

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

<b>Citation Number:</b> 7071		<b>Date:</b> December 12, 2019		
<b>Facility Name:</b> Pillar of Cedar Valley		<b>Survey Dates:</b> November 18, 29, 20, 21, 2019		
<b>Facility Address/City/State/Zip</b> 1410 W. Dunkerton Rd. Waterloo, IA 50703		LK		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

64.60  W153	<b>481-64.60(135C) Federal regulations adopted - conditions of participation.</b> 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. <b>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.</b> <b>This rule is intended to implement Iowa Code Section 135C.2(3).</b>	II	\$500.00	Upon Receipt
58.43(9)	<b>483.420(d)(2) STAFF TREATMENT OF CLIENTS</b> 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.			
52.2(a)	<b>481—58.43(135C) Resident abuse prohibited.</b> <b>58.43(9) Allegations of dependent adult abuse.</b>			

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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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<b>Facility Address/City/State/Zip</b> 1410 W. Dunkerton Rd. Waterloo, IA 50703	LK	87185-M		
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	<p>Allegations of dependent adult abuse shall be reported and investigated pursuant to Iowa Code chapter 235E and 481—Chapter 52. (I, II, III)</p> <p><b>481—52.2(235E) Persons who must report dependent adult abuse and the reporting procedure for those persons.</b></p> <p><b>52.2(2)</b> Reporting suspected dependent adult abuse in facilities or programs.</p> <p>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><b>Iowa Code section 235E.2(3)(a)</b></p> <p><b>3. a.</b> 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</p>			
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	<p><b>member shall directly report the abuse to the department within twenty-four hours.</b></p> <p><b>DESCRIPTION:</b></p> <p>Based on interviews and record review, the facility failed to ensure staff immediately reported allegations of suspected abuse. This affected 1 of 1 clients identified in the investigation of #87185-M (Client #1). Finding follows:</p> <p>Review of a facility investigation regarding allegations of dependent adult abuse revealed the facility conducted an investigation regarding an allegation made on 10/13/19 a staff person hit Client #1 during an altercation between the client and multiple staff. During the course of the facility investigation, several staff people were interviewed. The facility interviewed Developmental Aide (DA) B on 10/16/19, three days after the incident. DA B witnessed the altercation. He stated he had not seen the accused staff person hit Client #1, but he said he saw DA A put her arm around Client #1's neck while trying to restrain her, in what appeared to be a choke hold.</p> <p>When interviewed on 11/18/19 at 1:20 p.m. DA B stated he saw DA A get behind Client #1 as</p>			
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	<p>the client was being aggressive toward staff on the afternoon of 10/13/19 and DA A put her arm around Client #1's neck, like a choke hold. DA B estimated DA A had her arm around Client #1's neck for a few seconds, before the client bit DA A and staff person then released her hold. When asked why he didn't report this until three days after the incident, DA B said it all happened very quickly and he thought about it more when he was questioned about the incident on 10/16/19. DA B also stated that he assumed the management staff would watch the video of the incident and see for themselves what occurred. (The altercation occurred in a hallway that typically was monitored by a video camera, but the camera was not working at the time of the incident.)</p> <p>According to the facility Abuse Reporting policy dated 1/25/18, "All allegations of Resident abuse, neglect, exploitation, mistreatment, injuries of unknown origin and misappropriation should be reported <b>immediately</b> to the charge nurse. The charge nurse is responsible for <b>immediately</b> reporting the allegations of abuse to the Administrator, or designated representative."</p>			
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	<b>FACILITY RESPONSE:</b>			
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