

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

Citation Number: #8046		Date: June 4, 2020		
Facility Name: Manorcare HS Utica Ridge		Survey Dates: May 4-20, 2020		
Facility Address/City/State/Zip 3800 Commerce Blvd Davenport, IA 52807		MW, TAG		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

58.19(2)g	<p>F675 481—58.19(135C) Required nursing services for residents. The resident shall receive and the facility shall provide, as appropriate, the following required nursing services under the 24-hour direction of qualified nurses with ancillary coverage as set forth in these rules:</p> <p>58.19(2) Medication and treatment.</p> <p><i>g.</i> Administration of oxygen (to be performed only by a registered nurse or licensed practical nurse or by a qualified aide under the direction of a registered nurse or licensed practical nurse); (I, II)</p> <p>Description:</p> <p>Based on observation, record review, and staff, physician, Police, First Responder and Medical Examiner interviews, the facility failed to provide care in accordance to Physician Orders for oxygen administration. The facility also failed to follow professional standards of practice that included administration and supervision of nebulized medication delivery with appropriate resident assessment, that resulted in a resident's cardiac arrest and death, for 1 of 11 records reviewed (Resident #10). The facility reported a census of 92 residents.</p> <p>Findings include:</p> <p>The Minimum Data Set (MDS) Assessment tool dated 4/25/20 revealed Resident #10 admitted to the facility</p>	Class I	\$8,500 (Held in Suspension)	UPON RECEIPT
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	<p>on 4/21/20 with diagnoses including diabetes, cerebrovascular accident (a stroke), asthma, respiratory failure, chronic respiratory failure with hypoxia (low oxygen saturation level) and pneumonitis (inflammation of lung cells) due to aspiration (food or fluid inhaled into the lungs). The resident scored 11 out of 15 points possible on the Brief Interview for Mental Status (BIMS) cognitive assessment that indicated cognitive impairment, without symptoms of delirium, and required extensive assistance of at least 1 staff to reposition in bed, transfer to and from bed and chair, ambulation, dressing, toileting and personal hygiene.</p> <p>Physician Orders for Resident #10 directed staff on the following:</p> <ul style="list-style-type: none"> a. Continuous oxygen administered via nasal cannula (NC) at 4 liters per minute. b. Formoterol Fumarate (a beta agonist medication that dilates the airways) 20 micrograms in 2 milliliters administered via nebulizer twice a day. c. Budesonide (a corticosteroid medication that reduces swelling of the airways) 0.5 milligrams in 2 milliliters administered via nebulizer twice a day. d. Ipratropium 0.5 milligrams with Albuterol 2.5 milligrams (both bronchodilator medications and when combined, referenced as Duo-Neb) in 3 milliliters solution administered via nebulizer every 4 hours while awake. e. Albuterol 2.5 milligrams in 3 milliliters solution administered via nebulizer every 6 hours as needed. f. Trilogy machine (a ventilator that accommodated Bi-Pap and C-Pap settings, that provides volume and pressure control through a mask applied to the nose 			
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	<p>and mouth) ensure oxygen bled in to the tubing, mask applied at hour of sleep in the evening, removed in the morning.</p> <p>A risk for respiratory impairment related to aspiration problems initiated on the Nursing Care Plan on 4/22/20 identified a goal to maintain a patent airway for Resident #10 and directed staff to implement the following to achieve the goal:</p> <ul style="list-style-type: none"> a. Encourage deep breathing exercises. b. Evaluate lung sounds and vital signs as needed. c. Obtain pulse oximetry and report abnormal findings to the physician. d. Administer medications per physician orders. e. Elevate the head of the bed. f. Administer oxygen per physician orders. <p>A Physician/Nurse Practitioner Progress Note dated 4/24/20 revealed the resident was oxygen dependent, breath sounds diminished to auscultation with cough productive of thick yellow sputum, directed the continued administration of antibiotics, oxygen, breathing treatments, Trilogy, and instruct resident to cough and deep breath at intervals during the day.</p> <p>Review of the resident's Medication Administration Record (MAR) revealed the Duo-Neb treatment ordered every 4 hours while awake with scheduled administration times at 12:00 a.m. and 4:00 a.m.. Further review showed the medication administered by Staff B, Registered Nurse (RN), at 1:02 a.m. and 5:37 a.m. on 5/1/20. The MAR revealed the as needed Albuterol nebulizer treatment never administered.</p>			
