

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

Citation Number: 9046		Date: January 22, 2021		
Facility Name: Mosaic 217 Maple St		Survey Dates: November 2 – 19, 2020		
Facility Address/City/State/Zip 217 Maple St. Nevada, IA 50201		Survey		
LK		Survey		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

<b>64.60</b>	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.	<b>II</b>	<b>\$500.00</b>	<b>Upon Receipt</b>
<b>64.33(1)</b>	This rule is intended to implement Iowa Code Section 135C.2(3).  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)			
<b>W153</b>	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

**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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52.2	<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>			
235E.2	<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 member shall directly report the abuse to the department within twenty-four hours.</p> <p><b>DESCRIPTION:</b></p> <p>Based on interviews and record review, the facility failed to ensure staff reported potential abuse according to established policies and procedures. This affected 2 of 2 clients</p>			

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	<p>identified as a result of investigations #87052-I (Client's #1 and #2). Findings Follow:</p> <p>Record review on 11/2/20 revealed Investigation Summary Report dated 8/26/20. The investigation was for an incident occurring at another ICF/IID home; however, while being interviewed on 8/29/19 at 1:20 p.m. Direct Support Supervisor (DSS) A also reported she witnessed inappropriate interactions by Direct Support Associate (DSA) A with Clients #1 and Client #2 at Mosaic - 217 Maple home. She stated on 8/13/19 she witnessed DSA A use a table to block an entrance to keep Client #1 out of the kitchen. He also used two hands to physically push Client #1 back into a chair when he attempted to stand up. It was also reported he used physical prompts to push Client #2 back down in her wheelchair when she attempted to stand. Further review of the investigation summary revealed these allegations were not reported to administration or the state agency until a separate investigation at a different house on 8/26/19.</p> <p>Record review on 11/2/20 revealed a written statement provided to the facility by DSS A.</p>				
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	<p>The statement noted on 8/13/19 she witnessed DSP A physically block Client #1 with two hands on his shoulders. She stated DSP A pushed him back into a chair in the living room, blocking him from getting up. She also witnessed DSP A use a table to block Client #1 from entering the kitchen. The statement further documented DSP A physically used two hands to push Client #2 back into her wheel chair when she attempted to stand.</p> <p>Record review on 11/2/20 revealed the facility's abuse policy, last approved 6/28/18, instructed staff to immediately separate the alleged abuser and the individual served. The policy further directed, "All employees are required to report any apparent abuse or neglect, the name of the alleged perpetrator, the name of the dependent adult to their direct support or independent contractor program supervisor, program manager, habilitative manager, associate director, or executive director. Reports are to made immediately after they occurred or the staff member became aware of the incident. Reports of suspected abuse must be made immediately."</p>			
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	<p>When interviewed on 11/2/20 at 11:45 a.m. the Associate Director (AD) confirmed DSS A should have reported the alleged mistreatment of Client #1 and Client #2 immediately. She stated DSS A had been trained on the abuse policy and all staff were retrained after the incident. The AD stated this incident was discovered during another investigation involving DSP A and another home he worked in. She stated DSP A was terminated by the facility for verbal interactions and not following facility policy of treating clients with dignity and respect.</p> <p><b>FACILITY RESPONSE:</b></p>			
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