Iowa Department of Inspections and Appeals
Health Facilities Division
Citation

Citation Number: **7004**			**Date:** **July 15, 2019**
Facility Name: **Rowley Memorial Masonic Home**		**Survey Dates:** **May 29-July 11, 2019**	
Facility Address/City/State/Zip **3000 East Willis Avenue** **Perry, IA 50220**			
	SB		

Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date
58.43	**481—58.43(135C) Resident abuse prohibited. Each resident shall receive kind and considerate care at all times and shall be free from mental, physical, sexual, and verbal abuse, exploitation, neglect, and physical injury.(II)**	**I**	**$7,500 (HELD IN SUSPENSION)**	**UPON RECIEPT**
58.28(3)e	**481—58.28(135C) Safety. The licensee of a nursing facility shall be responsible for the provision and maintenance of a safe environment for residents and personnel. (III) 58.28(3)** **e. Each resident shall receive adequate supervision to protect against hazards from self, others, or elements in the environment. (I, II, III)** **Findings include:** Based on record review and staff interviews, the facility failed to ensure the resident had the right to be free from abuse, neglect, misappropriation of resident property, and exploitation. The facility failed to keep Resident #7 safe from Resident #6's sexual abuse. The facility was aware Resident #7 targeted Resident #6 and failed to provide adequate monitoring to prevent incidents. Facility census was thirty-nine (39) residents.			

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	Resident #6's Minimum Data Set (MDS) with an Assessment Reference Date (ARD) dated 5/6/19 documented diagnoses of unspecified dementia without behavioral disturbance, sexual disorder, human immunodeficiency virus (HIV) disease, disease of anus and rectum and malignant neoplasm of the skin. A Brief Interview for Mental Status (BIMS) score of 3. A score of 3 indicated severe cognitive impairment. The MDS indicated the resident was independent with supervision with ambulation, transfer and limited assistance with toileting. The resident's care plan with a focus date 3/20/19 identified inappropriate sexual behaviors requiring medication to suppress urges. Interventions included Lupron Depot injection monthly, monitor interactions between other residents. A focus area dated 4/17/19 identified the resident as wandering aimlessly. Interventions directed staff to distract and offer diversions. A geriatric nursing home visit documented by the physician and dated 4/11/19 revealed the physician saw the resident for severe dementia which was severe and long standing and severe			

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	sexual disinhibition. An assessment & plan listed sexual disinhibition involving stalking another male resident, going into his room and closing the door. The resident abused himself by placing various objects, i.e. a shower head up his anus. The physician reported the resident placed himself and other residents at risk. An incident report dated 5/10/19 documented the resident inappropriately touched Resident #7 by placing his hand down the back side of Resident #7's pants. Staff separated both residents and notified the resident's physician. Resident #6's physician directed staff to administer a onetime dose of medication. Progress notes dated 5/11/19 at 2:00 a.m. documented the resident rested in his room with staff seated outside the resident's room monitoring the resident's whereabouts. Progress notes dated 5/11/19 at 6:44 p.m. identified the resident without behaviors. The resident continued with normal activity without signs of aggression or fear towards or against staff or residents.			

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	Progress notes dated 5/13/19 at 5:05 a.m. identified the resident as restless, wandering throughout the unit and checking door locks. The resident would sit in his room for a few minutes, then would sit in the day hall for a few minutes without having any contact with other residents. An incident report dated 5/13/19 at 11:00 a.m. documented staff witnessed the resident touching Resident #7's genital area. The resident then began to place his hand inside Resident #7's pants. Staff separated both residents. Progress notes dated 5/13/19 at 12:40 p.m. documented staff called the resident's physician and reported the inappropriate sexual contact with Resident #7. The resident's physician directed staff to have the resident evaluated/treated at a local hospital emergency room related to the behavior exhibited. Resident #7 (victim) Resident #7's MDS with an ARD dated 2/21/19 documented diagnoses of Alzheimer's disease and restlessness and agitation. A Staff Assessment for Mental Status indicated severe cognitive impairment. The resident needed			

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	extensive assistance with bed mobility, transfer, dressing, toileting, personal hygiene and supervision of 1 staff for ambulation. The resident's care plan with a focus area date of 7/6/15 documented the resident wandered daily and was an elopement risk. Interventions directed staff to increase supervision during periods of increased wandering and agitation. A focus area dated 7/8/15 documented cognitive impaired thought processes and having difficulty communicating. Interventions directed staff to closely supervise activities and interactions with others. A focus area dated 10/3/18 identified the resident's inability to care for himself. Interventions directed staff to monitor the resident for episodes of anxiety, fear and distress. Staff Interviews: On 5/29/19 at 11:05 a.m. Staff H, certified nursing assistant (CNA) reported he assisted another resident to bed when another resident reported seeing Resident #6 entering Resident #7's room. Staff H entered Resident 7's room and found that Resident #6 pinned Resident #7 against the door and placed his hand in Resident 7's pants. Staff H separated both			