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	<p>Documentation of oxygen saturation levels revealed (normal value 95 to 100 percent on room air) the following levels:</p> <ul style="list-style-type: none"> a. On 4/30/20 at 8:13 p.m., 99 percent with oxygen via NC. b. On 4/29/20 at 8:15 a.m., 96 percent with oxygen via NC. c. On 4/29/20 at 1:43 a.m., 88 percent with oxygen per Bi-Pap (Trilogy). d. On 4/28/20 at 8:00 a.m., 95 percent with oxygen via NC. e. On 4/27/20 at 12:45 p.m., 94 percent with oxygen via NC. f. On 4/26/20 at 4:09 p.m., 94 percent with oxygen via NC. g. On 4/26/20 at 1:34 a.m., 93 percent with oxygen via Bi-Pap. h. On 4/25/20 at 4:49 p.m., 97 percent with oxygen via NC. i. On 4/25/20 at 1:48 a.m., 89 percent with oxygen via Bi-Pap. j. On 4/24/20 at 4:41 p.m., 98 percent with oxygen via NC. k. On 4/23/20 at 6:51 p.m., 91 percent on room air. l. On 4/22/20 at 3:38 p.m., 98 percent with oxygen via NC. <p>A Nurse's Note dated 5/1/20 at 7:22 a.m., transcribed by Staff A, Licensed Practical Nurse (LPN) stated two Certified Nursing Assistants (CNA's) found the resident unresponsive in the room. A Fireman in the room noticed the resident did not look good, came out of the</p>			
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	<p>room and yelled the resident required CPR. The Fireman returned to the room and started compressions with facility staff assisting. The resident's time of death recorded at 7:49 a.m., and the spouse notified of the resident's death.</p> <p>The Facility's Self-Reported Incident described at approximately 7:00 a.m. on 5/1/20, the nurse that cared for the resident's roommate realized the nebulizer treatment was completed, removed nebulizer (mask) and replaced the NC at 4 liters. At approximately 7:20 a.m., the resident observed unresponsive and CPR initiated with the resident expiring at 7:49 a.m. at the facility. Investigation by facility in progress as death was unexpected, Medical Examiner to complete an autopsy and toxicology.</p> <p>The facility's Medication and Treatment Administration Guidelines policy, updated 3/2018, directed staff to complete the following:</p> <ul style="list-style-type: none"> a. Medications were administered in accordance with standards of practice and state specific and federal guidelines. b. Medications were administered in accordance with the rights of medication administration that included right patient, right medication, right dose, right route, right time and right clinical indication. c. Medications that were not administered according to Physician Orders to be reported to the attending physician and documented in the clinical record, including the name and dose of the medication and reason the medication was not administered. 			
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	<p>The facility's Oxygen Administration policy last reviewed 7/2017 directed staff:</p> <ul style="list-style-type: none"> a. Verify Physician's Order. b. When concentrator used, plug the power cord into the outlet, turn unit on and set flow meter to correct flow rate, and ensure that exhaust filters are clean and unblocked. c. When administered by NC, direct prongs toward floor of nostrils, hook cannula tubing behind ears and under chin, and slide adjuster upward under chin to secure cannula in place. <p>The facility's Respiratory Nebulizer Mist Therapy policy, revised 9/2014, directed staff:</p> <ul style="list-style-type: none"> a. Verify Physician's Order. b. Verify that aerosol unit is off and plug power cord into electrical outlet. c. Connect one end of tubing to nebulizer and other end to aerosol unit air outlet. d. Fill nebulizer with prescribed medication. e. Connect mask to tubing. f. Apply mask to resident face. Verify nebulizer is held upright at all times to maintain prescribed medication in chamber. g. Switch aerosol unit on and direct resident to inhale mist slowly and deeply. h. Continue until prescribed medication has been aerosolized from chamber. i. Switch aerosol unit off when treatment completed. j. Assess lung fields and heart rate and document any changes. k. Rinse excess mist and medication from nebulizer and mask. 			
