

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

Citation Number: 6624		Date: August 24, 2017		
Facility Name: Montezuma Specialty Care		Fine amount reduced by 35% to \$325.00 on September 5, 2017 pursuant to Iowa Code Section 135C.43A		
Facility Address/City/State/Zip 316 Meadow Lane Drive Po Box 790 Montezuma IA 50171		Survey Dates: August 7-10, 2017		
		HL		
		Survey		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

58.11(3)	481—58.11(135C) Personnel. 58.11(3) <i>Employee criminal record checks, child abuse checks and dependent adult abuse checks and employment of individuals who have committed a crime or have a founded abuse.</i> The facility shall comply with the requirements found in Iowa Code section 135C.33 as amended by 2013 Iowa Acts, Senate File 347, and rule 481—50.9(135C) related to completion of criminal record checks, child abuse checks, and dependent adult abuse checks and to employment of individuals who have committed a crime or have a founded abuse. (I, II, III) [ARC 0903C, IAB 8/7/13, effective 9/11/13]	II	\$500.00	Upon Receipt
50.9(3)b	50.9(3) <i>Requirements for employer prior to employing an individual.</i> Prior to employment of a person in a facility, the facility shall request that the department of public safety perform a criminal history check and the department of human services perform child and dependent adult abuse record checks of the person in this state. b. <i>Conducting a background check.</i> The facility may access the single contact repository (SING) to perform the required background check. If the SING is used, the facility shall submit the person's maiden name, if applicable, with the background check request. If the SING is not used, the facility must obtain a criminal history check from the department of public safety and a check of the child and dependent adult abuse registries from the department of human services. (I, II, III)			

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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DESCRIPTION: Based on personnel file review, policy review and staff interview, the facility failed to obtain timely criminal and abuse background checks prior to hire for 4 of 7 staff new employees selected for review (Staff A, B, C and Staff D). The facility reported a census of 30 residents. Findings include: Record review of the facility's new hire list revealed Staff A Licensed Practical Nurse (LPN) was hired on 6/6/2017. Review of the Single Contact License and Background Check revealed the check was completed on 7/24/17. The facility failed to complete this before Staff A was hired on 6/6/17. Record review of the facility's new hire list revealed Staff B Cook was hired on 7/17/17. Review of the Single Contact License and Background Check revealed the check was completed on 7/20/17. The facility failed to complete this before Staff B was hired on 7/17/17. Record review of the facility's new hire list revealed Staff C Certified Nursing Assistant (CNA) was hired on 7/27/17. Review of the Single Contact License and Background Check revealed the check was completed on 8/8/17. The facility failed to complete this before Staff C was hired on 7/27/17. Record review of the facility's new hire list revealed				
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Staff D LPN was hired on 8/1/17. Review of the Single Contact License and Background Check revealed the check was completed on 8/8/17. The facility failed to complete this before Staff D was hired on 8/1/17. During a staff interview on 8/7/17 at 3:30 p.m. the Nurse Consultant stated they discovered they had not completed criminal background checks prior to staff being hired. They found the issue on 7/24/17 and immediately implemented an audit to ensure background checks were completed prior to hire. She indicated this was corrected on 7/26/17 but later admitted the audits were not being completed like they indicated they would. During a staff interview on 8/9/17 at 9:15 a.m. the Nurse Consultant and Administrator stated they have a new check list in place that will be reviewed and initialed by 2 staff members prior to employee's start date. Review of the Abuse Prevention Employee Screening Prior to Employment/New Conviction Criminal Record History Policy with a date of December 2015 revealed the facility shall screen all potential employees for a history of abuse, neglect or mistreating residents. The facility shall conduct an Iowa Criminal record check and dependent adult/child abuse registry check on all prospective employees prior to hire. FACILITY RESPONSE:	
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