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	residents and reported the incident the nurse. Staff H reported two CNA's were assigned to work in the dementia unit but the other CNA went home ill, leaving only one staff working in the dementia unit. Staff H stated he completed an incident report. The interim director of nursing and Administrator directed him to keep both residents separate from each other. On 5/29/19 at 11:50 a.m. Staff D, registered nurse (RN) reported she heard of the incident dated 5/10/19 between Resident #6 and Resident #7 from other staff. Staff had reported they saw Resident #6 looking at Resident #7. On 5/29/19 at 10:20 a.m. Staff B, licensed practical nurse (LPN) reported she knew about the incident dated 5/10/19 between Resident #6 and Resident #7. She reported there was a prior incident where staff had found Staff #6's hand in Resident #7's pants. Following that, a note posted in the nurse's station directed staff to transfer the resident to a hospital emergency room for evaluation/treatment if the resident exhibited inappropriate sexual behavior toward other residents. The note directed staff to request a 72 hour hold and not to allow the resident to return to the facility. She reported			

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	the note had been removed from the nurse's station and didn't know where it had went. On 6/3/19 at 1:25 p.m., the interim director was asked why Resident #6's care plan did not contain information and interventions to reflect the events of 5/10/19. She stated she didn't update care plans, that it was Staff D's responsibility to update care plans. She stated after the incident of 5/10/19, staff reported Resident #6 had a liking toward Resident #7 and she knew the resident to be previously "fixated" on and demonstrating a liking of Resident #7. On 6/3/19 at 2:06 p.m., the previous director of nursing reported the resident would "prey" on and stalk Resident #7 when no one watched. The physician treated the resident for sexual disinhibition (geriatric visit of 4/11/19) and was to see the resident again but the facility didn't renew the contract. On 6/3/19 at 2:15 p.m. the previous assistant director of nursing reported Resident #6 would try to go in Resident #7's room. She reported the physician saw Resident #6 (referencing the physician visit of 4/11/19) for bizarre behaviors.			

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	She stated progress notes were not written related to the resident's behaviors. On 6/5/19 at 8:35 a.m. Staff E, CNA reported Resident #6 would sit next to Resident #7. She had heard from other staff of an incident prior to the event of 5/10/19. She reported staff reported a previous incident where the resident had put his hand down Resident #7's pants. Abatement: The immediate jeopardy was abated 6/13/19 after the facility implemented the following: 15 minute checks Journaling for a minimum of 72 hours to determine behaviors and patterns to develop a resident specific plan of care. After 72 hours, notes will be reviewed and monitoring will continue as needed based on that review Provide 1 to 1 if needed during periods of increased behaviors such as during weather changes and storms Targeted behaviors will be determined and monitored.			

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	Provide privacy for self satisfaction if resident is in an appropriate location For sexual behaviors that impact others: intervene and assist the resident to his room and provide privacy. Then protect other residents. provide 1 to 1 until behavior that impacts others subsides. Social worker to do weekly 1 to 1 for 4 weeks to review behaviors and ensure interventions are successful. Report all behaviors to supervisor and nurse will document in the record to ensure there is an accurate record on file**.** The Director of Nursing (DON) and Social services director will contact behavioral health doctor weekly for 4 weeks to collaborate on behaviors and treatments. Keep Resident #6 and Resident #7 separated. Staff for monitoring of behaviors as follows: Day shift staffing for the unit will not be less than 2 nursing staff at all times			

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	PM shift staffing for the unit will not be less than 2 nursing staff at all times Supervision at night (10 p to 6 a) will be done by a staff member of the facility with the intent that this staff will immediately notify the nursing staff to assist him if he attempts to go in another resident room or attempts to make contact with another resident. There will not be less that 2 staff at all times. Breaks of staff on this unit will be covered by another staff to ensure there are always 2 staff members. Staff were educated on the above interventions. Any future resident who exhibit sexually inappropriate behaviors who plan to admit to the facility or develop behaviors will be reviewed to ensure their behavior care plan includes actions to take to protect others from unwanted sexual behavior. Audits of Resident #6's behaviors completed every day in fact several times a day. Ongoing auditing will be determined by the resident's behaviors. Results of audits will be reviewed through the facility quality assurance (QAPI) process to determine next steps.			

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	FACILITY RESPONSE:			

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