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	<p>I. Store dried nebulizer and mask in separate, labeled plastic bag.</p> <p>The Nurse Supervisor Job Description dated as last reviewed 6/2018, described nursing responsibilities that included:</p> <ul style="list-style-type: none"> a. Administers medications and treatments timely and according to facility policy. b. Receives, transcribes and carries out physician orders. c. Documents medications and treatments per facility policy. d. Documents in Nurse's Notes any exceptions to resident condition. <p>A One-On-One Inservice Record form completed by the Administrator and Director of Nursing (DON), dated 5/1/20 revealed Staff B administered a 4:00 a.m. scheduled medication at 5:37 a.m.. Staff B instructed medications should be administered within an hour before or after the scheduled time and if the resident was asleep at 4:00 a.m. the nurse should have documented "asleep". Also if the medication requested at 5:30 a.m., the nurse should have documented the "as needed" medication administered at that time.</p> <p>A statement obtained from Staff B, RN, via phone on 5/1/20 15 1:32 p.m., recorded by the Administrator and DON stated:</p> <p>On his night shift that concluded at 6:00 a.m. on 5/1/20, Resident #10 had no issues and slept through the night with his Trilogy on. The nebulizer treatment was applied between 5:30 a.m. and 5:45 a.m., at that</p>			
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	<p>time, the Trilogy mask was removed, nebulizer mask applied, he could not remember if oxygen via NC was applied but that would have been part of his normal process. At that time the resident was alert and asked for water. He could not recall if the nebulizer treatment was removed prior to the time he left the facility.</p> <p>Observations on 5/11/20 revealed:</p> <p>a. At 7:38 a.m., Staff C, RN, started administration of an ordered Duo-Neb nebulizer treatment to Resident #1. The nurse remained at the resident's bedside, the medication administration completed at 7:43 a.m., and then the nurse washed the nebulizer tubing and placed it in a plastic bag stored in the resident's room.</p> <p>b. At 1:27 p.m., Staff D, LPN, started administration of an ordered Duo-Neb nebulizer treatment to Resident #2. The nurse remained at the resident's bedside, the medication administration completed at 1:35 p.m., and then the nurse washed the nebulizer tubing and placed it in a plastic bag stored in the resident's room.</p> <p>Staff interviews revealed:</p> <p>On 5/5/20 at 7:16 p.m., Staff E, RN, stated she worked the day shift (6:00 a.m. to 2:00 p.m.) on 5/1/20, between 6:45 a.m. and 7:00 a.m. as she provided care to Resident #10's roommate (Resident #11), she heard the nebulizer and saw the nebulizer mask on Resident #10 with the treatment completed. She noted the oxygen not on the resident, the cannula tubing laid across the over the bed table connected to the concentrator and not on the resident. She stated the resident's color was dusky (dark blue-purple) as she</p>			
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	<p>removed the nebulizer mask and applied the oxygen via NC. When the ambulance arrived for Resident #11, she could not recall if Resident #10's skin was warm or cool, and the resident did not respond as she applied the oxygen (per ambulance report, arrived at the resident's room at 6:53 a.m. on 5/1/20). Staff E stated she had cared for Resident #10 before, he was oxygen dependent, she always administered his nebulizer treatments via mask applied over his oxygen cannula, and removed the mask when the treatment completed, after about 10 to 12 minutes.</p> <p>On 5/5/20 at 1:14 p.m., Staff A, LPN, stated she was assigned to the resident on the 5/1/20 day shift. Staff B, RN, stated he had just given the resident's breathing treatment and did not communicate anything unusual in his change of shift report to her and she had not seen or assessed the resident yet. Sometime between 7:00 a.m. and 7:30 a.m., a Fireman said the resident required CPR and as she assisted with CPR, the resident felt cool but not cold.</p> <p>On 5/5/20 at 2:50 p.m., Staff F, CNA, stated the resident assigned to her on the 5/1/20 day shift. That morning she noticed the privacy curtain partially pulled between the resident's in the room and she had not entered the room but could tell the resident was in bed. Staff F reported she could not see if his oxygen was on or not and had not seen the resident until she went in the room to get him up with Staff G, CNA, and at that time the Fireman in his room said the resident didn't look good.</p>			
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	<p>On 5/5/20 at 12:46 p.m., Staff G, CNA, stated on 5/1/20 after the ambulance left with Resident #11, he went with Staff F, CNA, to get Resident #10 up, a fireman in the room said he didn't look good. Staff G reported they tried and could not wake the resident; the fireman yelled for staff to respond and started CPR (the ambulance left the facility with Resident #11 at 7:18 a.m. per ambulance record).</p> <p>On 5/7/20 at 9:56 a.m., Staff H, Emergency Medical Technician (EMT) and a Fireman from the local fire department stated on 5/1/20 after the ambulance loaded Resident #11 for transport, he returned to the room around 7:22 a.m. He reported he thought the resident did not look good, the resident did not respond when staff tried to wake him, he felt for a pulse, couldn't find one and called out to staff for help with CPR. Staff H could not recall if the resident had oxygen on, and did not think he removed oxygen when he started CPR. The resident felt a little cool, he checked for lividity (discoloration of the skin due to the settling and pooling of blood) but did not find it, and his legs looked discolored. At the end of CPR, the resident had lividity on his thighs.</p> <p>On 5/7/20 at 10:14 a.m., Staff I, Paramedic/Fireman stated he had not noticed the resident until they left with the roommate (Resident #11) and thought it was odd that the resident had not responded to the commotion in the room. Staff I reported he thought maybe his face looked pale, and did not recall oxygen on the resident but not absolutely certain of that.</p>			
