).<br>The care plan identified he/she needed extensive assistance of 2 staff members with transfers, bed mobility, ambulation, toileting ; and on 3/27/17 staff to assist Resident #6 to and from meals/activities.<br>Resident #6 liked to sleep in the recliner in the lounge area at times and staff should offer to assist him/her to bed so that he/she can rest. Resident #6 uses a special reclining wheelchair as his/her primary mode of locomotion.<br><br>An Occupational Therapy (OT) Plan Of Care dated 3/27/17 indicated the resident displayed forward moderate kyphosis (rounding/describe the abnormal | | | |



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| | condition of the vertebral column) as well as a right lateral lean.<br><br>A Medication Administration Record (MAR) form dated 4/1/17 thru 4/30/17 indicated the resident as not on any anti-coagulant medications.<br><br>An observation 4/19/17 at approximately 10:30 a.m. revealed the resident positioned in a TIS chair as staff propelled him/her down the hallway with a golf ball sized hematoma on his/her left forehead with purple bruising surrounding the area and purple bruising on and around the resident's bilateral eyes.<br><br>An Injury form dated 4/17/17 at 8:40 a.m. and revised at 4:29 p.m. indicated the resident had an injury of unknown origin further described at a bruise on the left side of his/her forehead and left upper eye lid that measured 6 centimeter (cm) x (by) 18 cm red and purple in color.<br><br>An Injury form dated 4/17/17 at 8:40 a.m. and revised at 4:29 p.m. and with an entry dated 4/19/17 revealed the following entry:<br>Summary of findings for 4/17/17. Staff that worked the 3 p.m. until 11 p.m. shift on Sunday 4/16/17 and Sunday night 11 p.m. until 7 a.m. had been interviewed about the bruising found to the resident's forehead at breakfast on 4/17/17. The staff members voiced that no bruising had been noted at meal time on 4/16/17.<br>The 2 staff members that assisted the hour of sleep (HS) cares between 7 p.m. and 9 p.m. stated that no | | | |



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| | bruising had been noted.<br>Staff reported the resident had often been resistive with cares, would hit and strike at them with his/her arms and kick with his/her legs. The resident had a curvature of his/her spine and often sat bent over at the waist and leaned to the right.<br>Staff that worked the 11 to 7 shift on the North hall voiced he/she had been toileted and slept in his/her wheelchair in the lobby area.<br>Staff that assisted the resident with toileting around 6:30 a.m. to 7 a.m. voiced he/she had been resistive with cares however staff verbalized no observation of bruising at that time.<br>At approximately 8:30 a.m. the resident had been observed in his/her wheelchair bent over with hair that covered his/her face in the dining room. When staff repositioned the resident to assist with breakfast and the bruising had been noted and immediately reported to the charge nurse and the Administrator. Also noted the resident had his/her head resting on the right arm rest area where the bruising had been noted so an arm bolster had been applied to the right arm rest.<br><br>Progress Notes forms revealed the following entries:<br>a. 4/17/17 at 4:29 p.m. - During breakfast the resident had been noted to have a bruise on the left side of his/her forehead. The area had been swollen, purple and red in color and the skin intact. The resident rested in the chair and took his/her morning medications. Neurological checks as within normal limits (WNL).<br>b. 4/18/17 at 5:25 p.m. - The resident continued on follow up charting for the bruise on the left side of the | | | |



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| | forehead. The skin had been intact, purple and red in color with no swelling noted.<br>c. 4/19/17 at 12:30 a.m. - The resident had a head injury to the right side of the head from and unknown source. There had also been significant bruising around the eyes.<br>d. 4/20/17 at 10:35 a.m. - The resident with a large bruise to the right side forehead which extended out to both eyes from an unknown source.<br><br>An observation 4/20/17 at 4:05 p.m., revealed the resident positioned on the toilet with obvious kyphosis (lump on the back) on the resident's left side of his/her back and a spinal curvature which resulted in the resident positioned forward and to the right side.<br>An observation 4/26/17 at approximately 10 a.m. revealed the right and left arm rest of the resident's TIS chair with approximately 3/4 of an inch to 1 inch of padding attached to the rest itself.<br><br>During an interview 4/20/17 at 5:02 p.m., Staff L, Certified Nursing Assistant (CNA) confirmed she worked the night shift Sunday 4/16. The staff member indicated the resident slept all night in the TIS chair in the lounge area and she never checked or changed the resident through the night. The staff member confirmed around 6:15 a.m. to 6:30 a.m. herself and Staff K, CNA transferred the resident to the toilet with the use of a gait belt while Staff K remained with the resident the entire time. Upon completion the staff members cleaned the resident up, stood him/her, pulled up the pants and positioned the resident in the TIS chair and returned him/her to the lounge area. | | | |



