

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

Number 6573		Fine amount reduced by 35% to \$325.00 on July 27, 2017 pursuant to Iowa Code Section 135C.43A		Report date June 30, 2017	
Facility name West Bridge Care & Rehabilitation		Survey dates June 20-26, 2017			
Facility address 1015 W. Summit					
City Winterset, IA. 50273		HL			
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction Date	
58.43(9)	481—58.43(135C) Resident abuse prohibited. 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	Upon Receipt	
52.6 (235E)	481—52.6(235E) Separation of victim and alleged abuser. Upon receiving a claim of dependent adult abuse of a dependent adult in a facility or program, the facility or program shall separate the victim and the alleged abuser immediately and shall maintain that separation until the department's abuse investigation is completed and the abuse determination is made. NOTE: Facilities that participate in the federal Medicare or Medicaid program may be subject to additional federal requirements regarding separation. [ARC 8294B, IAB 11/18/09, effective 1/1/10]				
235E.2.(10)	235E.2 Dependent adult abuse reports in facilities and programs. 10. The department shall adopt rules which require facilities and programs to separate an alleged dependent adult abuser from a victim following an allegation of perpetration of dependent adult abuse and prior to the completion of an investigation of the allegation. Independent of the department's investigation, the facility or program employing the alleged dependent adult abuser shall conduct an investigation of the alleged dependent adult abuse and determine what, if any, employment action should be taken including but not limited to placing the alleged dependent adult abuser on administrative leave or reassigning or terminating the alleged dependent adult abuser				

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	<p>as a result of the investigation by the facility or program. If the facility or program terminates the alleged dependent adult abuser as a result of the investigation by the facility or program or the alleged dependent adult abuser resigns, the alleged dependent adult abuser shall disclose such termination or investigation to any prospective facility or program employer. An alleged dependent adult abuser who fails to disclose such termination or investigation is guilty of a simple misdemeanor.</p> <p>DESCRIPTION: Based on record review, policy review and interviews the facility failed to maintain separation of Staff B from Resident #1 until the outcome of the Department's (Department of Inspections and Appeals investigation) investigation for one of five residents. Interview with the Administrator revealed Staff B returned to work on 6/3/17 and could work with Resident #1 if another staff was present; however this was prior to knowing the outcome of DIA investigation which occurred from 6/20/17 to 6/26/17. The facility reported a census of 56 residents.</p> <p style="background-color: #f0f0f0;">Findings include:</p> <p>Record review revealed Resident #1's face sheet listed diagnosis including Alzheimer's disease and pneumonia. The Minimum Data Set (MDS) assessment dated 3/30/17 identified Resident #1 scored 6 out of 15 on the Brief Interview for Mental Status (BIMS) cognitive test indicating cognitive impairments. Resident #1 required two staff assistance for bed mobility, transfers, dressing, toilet use and one staff assistance for personal hygiene.</p>				

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	<p>An untitled, unsigned, undated typed narrative reference to an investigation of Staff B abuse allegation. The narrative indicated on 6/1/17 at approximately 4:30 p.m., Staff A and Staff B performed case to Resident #1. Staff A reported she witnessed Staff B slap Resident #1's hand away when he/she was trying to grab at her. The resident had no evidence of injury [when assessed later]. After interviews with staff, the facility determined there was no concern regarding Staff B's care. The facility would retrain both aides on how to handle combative residents safely and during cares and would ensure staff know proper protocol.</p> <p>In an interview on 6/20/17 at 3:46 p.m. Staff A, certified medication aide, indicated on the afternoon of 6/1/17 at around 4:30 p.m. she entered the room of Resident #1 to assist Staff B with cares. Resident #1 was grabbing at Staff B and Staff B slapped Resident #1 firmly on his/her hand and stated, "Stop grabbing me". Staff A proceeded to try and redirect Resident #1, who didn't seem bothered by the incident. Staff A stated they finished providing cares and moved on to other residents as they were very busy. At around 7:00 p.m. Staff A stated she thought about the earlier incident and it potentially being abuse. Staff A reported the incident to Staff C, who instructed her to call the facility tomorrow and report it to the Administrator. Staff A stated she thought about the incident and read some literature regarding abuse reporting and at around 10:00 p.m. reported the incident to Staff D, who promptly reported to the Administrator. By that time Staff B was no longer working.</p> <p>In an interview on 6/26/17 at 1:21 p.m. Staff B, certified nurse aide, stated she first heard that someone had alleged she slapped Resident #1</p>				

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	<p>during a phone call from the Administrator on 6/2/17. Staff B stated at around 4:00 to 4:30 p.m. on 6/1/17 she and Staff A entered Resident #1's room to provide incontinence cares. Staff B stated she helped with rolling the resident while Staff A provided the peri cares. Staff B insists they both entered the room together as she would never start cares with Resident #1 by herself. Staff B stated she she did not recall Resident #1 ever being overly aggressive or her needing to remove his/her grasp. Staff B adamantly denies ever slapping Resident #1 on his/her hands.</p> <p>In an interview on 6/26/17 at 11:16 a.m. Staff C, Licensed Practical Nurse, stated she was passing medications at around 7:00 p.m. on 6/1/17 when Staff A approached her with a concern that Staff B slapped the hand of Resident #1 while providing cares. Staff A was uncertain whether this should be reported. Staff C stated she told Staff A she needed to contact the Administrator. Later that same shift Staff C was approached by Staff D, who instructed her to fill out an incident report and to assess Resident #1 regarding the alleged abuse. Staff C stated she thought it was at this time Staff A had reported the allegation of abuse to the Director of Nursing. Staff C stated she assessed Resident #1 and found no indications of injury, markings or bruising on his/her hands.</p> <p>In an interview on 6/21/17 at 6:30 p.m. Staff D, Licensed Practical Nurse, stated shortly after 10:00 p.m. on 6/1/17, Staff A approached her and reported earlier that day she witnessed Staff B slap Resident #1's hand during cares. Staff A stated she reported the incident to Staff C who stated to call and report to the Administrator tomorrow. Staff D stated she called the Administrator per protocol and collected a statement from Staff A. Staff B had already left for</p>				

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	<p>the day. Staff D instructed Staff C to assess Resident #1. Staff D stated there were no markings, bruising or injury to Resident #1's hands.</p> <p>In an interview on 6/20/17 at 4:55 p.m. the Administrator stated she received notice of an allegation of abuse after 10:00 p.m. on 6/1/17 from Staff D. The alleged perpetrator, Staff B was already off and not scheduled back until the weekend (6/3/17). The Administrator conducted an investigation the following day (6/2/17) and after reviewing everyone's input determined the actions of Staff B was not abuse. Staff B returned to work on 6/3/17 without restrictions, including being able to provide care to Resident #1. Staff B was instructed to always have two staff present with Resident #1 when providing cares.</p> <p>At the conclusion of the facility's investigation on 6/2/17 they determine the allegation of abuse was not substantiated. The facility may allow Staff B to resume working with residents other than the resident the perpetrator is alleged to have abused. A review of the policy for Protection revealed the facility failed to implement separation until the findings of the Department's investigation. A review of the policy indicated: The policy titled Abuse Prohibition and Prevention Program, dated 6/1/11, instructed: b. Point 5.6 Protection - During the investigation, the Community and Agency will protect the client as appropriate, including but not limited to separation and/or redirection of clients. A review of the facility policy for Protection revealed an employee will be immediately suspended from duty until the Agency Administrator reviewed finding of the investigation.</p> <p>FACILITY RESPONSE:</p>				

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