

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

Citation Number: 8091					Date: September 9, 2020
Facility Name: Harmony House Health Care Center					Survey Dates: July 23, 2020 – August 6, 2020
Facility Address/City/State/Zip 2950 West Shaulis Road Waterloo, IA 50701					
		LK	#88494-I		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date	

64.60	481-64.60(135C) Federal regulations adopted - conditions of participation. 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. 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. This rule is intended to implement Iowa Code Section 135C.2(3).	II	\$500.00	Upon Receipt	
64.33(1)	481—64.33(135C) Allegations of dependent adult abuse. 64.33(1) Allegations of dependent adult abuse. Allegations of dependent adult abuse shall be reported and investigated pursuant to Iowa Code chapter 235E and 481-Chapter 52 (I,II,III)				
W153	483.420(d)(2) STAFF TREATMENT OF CLIENTS 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.				

Facility Administrator

Date

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52.2	<p>481—52.2(235E) Persons who must report dependent adult abuse and the reporting procedure for those persons</p> <p>52.2(2) 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>			
235E.2	<p>Iowa Code section 235E.2(3)(a)</p> <p>3. a. 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 member shall directly report the abuse to the department within twenty-four hours.</p> <p>DESCRIPTION:</p> <p>Based on interview and record review, facility staff failed to immediately report allegations of client mistreatment and/or abuse to the supervisor, or the Administrator within one hour, per facility</p>			