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| | The staff member confirmed when the resident sat in the TIS chair and/or on the toilet he/she leaned forward with his/her head down. The staff member indicated she never observed a bruise on the resident's forehead and/or face that morning and never observed the resident having hit his/her head.<br><br>During an interview 4/20/17 at 5:14 p.m., Staff K confirmed the only time he assisted the resident with cares on 4/16 into 4/17/17 had been when when he transferred the resident per gait belt to the toilet and back to the wheel chair with the assistance of Staff L. The staff member indicated he never left the resident unattended in the bathroom, the resident never hit his/her head during cares and there had been no bruising present on the resident's forehead and/or facial features.<br><br>During an interview 4/20/17 at 3:31 p.m., Staff D, CNA confirmed she worked the day shift on 4/17/17. When the staff member arrived at work she observed the resident sitting in the TIS chair in the lounge area however his/her head had been down so she could not see the resident's face. The staff member denied having provided any cares for the resident prior to the discovery of the hematoma/bruising. When the staff member first observed the area after breakfast it had been red and protruding as if it had just started. The staff member stated the area had not been as large as it appeared presently.<br><br>During an interview 4/20/17 at 2:31 a.m., Staff A, CNA confirmed she worked the day shift on 4/17/17. When | | | |



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| | the staff member arrived at work she observed the resident sitting in the TIS chair in the lounge area with his/her head down however she did not look at the resident long enough to analyze anything. The staff member indicated between breakfast and lunch she observed the goose egg on the resident's forehead with no bruising initially then the bruising appeared and kept spreading throughout the day.<br><br>During an interview 4/20/17 at 1:55 p.m., Staff I, CNA indicated he had not known where the resident had been when he arrived at work on 4/17/17. The staff member could not recall if he had taken the resident to the dining room for breakfast. The staff member felt the first time he had contact with the resident had been in the dining room for breakfast. The resident had been positioned in the TIS chair with his/her head down with his/her hair a little bit in front of his/her face. The staff member sat down to feed the resident and observed the bruise on the resident's forehead but he could not recall if there had been bruising on the resident's eye. The staff member immediately reported the observation to Staff J, Licensed Practical Nurse (LPN) and then went to assist other residents at another table.<br><br>During an interview 4/20/17 at 2:14 p.m., Staff B, CNA confirmed he/she worked the day shift on 4/17/17 however she never provided any cares for the resident that morning. At 8:45 a.m. to 9 a.m. a nurse came to her and asked if she had provided cares for the resident that morning because the resident had a bruise on his/her face. When the nurse told her that | | | |



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| | she looked at the resident and observed a goose egg area with bruising on his/her forehead with no bruising on the resident's eyes however by the end of the shift both eyes had been black and blue in color.<br><br>During an interview 4/20/17 at 1:20 p.m., Staff J indicated when she arrived at work on 4/17/17 the resident had been positioned in the TIS chair in the lounge area with his/her head down with hair over his/her face. The staff member received report with no information provided about the resident. The staff member indicated between her arrival at work and breakfast, which started at 7:30 a.m. she did not see anyone take the resident to the bathroom however she thought Staff I propelled the resident to breakfast. As she passed morning medications Staff I came to her and said, you are going to be mad, you have to see the resident's face. When she approached the resident his/her head had been bent down so when she repositioned the resident's head back she observed a goose egg with bruising down to his/her left eye lid. The area had been less protruding than it appeared presently. The staff member reported the incident to Staff M, Registered Nurse (RN) who began an investigation as she started an assessment and reported the injury of unknown origin to the Nurse Practitioner (NP) and the resident's son.<br><br>During an interview 4/20/17 at 2:40 p.m., Staff J confirmed the resident's bruising worsened throughout the day and spread over the resident's nose and to both eyes however the staff member never applied ice. | | | |



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| | During an interview 4/20/17 at 3:02 p.m., Staff M indicated around 8:30 a.m. she observed the resident in the dining room positioned in his/her chair, leaned to the right and his/her hair over his/her face. Staff I came over to feed the resident and when he sat the resident up, he said "oh my what is that", I am going to tell Staff J right now. At that point the staff member looked at the resident and said oh my gosh as the area had been red and raised with some bruising around the area but not a goose egg at that point and the staff member felt it had been a fresh area. At that point the staff member initiated an investigation. The staff member indicated she attempted application of ice later in the afternoon however the resident refused the intervention. The staff member indicated as the day proceeded the bruising became darker and by 4/18/17 there had been a bruised pocket on the resident's left eye and on 4/19/17 the bruising progressed to both eyes.<br><br>During an interview 4/20/17 at 8:58 a.m., a family member indicated he/she had not felt the resident could have received a lump like that by moving around in a chair and that someone had not been telling the truth.<br><br>During an interview 4/20/17 at approximately 9:35 a.m., a family member stated he/she felt the resident could not have sustained the injury from the arm rest of the wheelchair because the resident always leaned to the right and the area had been on his/her left side of the forehead. | | | |



