

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

Citation Number: <b>6599</b>		Date: July 31, 2017		
Facility Name: Denison Care Center		Survey Dates: July 10-13, and 18, 2017		
Facility Address/City/State/Zip 1202 Ridge Road Denison, IA. 51442		HL		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

<b>58.43(9)</b>	<p><b>481—58.43(135C) Resident abuse prohibited.</b>  <b>58.43(9) Allegations of dependent adult abuse.</b>          Allegations of dependent adult abuse shall be reported and investigated pursuant to Iowa Code chapter 235E and 481—Chapter 52. (I, II, III)</p> <p><b>481—52.2(235E) Persons who must report dependent adult abuse and the reporting procedure for those persons.</b>  <b>52.2(2) Reporting suspected dependent adult abuse in facilities or programs.</b>  <b>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.</b></p> <p><b>Iowa Code section 235E.2(3)(a)</b>  <b>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.</b></p> <p><b>DESCRIPTION:</b>          Based on interviews with residents and staff, record</p>	<b>I</b>	<b>\$2000.00</b> <b>Held In</b> <b>Suspension</b>	<b>Upon</b> <b>Receipt</b>
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Facility Administrator

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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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	<p>review, and facility policy review, the facility failed to: investigate allegations of possible abuse, failed to immediately report allegations of abuse to the State Survey Agency; and failed to report the outcome of the investigation to the State Survey Agency. This deficient practice directly affected two (2) of eleven (11) residents (Resident #11 and Resident #12) in the sample; and had the potential to affect other residents due to management's lack of reporting and investigating. The facility reported a census of 36 residents.</p> <p>Findings include:</p> <p>1. According to the Minimum Data Set with assessment reference date 6/19/17 Resident #11 had a BIMS score of 14, which meant he/she had intact cognitive skills for daily decision making. The resident had not displayed any behavior symptoms, hallucinations or delusions. Resident #11 required extensive assist of two staff for bed mobility, transfers, ambulation and toilet use.</p> <p>During an Interview with Resident #11 on 7/11/17 at 3:20 p.m. he/she stated one night he/she had a lot of leg pain and Staff F, certified medication aide (CMA) made the comment, "Do I need to hang you from your neck?" Resident #11 stated he/she had spoken of the situation to the Administrator.</p> <p>During interview on 7/11/17 at 4:25 p.m. the prior Administrator stated about three weeks ago Resident #11 and the resident's family member had called him</p>			
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	<p>to the resident's room to visit. The resident had told him about Staff F who the resident had called into the resident's room several times the night before because the resident had leg pain. Resident #11 told the Administrator that Staff F had stated to the resident, "I am going to hang you by your neck" or "stand you on your head". Resident #11 said Staff F and the resident had a rough night but the resident did not feel it was an appropriate response. The Administrator stated he asked the resident if he/she wanted to file a grievance report and the resident did not want to.</p> <p>The Administrator stated he did not report the allegation of abuse and did not investigate the incident. The Administrator stated it was an error in judgement and at a loss of what to do now. He stated he would start an investigation and file a late, late report.</p> <p>2. According to the Minimum Data Set with assessment reference date of 5/15/17, Resident #12 had a BIMS score of 9, which revealed moderate impaired cognitive skills for daily decision making. The resident had not displayed any behavior symptoms, hallucinations or delusions. Resident #12 required limited assist of one staff for bed mobility, transfers, ambulation and toilet use.</p> <p>During interview on 7/12/17 at 4:28 p.m. Staff G, certified nurse aide (CNA) stated Resident #12 had told her that Staff H (Registered Nurse) had seen him/her standing up with his/her walker and told the resident, "Better sit down because I do not want to pick your sorry ASS off the floor if you fall."</p> <p>Staff G stated she had told the prior Director of</p>			
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	<p>Nursing (DON) directly because she thought it was critical. Staff G stated the prior DON said they are working on it, we do not have a lot of Registered Nurses and Staff H is a Registered Nurse. Staff G stated she told the DON we have to do something and the prior DON responded the Administrator thinks we are picking on Staff H.</p> <p>During interview on 7/13/17 at 9:30 a.m. Resident #12 stated staff treated him/her good when he/she is doing right and when not doing right staff are rude. The resident stated he/she had been told, "if you fall down I am not going to pick your sorry ASS up." Resident #12 stated it was Staff H that said that to him/her. Resident #12 then asked if that staff member was standing behind him/her. The resident was assured Staff H was not in the building. The resident stated Staff H had helped him/ her with medications and cares since making the statement. Resident #12 felt like Staff H did not like him/her denied being afraid of Staff H. Resident #12 then began to cry softly. The resident was unable to state when [approximate date] the incident had occurred. Resident #12 stated she had told Staff G of the incident.</p> <p>During interview on 7/17/17 at 11:25 a.m. the prior Director of Nurses (DON) stated she had heard from Staff G that Staff H had made the comment to Resident #12, "[you] better sit down because I do not want to pick your sorry ASS off the floor if you fall." The prior DON stated she thought she heard it last month, guessing, since after Resident #12's last fall on</p>			
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	<p>6/18/17. The prior DON stated she had not had a chance to talk to Staff H or Resident #12 about it. The prior DON stated she knew it needed to be investigated and then if it was valid would report it after the investigation.</p> <p>The Abuse Prevention Program and Reporting Policy with revised date 04/17 noted the facility acknowledges the following Federal definition of Verbal Abuse; oral, written, or gestured language that willfully includes disparaging and derogatory terms to the resident or their families or within their hearing distance, regardless of their age, ability to comprehend, or disability.</p> <p>The policy included Reporting, directing staff to report the incident immediately to the Administrator and Director of Nursing. Any staff member with knowledge of the event is responsible for notifying the Administrator and/or DON. Notify the appropriate State agency immediately by fax, telephone or on-line reporting after identification of alleged/suspected incident.</p> <p><b>FACILITY RESPONSE:</b></p>			
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