

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

<b>Citation Number:</b> <b>7062</b>		<b>Date:</b> <b>November 6, 2019</b>
<b>Facility Name:</b> <b>Pleasant Acres</b>		<b>Survey Dates:</b>
<b>Facility Address/City/State/Zip</b>  309 Railroad Street Hull, IA 51239	<b>MW</b>	<b>October 21-24, 2019</b>
<b>Rule or Code Section</b>	<b>Nature of Violation</b>	<b>Class</b>
		<b>Fine Amount</b>
		<b>Correction date</b>

<b>135C.33</b>	<p><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></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><b>481—50.9(135C) Criminal, dependent adult abuse,</b></p>	<b>II</b>	<b>\$500</b>	<b>UPON Receipt</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>50.9</b>	<b>and child abuse record checks.</b>  <b>50.9(1) Definitions.</b> 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) 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.</b> 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)			

**DESCRIPTION:**

Based on personnel file review, staff interview and facility policy review, the facility failed to assure an Iowa criminal background check for 2 of 6 current

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<p>employees sampled, (Staff I and Staff J), prior to them working in the facility and ensuring staff receive Dependent Adult Abuse education within 6 months of hire for 1 of 6 staff sampled (Staff I). The facility reported a census of 41 residents.</p> <p>Findings include:</p> <ol style="list-style-type: none"> <li>1. The personnel file for Staff I, Certified Nurse Aide (CNA), documented a hire date of 11/08/2018. The file contained a criminal background completed on 12/14/2018, 36 days after hire. Staff I's personnel file lacked a certificate for the mandatory 2 hour Dependent Adult Abuse class.</li> <li>2. The personnel file for Staff J, CNA, documented a hire date of 6/18/19. The file contained a criminal background completed on 5/09/19, more than 30 days before hire.</li> </ol> <p>The facility's Abuse Prevention, and Reporting Policy, revised 04/17, directed the following:</p> <p>Employee Screening:</p> <ol style="list-style-type: none"> <li>1. Screen all potential employees prior to hire for a history of abuse, neglect, or mistreating resident/patients, exploitation and/or misappropriation of resident property during the hiring process.</li> </ol> <p>Screening will consist of but not limited to: Criminal background checks</p>			
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	<p>In an interview on 10/24/19 at 10:47 AM, the Business Office Manager stated she did not find a certificate for Dependent Adult Abuse training for Staff I in her personnel file.</p> <p><b>FACILITY RESPONSE:</b></p>			
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