

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

Citation Number: 7066		Date: November 26, 2019		
Facility Name: Rock Rapids Health Centre		Survey Dates: November 12-14, 2019		
Facility Address/City/State/Zip 703 South Union Rock Rapids, IA 51246		MW		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

135C.33	<p>135C.33 Employees and certified nurse aide trainees — child or dependent adult abuse information and criminal record checks — evaluations — application to other providers — penalty.</p> <p>1. a. For the purposes of this section, the term “<i>crime</i>” does not include offenses under chapter 321 classified as a simple misdemeanor or equivalent simple misdemeanor offenses from another jurisdiction.</p> <p>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. A facility shall inform all persons prior to employment regarding the performance of the record checks and shall obtain, from the persons, a signed acknowledgment of the receipt of the information</p> <p>481—50.9(135C) Criminal, dependent adult abuse,</p>	II	\$500	UPON Receipt
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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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50.9	<p>and child abuse record checks.</p> <p>50.9(1) Definitions. The following definitions apply for the purposes of this rule.</p> <p><i>“Background check” or “record check” means criminal history, child abuse and dependent adult abuse record checks.</i></p>			
58.11(3)	<p>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)</p> <p>DESCRIPTION:</p> <p>Based on personnel file reviews and staff interview, the facility failed to obtain criminal background checks within 30 days prior to hire for 3 of 3 currently</p>			

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	<p>employed staff (Staff B, C & F). The facility reported a census of 35 residents.</p> <p>Findings include:</p> <p>The personnel file for Staff B, Certified Nurse Aide, documented a hire date of 2/2/19. The file contained a criminal background check dated 2/11/19.</p> <p>The personnel file for Staff C, Maintenance, documented a hire date of 1/28/19. The file contained a criminal background check dated 10/9/18.</p> <p>The personnel file for Staff F, Licensed Practical Nurse, documented a hire date of 1/20/19. The file contained a criminal background check dated 9/17/19.</p> <p>Review of document titled Abuse Prevention Program and Reporting Policy, revised date 4/2014, noted all potential employees would be screened for history of abuse, neglect, or mistreating resident/patient during the hiring process. States screening will consist of, but not limited to:</p> <ul style="list-style-type: none"> * Inquiries into states licensing authorities. * Inquiries into state nurse aide registry. * Reference checks. * Criminal background checks. 				
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	<p>Interview with Staff E, Business Office Manager (BOM), at 2:30 PM on 11/13/19, verified the criminal background checks were not done within 30 days prior to hire.</p> <p>During an interview at 6:30 PM on 11/13/19, the Administrator stated her expectation would be the criminal background checks would be completed within 30 days prior to hire.</p> <p>FACILITY RESPONSE:</p>			
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