

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

Citation Number: 6739	Fine amount reduced by 35% to \$325.00 on January 19, 2018 pursuant to Iowa Code Section 135C.43A	Date: January 19, 2018
Facility Name: Mosaic 101 Kelly's Court	Survey Dates: January 2-4, 2018	
Facility Address/City/State/Zip 102 Kelly's Court Forest City, IA. 50436	HL	Survey
Rule or Code Section	Nature of Violation	Class
		Fine Amount
		Correction date

64.34 (135C)	481—64.34(135C) 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) [ARC 0903C, IAB 8/7/13, effective 9/11/13]	II	\$500.00	Upon Receipt
50.9(4)	481-50.9(4) <i>Validity of background check results.</i> The results of a background check conducted pursuant to this rule shall be valid for a period of 30 calendar days from the date the results of the background check are received by the facility. (I, II, III) DESCRIPTION: Based on interview and record review, the facility failed to comply with state regulations (Iowa Administrative Codes 441- 119.4(3)c, 481- 50.9(4) and Iowa Administrative Code 481-64.34) regarding pre-employment screenings. The facility failed to consistently obtain employee background checks within 30 days of hire for new employees. Finding follows:			

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 (2017).

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	<p>Record review revealed Direct Support Associate (DSA) A had a background check completed on 2/8/17 and 8/16/17. The facility listed DS A's hire date as 3/13/17. The file contained a Single Contact and Background Check (SING) dated 2/8/17, which cleared DSA A to work in the home. The date of hire occurred greater than 30 days after completion of the first background check. The second background check did not occur until after the date of hire. According to 441-119.4(135C), 119.4(3)c. record check evaluations are valid for 30 days from the date the notice of decision is issued.</p> <p>When interviewed on 1/2/18 at 2:15 p.m. the Human Resources Business Partner confirmed the facility's initial background check was not within thirty days of hire. She stated the facility completed an audit in August, 2017 and identified some staff's background checks not in compliance therefore a second background check was completed.</p> <p>FACILIY RESPONSE:</p>			
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