

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

Citation Number: <b>#8010</b>		Date: <b>2/14/2020</b>		
Facility Name: <b>Urbandale Health Care Center</b>		Survey Dates: <b>1/27-30/2020</b>		
Facility Address/City/State/Zip <b>4614 NW 84<sup>th</sup> Street Urbandale, IA 50322</b>		SB		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

<b>135C.33</b>	<b>135C.33 Employees and certified nurse aide trainees — child or dependent adult abuse information and criminal record checks — evaluations — application to other providers —penalty.</b> 1. a. For the purposes of this section, the term “crime” does not include offenses under chapter 321 classified as a simple misdemeanor or equivalent simple misdemeanor offenses from another jurisdiction. 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.	<b>II</b>	<b>\$500</b>	<b>UPON RECEIPT</b>
<b>50.9</b>	<b>481—50.9(135C) Criminal, dependent adult abuse, and child abuse record checks.</b> <b>50.9(1)</b> Definitions. The following definitions apply for the purposes of this rule. “Background check” or “record check” means criminal history, child abuse and dependent adult abuse record checks.			
<b>58.11(3)</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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	<p><b>481—58.11(135C) Personnel.</b>  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><b>DESCRIPTION:</b></p> <p>Based on personnel file reviews, facility policy review and staff interview, the facility failed to implement their policy and complete a criminal and abuse background check for new hires prior to them working in the facility for one of five current employees sampled (Staff A). The facility identified a census of 95 residents.</p> <p>Findings include:</p> <p>The personnel file for Staff A, CNA (certified nurse aide), documented a hire date of 6/11/19.</p>			
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	<p>The file failed to contain criminal background and abuse registry checks completed prior to hire.</p> <p>Time card documentation revealed Staff A, CNA worked 36 shifts from 6/11/19 to the time background check were completed on 8/28/19.</p> <p>The facility's Abuse Prevention, Identification, Investigation, and Reporting Policy Procedure effective 6/21/17 directed the following:</p> <p>Employee Screening:</p> <p>The facility shall screen all potential employees for a history of abuse, neglect, exploitation, misappropriation of property, or mistreatment of Residents.</p> <p>The facility will accomplish screening by completing the following and maintain documentation of the results:</p> <p>The facility will conduct an Iowa criminal record check and dependent adult/child abuse registry check on all prospective employees and other individuals engaged to provide services to residents, prior to hire, in the manner prescribed under 481 Iowa Administrative Code 58.11(3).</p>			
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	<p>On 01/29/20 12:31 PM the Business Office Manager (BOM) stated she began employment 11/4/2019 and had 2 days training with the former BOM. She stated understands the timeliness of checking criminal background checks but was not employed here at that time.</p> <p>On 01/29/20 01:04 PM the facility Administrator acknowledged the facility did not complete Staff A's background check timely. The Administrator acknowledged Staff A began employment on 6/11/2019. and the BOM at that time failed to do the background check prior to employment.</p> <p><b>FACILITY RESPONSE:</b></p>			
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