

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

<b>Citation Number:</b> <b>6895</b>		<b>Date:</b> <b>January 17, 2019</b>		
<b>Facility Name:</b> <b>Mosaic 101 Kelly's Court</b>		<b>Survey Dates:</b> <b>December 10, 11, 12, 2018</b>		
<b>Facility Address/City/State/Zip</b> <b>101 Kelly's Court</b> <b>Forest City, IA 50436</b>				
LK				
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date
50.9	<p>481-50.9(135C) Criminal, dependent adult abuse, and child abuse record checks.</p> <p>50.9(4) Validity of background check results. 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.</p>	II	\$500	
64.34	<p>481-64.34(135C) Personnel histories.</p> <p>64.34(1) Each health care facility shall submit a form specified by the department of public safety to the department of public safety, and receive the results of a criminal history check and dependent adult abuse record check before any person is employed in a health care facility. The health care facility may submit a form specified by the department of human services to the department of human services to request a child abuse history check. For the purposes of this rule, "employed in a facility" shall be defined as any individual who is paid, either by the health care facility or any other entity (i.e., temporary agency, private duty, Medicare/Medicaid or independent contractors), to provide direct or indirect treatment or services to residents in a health care facility. Direct treatment or services include those provided through person-to-person contact.</p>			

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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>Indirect treatment or services include those provided without person-to-person contact such as those provided by administration, dietary, laundry, and maintenance. Specifically excluded from the requirements of this rule are individuals such as building contractors, repair workers or others who are in a facility for a very limited purpose, are not in the facility on a regular basis, and who do not provide any treatment or services to the residents of the health care facility. This Statute is not met as evidenced by:</p> <p>Based on interview and personnel record review, the facility failed to comply with state regulations (Iowa Administrative Code 481-50.9(4) regarding pre-employment screenings. The facility failed to consistently obtain employee background checks within 30 days of hire for new employees. Findings follow:</p> <p>Record review on 12/10/18 revealed the facility completed a background check for Direct Support Associate (DSA) A on 2/22/18. The facility listed DSA A's hire date as 4/9/18. The date of hire occurred greater than 30 days after the background check.</p> <p>When interviewed on 12/11/18 at 2:45 p.m. the Human Relations Business Partner confirmed the</p>			

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Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date
:	facility failed to hire DSA A within 30 days of the background check.  <b>FACILITY RESPONSE:</b>			

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\_\_\_\_\_  
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\_\_\_\_\_  
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