

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

Citation Number: 6853	Fine amount reduced by 35% reduction to \$325.00 on October 22, 2018. Pursuant to Iowa Code Section 135C.43A	Date: October 8, 2018
Facility Name: Behavioral Technologies-Delta	Survey Dates: September 10, 11, 12, 13, 2018	
Facility Address/City/State/Zip 1200 Williams St. Des Moines, IA 50317	LK	
Rule or Code Section	Nature of Violation	Class
		Fine Amount
		Correction date

64.60	481-64.60(135C) Federal regulations adopted - conditions of participation. Regulations in 42 CFR Part 483, Subpart D, and Sections 410 to 480 effective October 3, 1988, are adopted by reference and incorporated as part of these rules. A copy of these regulations is available on request from the Health Facilities Division, Department of Inspections and Appeals, Lucas State Office Building, Des Moines, Iowa 50319. Classification of violations is I, II, and III, determined by the division using the provision in 481-Chapter 56, Fining and Citations," to enforce a fine to cite a facility. This rule is intended to implement Iowa Code Section 135C.2(3).	II	\$500.00	Upon Receipt
W153	483.420(d)(2) STAFF TREATMENT OF CLIENTS The facility must ensure that all allegations of mistreatment, neglect or abuse as well as injuries of unknown source, are reported immediately to the administrator or to other officials in accordance with State law through established procedures.			
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			

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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52.2(a)	<p>chapter 235E and 481—Chapter 52. (I, II, III)</p> <p>481—52.2(235E) Persons who must report dependent adult abuse and the reporting procedure for those persons.</p> <p>52.2(2) Reporting suspected dependent adult abuse in facilities or programs.</p> <p style="padding-left: 20px;">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.</p> <p>Iowa Code section 235E.2(3)(a)</p> <p>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.</p>			
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<p>DESCRIPTION:</p> <p>Based on interviews and record reviews, the facility failed to ensure allegations of abuse and mistreatment were reported immediately in accordance with facility policy and State law. This affected 1 of 1 client (Client #1) during investigations #78057 and #77871. Finding follows:</p> <p>Record review on 9/10/18 revealed a summary of a 7/29/18 incident, written by the ICF/ID Director. According to the summary, around 3:00 p.m. on 7/30/18 Developmental Staff (DS) A reported she witnessed DS B hit Client #1 on the left side of his head with a cookie sheet at approximately 2:15 p.m. on 7/29/18.</p> <p>An Incident Report, written by DS A dated 7/30/18, noted she saw DS B hit Client #1 on his head with a cookie sheet. The Report noted 7/29/18 as the date of the incident.</p> <p>When interviewed on 9/10/18 at 11:30 a.m. DS A stated on Sunday (7/29/18) between 1:30 p.m. and 2:00 p.m. , she was in the dining room and clients and staff watched TV in the living room. She said she witnessed Client #1 chase DS B to the kitchen, where she grabbed a pan on top of</p>	
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	<p>the stove, turned around and hit Client #1 on the side of the head two times. DS A said DS B hit the client on the side of his head one time, the client stopped and then DS B hit Client #1 again on the side of his head. She reported Client #1 had no bruises and he said he was OK. DS A stated she reported the incident to her supervisor the next day.</p> <p>A review of the facility's Abuse, Neglect and Exploitation Dependent Adult Abuse Policy revealed the staff member who witnessed an incident, or first to become aware of an incident, must immediately notify their group home Program Coordinator, and/or the Manager on call and/or Director of ICF/ID services.</p> <p>When interviewed on 9/12/18 at 9:30 a.m. the ICF/ID Director stated DS A did not immediately notify her, the group home Program Coordinator, and/or the Manager on call. She confirmed the facility's mandatory abuse policy indicated staff should immediately report allegations of abuse.</p> <p>FACILITY RESPONSE:</p>			
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