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| | Review of a History and Physical form dated 4/18/17 at 9:20 p.m. included the following documentation from a Nurse Practitioner:<br>a. Head and Face - a left forehead contusion/hematoma without laceration. Dependent swelling and bruising of the left eye.<br>b. Eyes - Not able to view the left eye due to swelling.<br>c Psychiatric - Judgement: alert and impaired insight. The patient's speech exhibited incoherence. The patient displayed significant memory loss which required supervision.<br>d. Assessment - Head contusion<br>e. Discussion/Summary - Head contusion with unknown even per staff investigation. The resident hunches forward in the wheelchair and now the eye had been edematous also.<br><br>During an interview 4/21/17 at 11:36 a.m., the Nurse Practitioner (NP) indicated a hematoma developed soon after an injury and could have been large. The bruising on the resident's eyes and face had been gradual and she felt the bruising had been a result of pooling of blood. The NP felt the resident's injury had been a result of a substantial hit to the affected area and not a result of the padded right arm rest on the resident's wheelchair.<br><br>An Abuse/Neglect and Reporting Policy revised 9/16 identified that no one should be subject to abuse or neglectful behavior is the most critical step in detecting and preventing abuse. The policy revealed it is | | | |



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| | necessary for the center to adopt and institute an abuse, neglect prevention system to include protection of residents as well as identifying and investigating all allegations of abuse or mistreatment. The policy defined abuse according to the federal rule F223 as Abuse the resident has the right to be free from physical and mental. The intent of the federal rule 483.13 (b) revealed the resident had the right to be free from all types of abuse including physical abuse; and that residents must not be subject to abuse by anyone including staff, family or volunteers serving the resident.<br>The intent of federal rule 483.13C revealed that each resident had the right to be free from mistreatment, and neglect. The policy defined neglect as the failure to provide the goods and services necessary to avoid physical harm.<br>The policy revealed "Injuries of Unknown Source" should be classified as an "injury of unknown source" when both of the following conditions are met:<br>1. The source of the injury had not been observed by any person or the source of the injury could not have been explained by the resident: and,<br>2. The injury had been suspicious because of the extent of the injury or the location of the injury, e.g., the injury had been in an area not generally vulnerable to trauma, or the incidence of injuries over time.<br>The policy directed the center to ensure that all alleged violations involving mistreatment, neglect or abuse including injuries of unknown source are reported immediately to the administrator of the center and to other officials in accordance with state law including the state survey agency. | | | |



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| | The policy identified that CMS (Centers for Medicare & Medicaid Services) believes "immediately" means as soon as possible but should not exceed 24 hours after discovery of the incident in the absence of a shorter time frame requirement. Once reported, the facility should conduct a timely, thorough, objective investigation of all allegations of abuse, neglect, mistreatment of resident[/s].<br>The procedure revealed any alleged allegation or actual witness incident of abuse, neglect,<br>" injury of unknown origin" must be reported immediately to the charge nurse and or immediate supervisor 24 hours a day/7 days a week.<br>The policy listed 8 steps for the center to complete including: the Administrator or DON will initiate a preliminary investigation and notify the State Health Department immediately upon discovery of the incident/allegation. Witness statement will be obtained and if there is reason to believe an employee committed an act of abuse, the employee will be suspended; complete the "Final Investigative Summary Report" will be communicated to the State Health Department within 5 business days from the discovery of the incident; and report any "validated allegation which would indicate unfitness for services as a nurse aide or other facility staff to the State Nurse Aide Registry or Licensing Agency or Authorities.<br><br>During an interview 4/20/17 at 3:27 p.m., the Director of Nursing (DON) indicated the reason the facility failed to report the incident had been because the injury failed to change his/her level of care, he/she had not been admitted to a higher level of care and it failed | | | |



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

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| | **HL** | | | |

| Rule or Code Section | Nature of Violation | Class | Fine Amount | Correction date |
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| | to change his/her activities of daily living (ADL) status.<br>**FACILITY RESPONSE:** | | | |



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| **58.45(135C)** | **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)**<br><br>**DESCRIPTION:**<br><br>Based on observation, clinical record review, and interviews, the facility failed to promote a resident's dignity and self-determination for preferred choice for sleeping for one (1) of six (6) residents (Resident #6). The facility identified a census of 111 residents.<br><br>Findings include:<br><br>A Minimum Data Set (MDS) assessment form dated 3/11/17 indicate Resident #6 had diagnoses that included non-Alzheimer's dementia, anxiety and depression. The assessment indicated the resident sometimes had the ability to make him/her(self) understood and understood others. The MDS revealed Resident #6 had severe cognitive impairment and short term and long term memory deficits with continuous inattention, disorganized thinking and an altered level of consciousness. The assessment indicated the resident required extensive assistance of 2 staff members for bed mobility, transfers, ambulation, locomotion and toilet use. The MDS revealed the resident as always incontinent of bladder and frequently incontinent of bowels. The MDS revealed Resident #6 used a wheelchair and walker for ambulation. | **II** | **$500.00** | **Upon Receipt** |



