

Iowa Department of Inspections and Appeals
Health Facilities Division
Citation

Citation Number: 6567		Date: June 27, 2017		
Facility Name: Country View		Fine amount reduced by 35% to \$325.00 on September 5, 2017 pursuant to Iowa Code Section 135C.43A		
1410 West Dunkerton Road Waterloo, Iowa 50703		Survey Dates: June 12-15, 2017		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

64.60 +	<p>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.</p> <p>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.</p> <p>This rule is intended to implement Iowa Code section 135C.2 (3).</p>	II	\$500	Upon Receipt
235E.2 3.a +	<p>235E.2 Dependent adult abuse reports in facilities and programs.</p> <p>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.</p>			

Page 1 of 4

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 +	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) DESCRIPTION: Based on interview and record review, the facility failed to ensure allegations of abuse were reported to the Iowa Department of Inspections and Appeals (Client #16 and Client #25). The sample consisted of 2 residents. Finding follows:			

Page 2 of 4

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	<p>Record review on 6/12/17 revealed a Summary of Findings regarding an incident which occurred on 12/16/16 involving Client #25. The report documented the client alleged staff pulled his/her hair during a restraint. The facility completed an investigation and determined no purposeful action by staff occurred but the client's hair might have been pulled inadvertently during the behavioral situation. The Behavior Specialist documented she did not find reason to report the situation as an incident of abuse to DIA.</p> <p>Further record review identified an Incident Report dated 5/27/17, documenting a scratch on Client #16's face. The Incident/Accident Investigation Form completed on 5/30/17 by the Program Director (PD) documented the injury was a result of the client falling in a ditch during an elopement incident. Attached to the Investigation form included statements from staff describing the behavioral situation which included the client's elopement and staff response. Also attached was a Contact Form completed by Client #16. The client documented staff had hit him/her, grabbed and pulled his/her and scratched his/her face. The facility information concluded staff had not exited their vehicle at the time of the incident (witnessed by several staff) therefore could not have had hands on the client. The facility concluded the incident could not be substantiated</p>			

Page 3 of 4

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	<p>therefore did not report the incident to DIA.</p> <p>Record review of the facility policy entitled "Abuse Prevention, Identification, Investigation and Reporting Policy" last revised on 4/1/17 documented all allegations of Resident neglect, exploitation, mistreatment, injuries of unknown origin and misappropriation shall be reported to the Iowa Department of Inspections and Appeals.</p> <p>When interviewed on 6/13/17 at 1:05 p.m. the PD confirmed both incidents had not been reported to DIA. She stated, in both situations, the investigations showed no abuse occurred by staff and, also, both clients had a history of making false accusations. The PD stated it was her understanding, if during the investigation, there was no evidence of abuse, the allegation did not need to be reported to DIA.</p> <p>FACILITY RESPONSE:</p>			