

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

Number 5653		Fine amount reduced by 35% to \$325 on April 21, 2022 pursuant to Iowa Code Section 135C.43A		Report date March 24, 2022	
Facility name Pillar of Cedar Valley		Survey dates March 7, 2022- March 10, 2022			
Facility address 1410 Dunkerton Road					
City Waterloo, IA 50703		JB			
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction Date	
58.11(3)	<p>481—58.11(135C) Personnel. (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 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>DESCRIPTION:</p> <p>Based on employee record review, policy review and staff interviews, the facility failed to complete a background employment check within 30 days of hire for 1 of 5 employee (Staff D) files reviewed. The facility identified a census of 130 residents.</p> <p>Findings include:</p> <p>The New Hires since 3/7/21 list provided by the facility, documented Staff D, Certified Nursing Assistant, (CNA), with a hire date of 7/20/21.</p> <p>Staff D's Single Contact License and Background Check dated 6/11/21 show that the background check was complete as of 6/11/21. The Criminal History Background Check section indicated that</p>	II	\$500.00 Collect	Upon Receipt	

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).

Facility Administrator

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	<p>further research was required and to wait for the final response for criminal history.</p> <p>The Single Contact License and Background Check printed 6/14/21 recorded the status complete 6/14/21 with no criminal history (CCH) record found.</p> <p>Staff D's personnel record lacked a background check completed within 30 days of the hire date of 7/20/21.</p> <p>During an interview on 3/9/22 at 11:18 a.m. Staff E, Office Manager, reported that the background check has to be completed within 30 days of the actual hire date. Staff E explained that if it was outside of that timeframe, the background checks would have to be redone.</p> <p>During an interview on 3/9/22 at 11:19 a.m. the Provisional Administrator stated the background checks have to be completed within 30 days of hire.</p> <p>The Abuse Prevention, Identification, Investigation and Reporting Policy, revised 7/6/21 included a Policy Statement that all resident have the right to be free from abuse, neglect, misappropriation of resident property, exploitation, corporal punishment, involuntary seclusions, and any physical or chemical restraint not required to treat the resident's medical symptoms. Residents must not be subject to abuse by anyone, including but</p>				

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	<p>not limited to, facility staff, other residents, consultants or volunteers, staff of other agencies serving the resident, family members or legal guardians, friends, or other individuals. It shall be the policy of this facility to implement written procedures that prohibit abuse, neglect, exploitation and misappropriation of resident property. These procedures shall include screening.</p> <p>The Abuse, Prevention, Identification, Investigation and Reporting Policy Employee Screening documented that the facility should screen all potential employees for a history of abuse, neglect exploitation, misappropriation of property, or mistreatment of residents. The facility would not employ or otherwise engage individuals who; (i) have been found guilty of resident abuse, neglect, exploitation, misappropriation of property, or mistreatment by a court of law; (ii) have had a finding entered into the State Nurse Aide Registry of misappropriation of their property, or (iii) have a disciplinary action in affect against their professional license by a State licensure body as a result of a finding of abuse, neglect, exploitation, mistreatment of residents or misappropriation of resident property. This will be accomplished through (including maintaining documentation of such results):</p> <p>1. The facility will conduct an Iowa Criminal record check and department adult/child abuse registry check on all prospective employees and other individuals engaged to provide services, prior to</p>			

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	<p>hire, in the manner prescribed under 481 Iowa Administrative Code 58.11(3). The facility will conduct a criminal record check and dependent adult/child abuse registry check on all current employees and other individuals engaged to provide services to residents who have criminal convictions or founded abuse determinations after hire, or where the facility received credible information that an employee has had a criminal conviction or a founded abuse determination subsequent to hire. See Iowa Code 135C.33(7).</p> <p>2. For those prospective employees and other individuals engaged to provide services who hold certificates, the facility will conduct a check with the appropriate registry to assure there is no finding of abuse, neglect, exploitation, or treatment of resident or misappropriation of resident property.</p> <p>The Policy lacked documentation of the time frame for completing employee background checks.</p> <p>The Employee Handbook, revised 2/8/20, provided by the facility, under Employee Background Checks, Page 10 of 66, documented the Facility conducts background checks on applicants considered for employment and reserves the right to recheck the background of current employees.</p>				

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	FACILITY RESPONSE:				

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