

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

Citation Number: <b>6633</b>		Date: <b>August 30, 2017</b>		
Facility Name: <b>Kahl Home for the Aged &amp; Infirm</b>		Fine amount reduced by 35% to \$325.00 on September 21, 2017 pursuant to Iowa Code Section 135C.43A		
Facility Address/City/State/Zip <b>6701 Jersey Ridge Road Davenport, IA. 52807</b>		Survey Dates: <b>August 14-17, 2017</b>		
HL				
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date
<b>58.11(3)</b> <b>481—58.11(135C) Personnel.</b> <i>58.11(3) 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. 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)</i> [ARC 0903C, IAB 8/7/13, effective 9/11/13]	<b>50.9(3)b</b> <b>50.9(3) Requirements for employer prior to employing an individual.</b> 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>b. Conducting a background check.</b> 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)	<b>II</b>	<b>\$500.00</b>	<b>Upon Receipt</b>

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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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	<p><b>DESCRIPTION:</b>  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 1 of 9 employee records selected for review (Staff B). The facility identified a census of 113 residents.</p> <p>Findings include:</p> <p>Staff B's, Certified Nurse Aide (CNA) human resource record had documentation of the following:</p> <ul style="list-style-type: none"> <li>a. Date of hire: 10/24/16</li> <li>b. Single contact license and background check. (SING check) completed 2/2/17 (3 months later)</li> <li>c. Authorized Representative Review and Verification form with a first day of employment of 10/24/16.</li> <li>d. Facility hiring checklist with criminal back ground check for Iowa and out of state, none completed for this employee.</li> </ul> <p>A review of the facility procedure titled: Criminal Record Checks dated 11/15/03 had documentation of the following:</p> <ul style="list-style-type: none"> <li>a. All applicants are required to have a criminal history check done through the Division of Criminal Investigation.</li> <li>b. This information is then keyed into an internet website by the director of personnel for verification of any criminal history.</li> <li>c. If the criminal history comes back clear it is attached to the application and no further action is taken.</li> </ul>			

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	<p>d. If the criminal history comes back with a record, the facility must wait for a confirmation that there is a record that the applicant's file is actually clear.</p> <p>e. If the applicant's file is actually clear, the facility may proceed with the hiring process</p> <p>During an interview on 8/16/17 at 9:16 a.m., the Human Resources (HR) coordinator reported she had to complete the tasks for both the HR director and the HR coordinator for almost 4 months after the previous director left and the new director had started full time. She reported Staff A had quit after she had been hired 10/24/16 and admitted she could not find the SING check form until Staff A had been rehired in February of 2017.</p> <p>In an interview on 8/17/17 at 7:41 a.m., the administrator reported she was not aware of the situation until 8/16/17, that the HR coordinator should have had assistance with the extra duties acquired during the transition of HR directors.</p> <p>During an interview on 8/17/17 at 8:22 a.m., the HR director reported that SING checks should be completed on all new hires prior to orientation, she had a hire date of 9/16/16 and during the past year the facility hired 197 employees and terminated 197 employees, that the HR coordinator had to complete the tasks of both director and coordinator for several months and could have used assistance during that time.</p>			
<b>FACILITY RESPONSE:</b>				

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