

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

Citation Number: 6548		Fine amount reduced by 35% to \$975.00 on May 30, 2017 pursuant to Iowa Code Section 135C.43A		Date: May 30, 2017	
Facility Name: Woodward Resource Center				Survey Dates: May 11-18, 2017	
Facility Address/City/State/Zip 1251 334 th Street Woodward, Iowa 50276					
		DS			
Rule or Code Section	Nature of Violation		Class	Fine Amount	Correction date

56.6(1)	481-56.6 (135C) Treble and double fines. 56.6(1) Treble fines for repeated violations. The director of the department of inspections and appeals shall treble the penalties specified in rule 481-56.3(135C) for any second or subsequent class I or class II violation occurring within any 12-month period, if a citation was issued for the same class I or class II violation occurring within that period and a penalty was assessed therefor	II	\$1500 (trebled \$500 x 3)	Upon Receipt
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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).			
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235E.2 3a	235E.2 Dependent adult abuse reports in			

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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+	facilities and programs. 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.			
52.2(2)a	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.			
+	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)			

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	<p>DESCRIPTION:</p> <p>Based on interviews and record review, the facility staff failed to notify the person in charge or the designated agent of an alleged abuse, who will then notify the Iowa Department of Inspections and Appeals within 24 hours or the next business day. This affected 2 of 3 clients (Client #2 and Client #3).</p> <p>Findings follows:</p> <p>Record review on 5/11/17 identified a facility investigation about an allegation of abuse involving Resident Treatment Worker (RTW) A. According to the information contained in the investigation, RTW B reported RTW A slapped Client #1 shortly after the incident occurred on the afternoon of 4/23/17. When interviewed later in the same day regarding the incident, RTW B stated he also witnessed RTW A flick clients in the eye with his finger. RTW B said in the prior 30 days or so, he had seen RTW A finger flick Client #2 and Client #3 in their eyes.</p> <p>When interviewed on 5/16/17 at 2:00 p.m. RTW B confirmed he had seen RTW A finger flick Client #2 and Client #3 in the eye. RTW B said RTW A flicked Client #2 in the eye to get the client to take his/her medication. RTW A flicked Client #3 in</p>			
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	<p>the eye because the client displayed a maladaptive behavior. Both of these incidents happened one time each, within approximately 30 days of RTW B reporting them on 4/23/17. When asked why he did not report the incidents at the time they happened, RTW B noted he liked RTW A. He did not report the incidents at the time, even though he was bothered by them.</p> <p>The facility policy and procedures titled, <u>Incident Management policy</u>, indicated the employees should immediately report all incidents of abuse. The policy also indicated the employee should take immediate steps to assure that the client involved received appropriate protection from further harm, including removing the aggressor from further contact with the client.</p> <p>When interviewed on 5/17/17 at 3:30 p.m. the Director of Quality Management acknowledged RTW B should have reported the incidents of suspected abuse at the time it happened. She noted RTW B was trained to report abuse allegations immediately and provided documentation. RTW B completed the state required Mandatory Reporter training on 7/17/14 and also completed an agency refresher training regarding the Incident Management policy and reporting requirements on 2/18/17.</p>			
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	FACILITY RESPONSE:			
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