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	<p>policy. This affected 1 of 1 client (Client #1) involved in the investigation of #88494-I. Finding follows:</p> <p>Record review on 7/23/2020 revealed the facility self-reported an allegation of abuse to the Iowa Department of Inspections and Appeals (DIA). The facility reported on 12/8/2019 Client #1 was exhibiting maladaptive behaviors and staff assisted him to his bedroom to calm down. While in his bedroom, Client #1 grabbed Team Lead (TL) A's shirt and began hitting, kicking, and scratching. TL A put his arm up to block Client #1 from head butting him. The behavior continued and both Client #1 and TL A fell to the ground; Client #1 began grabbing TL A's pants and attempted to bite his ankles. It was reported TL A might have stepped on Client #1's hand.</p> <p>Record review on 7/23/2020 revealed the facility internal investigation, initiated 12/9/2019. The facility summary of the incident noted the conclusion of the investigation was unknown based on both parties and varied witness statements. The document included the incident was reported to the DIA due to the allegation Client #1's hand was stepped on intentionally.</p> <p>Record review on 7/27/2020 revealed written staff statements including a statement completed by Developmental Aide (DA) A. According to DA A's statement, on 12/8/2019 Client #1 had been in several behaviors when he came from his</p>				
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	<p>bedroom and was attempting to hit her in the hallway. She called for help and TL A came from his office to assist. DA A documented TL A walked up, grabbed Client #1 by one arm and the back of Client #1's neck, and pushed Client #1 inside his bedroom. DA A continued to note Client #1 reached out, grabbed TL A's shirt, and both TL A and Client #1 fell to the ground. TL A again grabbed the back of Client #1's neck while yelling at Client #1 to release his shirt. DA A reported she and DA B attempted to get Client #1 to de-escalate and to release TL A's shirt. DA A documented after TL A was able to get up off the floor, he walked by Client #1 and kicked him on the back, leaving Client #1 on the floor as TL A exited the bedroom. DA A documented TL A stated he "had it" and to "just leave Client #1", Client #1 reached over, grabbed TL A's pants, and attempted to bite his ankle. DA A noted TL A stepped on Client #1's hand and Client #1 released TL A.</p> <p>Continued review of the written staff statements revealed a statement completed by DA B. DA B noted on 12/8/2019 Client #1 was having a behavior outside of his bedroom and mats were used to keep Client #1 inside the room. DA B documented Client #1 had raised his fist toward TL A and she attempted to intervene. DA B continued to note, before she could get around the mats, Client #1 fell to the ground, below TL A, and attempted to bite TL A's ankle. DA B documented TL A kicked Client #1's head away.</p>				
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	<p>DA B noted she got in front of Client #1, Client #1 threw his shoe at DA A, but eventually he calmed down and she assisted him into his chair. DA B documented she did not feel TL A should handle Client #1's behaviors because TL A was too aggressive with Client #1.</p> <p>Review of a written statement completed by Registered Nurse (RN) A noted she had heard Client #1 on the phone telling his dad a staff had stepped on his hand and it hurt. RN A documented she assessed Client #1 for injuries and asked him if anything hurt. RN A noted initially Client #1 reported he felt fine and then stated his hand hurt. RN A documented there was a reddened area on the second knuckle with six pinpoint open areas on the top of Client #1's right hand. RN A continued to note she asked Client #1 what had happened and Client #1 said "His foot on my hand. He stepped on my hand." When asked who stepped on his hand, Client #1 stated, "(TL A) stepped on my hand."</p> <p>Additional record review revealed Client #1 was 52 years old and had resided at the facility since 2/1/2019. Client #1 was diagnosed with, but not limited to moderate intellectual disabilities, Down Syndrome, Celiac Disease, other recurrent Depressive Disorder, Anxiety Disorder unspecified, spinal instabilities, Obsessive-Compulsive Disorder unspecified, Alzheimer's Disease with early onset, unsteadiness on feet,</p>				
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	<p>degenerative disease of the nervous system unspecified, and generalized muscle weakness.</p> <p>Review of facility policies revealed the "Mandatory Reporting of Dependent Adult Abuse, Crimes, and Other Notifications" policy, last revised 8/24/2016. The policy instructed employees were to immediately notify the person in charge, or the person's designated agent, of any allegations of abuse.</p> <p>Additional review of policies revealed the "Abuse Prevention, Training, and Investigations", last revised 8/24/2016. The policy instructed "Employees are required to report incidents - anything unusual or unexpected - at the time of the occurrence, to their supervisor or person in charge of the facility for further investigation, regardless of whether the incident results in obvious or visible injury." The policy continued to instruct, employees were required to report allegations or suspicions of mistreatment, abuse, or other crimes "immediately and without hesitation" directly to the person in charge of the facility at the time. The policy instructed if the person in charge was not the Administrator, the employee was also required to report the allegation to the Administrator within one hour.</p> <p>When interviewed on 7/29/2020 at 12:05 p.m., DA A reported she did not recall the exact day of the incident but remembered what had occurred. DA A said Client #1 was engaging in maladaptive</p>				
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	<p>behaviors and they were able to get him into this bedroom. She stated Client #1 grabbed TL A's shirt and pulled them both down to the floor. DA A explained TL A moved back away from Client #1, stood up, kicked Client #1 in the back of the head, walked out of Client #1's bedroom and closed the door. She said TL A was the supervisor working so the following day when she arrived to work she reported the allegation of abuse to the Program Coordinator (PC) and the Behavior Strategist. She explained she did not immediately report the allegation because TL A was the supervisor and was the person who had kicked Client #1.</p> <p>The Surveyor called DA B on 7/29/2020 at 2:14 p.m., 7/30/2020 at 10:12 a.m., and 8/5/2020 at 2:42 p.m. and left messages requesting a return phone call. DA B did not return the Surveyor's phone calls.</p> <p>When interviewed on 8/3/2020 at 9:10 a.m., the PC said on 12/8/2019 Client #1 had been exhibiting inappropriate behaviors and she was called to seek approval to obtain an order for a PRN (as needed) medication. She reported no one reported any allegations when she was called. The PC stated the next day, Client #1 was overheard on the phone telling his father the guy stepped on his hand. She explained the nurse assessed Client #1 and Client #1 had marks consistent with his behavior and/or having his hand stepped on. The PC said when DA A and DA B arrived to work on 12/9/2019, they reported</p>			
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	<p>the allegation of abuse to her. The PC confirmed DA A and DA B failed to immediately report the allegation of abuse.</p> <p>FACILITY RESPONSE:</p>			
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