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| | A Care Plan with a target date of 6/29/17 had the following focus areas:<br>The resident is alert and oriented times 1 (to person) with severe long and short term memory problems due to dementia. The resident responded with short responses/body language. The resident's mood appeared stable but he/she can be anxious/frustrate at times.<br>The resident can be resistive with cares and to other residents on occasion. When sitting in the lounge and staff should monitor him/her and keep the resident away from others. Staff should sit/position Resident #6 an arm's length reach from other residents.<br>The care plan identified the resident had a history of falling related to (r/t) general weakness and poor safety awareness due to (d/t) dementia ; and had impaired activities of daily living (ADL).<br>The care plan identified he/she needed extensive assistance of 2 staff members with transfers, bed mobility, ambulation, toileting and on 3/27/17, staff to assist Resident #6 to and from meals/activities.<br>Resident #6 liked to sleep in the recliner in the lounge area at times and staff should offer to assist him/her to bed so that he/she can rest. Resident #6 uses a special reclining wheelchair as his/her primary mode of locomotion. He/she had difficulty setting up straight (to help his/her spine) and staff should keep him/her in the tilted back as he/she tolerated.<br>When awake, staff should keep him/her in a visible area when awake. Resident #6 can be forgetful/confused due to dementia and he/she cannot alert staff of his/her needs with staff needing to check | | | |



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| | on him/her frequently and anticipate his/her needs. The care plan revealed Occupational Therapy (OT) evaluated Resident #6 for a new wheelchair for positioning (dated 3/26/17).<br><br>An Occupational Therapy (OT) Plan Of Care dated 3/27/17 indicated the resident displayed forward moderate kyphosis (rounding/describe the abnormal condition of the vertebral column) as well as a right lateral lean.<br><br>An OT - Therapist Progress form dated 4/18/17 directed the staff to reposition the resident one time per hour while positioned in the Tilt N' Space (TIS) chair.<br><br>An OT Daily Treatment Note dated 4/4/17 indicated the resident received the TIS chair and the staff educated that the resident could have been repositioned once an hour up to a 30 degree angle for 15-30 minutes for pressure relief.<br><br>An Injury form dated 4/17/17 at 8:40 a.m. and revised at 4:29 p.m. and with an entry dated 4/19/17 revealed the following entry:<br>Staff that worked the 11 to 7 shift on the North hall voiced he/she had been toileted and slept in his/her wheelchair in the lobby area.<br><br>Review of Plan of Care (POC) Response History form for turning and repositioning the facility staff repositioned the resident as documented below: | | | |



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| | a. 4/16 - 5:06 a.m., 2:59 p.m. and 10:50 p.m.<br>b. 4/17 - 5:41 a.m., 9:45 a.m. and 11:42 p.m.<br><br>Review of a Look Back Report Form revealed the following as dated:<br>a. 4/16 at 5:06 a.m. and 2:59 p.m. - The resident had toileted and transferred and at 10:51 p.m. transferred and 10:52 p.m. toileted.<br>b. 4/17 at 5:41 a.m. - The resident had been toileted.<br><br>During an interview 4/20/17 at 5:02 p.m., Staff L, Certified Nursing Assistant (CNA) confirmed she worked the night shift Sunday 4/16/17. The staff member indicated the resident slept all night in the TIS chair in the lounge area and she never checked or changed the resident through the night. The staff member confirmed around 6:15 a.m. to 6:30 a.m. herself and Staff K, CNA transferred the resident to the toilet with the use of a gait belt while Staff K remained with the resident the entire time.<br><br>During an interview 4/20/17 at 5:14 p.m., Staff K confirmed the only time he assisted the resident with cares on 4/16/17 into 4/17/17 had been when he transferred the resident per gait belt to the toilet and back to the wheelchair with the assistance of Staff L.<br><br>During an interview 4/20/17 at 2:14 p.m., Staff B, CNA confirmed he/she worked the day shift on 4/17/17 however she never provided any cares for the resident that morning. | | | |



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| | During an interview 4/26/17 at 11:23 a.m., Staff H, Occupational Therapist (OT) indicated there had been no reason the resident could not have slept in his/her bed.<br><br>An observation 4/26/17 at approximately 10 a.m. revealed the resident positioned in the TIS chair in the lounge area sleeping surrounded by several residents.<br><br>Review of the facilities Your Rights and Protections as a Nursing Home Resident form (not dated) included the following:<br>a. You have the right to have been treated with dignity and respect.<br>**FACILITY RESPONSE:** | | | |



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