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	<p>On 5/5/20 at 12:56 p.m., Staff J, Police Detective with the local police department stated he was called to the facility on 5/1/20 at 8:15 a.m. for a suspicious death. Evidence was collected from the resident's room, as there was an ongoing investigation that may result in charges, subpoenas had been issued, the County Medical Examiner's office was involved and an autopsy would be completed.</p> <p>On 5/5/20 at 12:38 p.m., Staff K, County Medical Examiner and physician, stated the resident's death was suspicious and an autopsy was underway that morning, the resident was oxygen dependent and knew there was a period of time that oxygen was not administered prior to his death. She had conferred with the resident's spouse who reported the resident required 5 to 6 liters of oxygen per minute prior to his admission to the facility, and consented to the autopsy.</p> <p>On 5/11/20 at 3:04 p.m., Staff L, the resident's Pulmonology Physician of record, stated the resident was oxygen dependent with advanced COPD (chronic obstructive pulmonary disease), required the Trilogy respirator at night due to advanced disease beyond Bi-Pap or C-Pap support. Staff L stated if the resident's nebulizer mask left over his mouth and nose for an hour and 15 minutes, without oxygen administered, his oxygen level would have dropped and could have caused his cardiac arrest and death.</p> <p>On 5/7/20 at 9:41 a.m., Staff M, CNA, stated when she worked the night shift from 10:00 p.m. on 4/30/20 to 6:00 a.m. on 5/1/20, the resident used his call light</p>			
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	<p>more than usual and able to communicate his needs. Staff M reported he did not sleep well, had not asked for any pain medication, was scheduled for a breathing treatment at 4:00 a.m. but didn't see the nurse go in his room and not sure if he got it. She completed incontinence care of the resident at 4:45 a.m., the resident had his C-Pap mask on, and when she last checked on him at approximately 5:00 a.m., he still had the C-Pap mask on, in bed and asleep.</p> <p>On 5/12/20 at 7:12 a.m., Staff N, RN, stated she had cared for the resident, the resident needed the oxygen and administered his nebulizer treatments with oxygen on under the nebulizer mask. On the night shift, the resident wore the Trilogy mask with oxygen connected to it, to administer a nebulizer at that time the nurse had to remove the Trilogy mask, disconnect the oxygen tubing from the concentrator, attach the NC tubing to the concentrator and apply NC to the resident, then apply the nebulizer mask over the oxygen.</p> <p>On 5/5/20 at 8:19 p.m., Staff O, LPN, stated the resident was oxygen dependent. She administered his nebulizer treatments via mask with oxygen administered per NC under it, the resident said he did not like the Trilogy mask, his oxygen saturation was 87 to 88 percent when the Trilogy mask was on with oxygen bled into the line as ordered, and saturations higher when oxygen administered via NC.</p> <p>On 5/11/20 at 1:40 p.m., Staff D, LPN, stated she stayed with a resident when nebulizer treatments</p>			
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	<p>administered, unless there was an order for the resident to self-administer it. In addition, if a resident had an order for continuous oxygen, she would leave the oxygen on as she administered the nebulizer treatment.</p> <p>On 5/6/20 at 1:31 p.m., the DON and Administrator could not answer if the nurse was required to stay with the resident through nebulizer administration and stated their policy/procedure did not really say. The DON thought there was a Medication Self-Administration Policy, but had not considered it as required for nebulizer treatments, as many residents were alert and participative with the treatment. The Administrator stated when they questioned Staff B about the events on 5/1/20 and why the nebulizer not administered until 5:35 a.m., the staff reported he was running behind. The Administrator stated when she went to the resident's room to look at the equipment and investigate the incident on the morning of 5/1/20; the police had already removed the items as evidence.</p> <p>On 5/14/20 at 1:25 p.m., the DON stated she expected nurses to administer all medications and treatments as ordered by the physician unless contraindicated and should then seek clarification from the prescriptive physician.</p> <p>On 5/5/20 at 3:22 p.m., Staff B, RN, refused an interview without legal representation. As of 4:30 p.m. on 5/20/20 and after repeated requests, the staff member's attorney had not made arrangements for an interview with the Iowa Department of Inspections &</p>			
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	<p>Appeals (DIA) or the local police department.</p> <p>On May 19, 2020, the State Agency informed the facility of the Immediate Jeopardy situation at the facility.</p> <p>On May 4, 2020, the facility abated the Immediate Jeopardy. The facility provided education to the Nursing Staff on proper administration of Nebulizer treatments with continuous oxygen.</p> <p>FACILITY RESPONSE:</p>			
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