

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

<b>Citation Number:</b> #6206		<b>Date:</b> August 17, 2023		
<b>Facility Name:</b> Caring Acres Nursing and Rehab		<b>Survey Dates:</b> July 25, 2023 – August 3, 2023		
<b>Facility Address/City/State/Zip</b> 1000 Hillcrest Drive Anita, Iowa 50020		LG		
<b>Rule or Code Section</b>		<b>Nature of Violation</b>		
<b>Class</b>		<b>Fine Amount</b>		<b>Correction date</b>

<b>58.43(2)</b>	<p><b>481—58.43(135C)</b> Resident abuse prohibited. Each resident shall receive kind and considerate care at all times and shall be free from mental, physical, sexual, and verbal abuse, exploitation, neglect, and physical injury. Each resident shall be free from chemical and physical restraints except as follows: when authorized in writing by a physician for a specified period of time; when necessary in an emergency to protect the resident from injury to the resident or to others, in which case restraints may be authorized by designated professional personnel who promptly report the action taken to the physician; and in the case of an intellectually disabled individual when ordered in writing by a physician and authorized by a designated qualified intellectual disability professional for use during behavior modification sessions. Mechanical supports used in normative situations to achieve proper body position and balance shall not be considered to be a restraint. (II)</p> <p><b>58.43(2)</b> Physical abuse includes, but is not limited to, corporal punishment and the use of restraints as punishment. (II)</p> <p>DESCRIPTION:</p> <p>Based on clinical record review, family interview, resident interview, staff interview and facility policy review the facility failed to protect residents from alleged sexual abuse for 2 of 5 residents reviewed (Resident #4, #5, and #6).</p>	<b>I</b>	<b>\$8500.00 (Held in Suspension)</b>	<b>Upon Receipt</b>
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Facility Administrator

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Date

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	<p>The facility reported a census of 32 residents.</p> <p>Findings include:</p> <p>1. The Minimum Data Set (MDS) dated 6/5/23 for Resident #4 revealed a Brief Interview of Mental Status (BIMS) score of 4 out of 15 which indicated severely impaired cognition. The MDS documented a diagnoses to include amnesia.</p> <p>The Care Plan for Resident #4 revised on 2/6/23 documented the resident has a behavior problem (having multiple episodes) related to unrealistic expectations. The Care Plan directed staff as follows:</p> <ul style="list-style-type: none"> <li>-Anticipate and meet the resident needs.</li> <li>-Caregivers to provide opportunity for positive interaction, attention, stop and interact as passes by.</li> <li>-Monitor behavior episodes and attempt to determine underlying cause.</li> </ul> <p>The Care Plan dated 6/9/23 documented the resident has the potential to be verbally aggressive related to the aging process/confusion. The Care Plan directed staff as follows:</p> <ul style="list-style-type: none"> <li>-Assess and anticipate resident needs.</li> <li>-Give the resident as many choices as possible about care and activities.</li> </ul> <p>The Care Plan lacked any indication of sexual behaviors.</p> <p>The Progress Note for Resident #4 documented the following:</p> <p>On 1/24/23 at 12:12 PM the Director of Nursing (DON)</p>			
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	<p>went to a female resident room to inform her that it was lunch time. Upon entering the room, Resident #4 was leaning over female residents' bed, groping the female's breasts and kissing her intimately. The DON informed the resident to leave her room and asked the female resident if she was okay and if she had consented to that encounter. The female did nod her head yes. The DON went to residents' room and educated him on the importance of consent and explained that some people may not be able to make proper decisions for themselves. Fax sent to Primary Care Provider (PCP) to update. Residents daughter also notified of encounter.</p> <p>In an interview on 7/26/23 at 11:18 AM, the resident's daughter reported that the resident was accused of touching a female resident, the resident has always been lovey in behavior. She stated the facility hasn't informed her that anything has happened between this resident and other resident since the new company took over in 11/22.</p> <p>In an interview on 7/26/23 at 2:31 PM, Staff A, CNA, reported that the resident's nickname among staff was "Captain McFeely Pants", because he can get inappropriate with staff. She stated the staff remind him to behave and he hasn't been an issue since before the beginning of May. She added before that he was touchy feely. She stated he would sit on the couch and grope female residents but he never would go past first base. She stated he would touch them outside of their clothes and would touch their breasts outside of their clothes. The aide stated she remembered him with Resident #3 touching her at</p>			
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	<p>times. She stated they separated them and redirected them.</p> <p>In an interview on 7/26/23 at 2:16 PM, the DON when she observed the 2 residents involved in the sexually inappropriate behavior on 1/24/23, she knew the residents were confused, and they were easily separated and redirected. The DON reported that the 2 residents were not able to consent to sexual activity and that their families did not give consent for the residents to engage in sexual activity. The DON reported that she talked to previous Administrator about the incident on 1/24/23.</p> <p>2. The MDS dated 5/8/23 for Resident #5 revealed the resident had short term and long-term memory problems, had severely impaired cognitive skills for daily decision making, and had inattention and disorganized thinking behavior present that fluctuates. The MDS documented diagnoses to include non-traumatic brain dysfunction, Alzheimer's disease, and schizophrenia.</p> <p>The Care Plan revised on 7/20/23 for Resident #5 documented the resident is at risk for wandering and elopement related to impaired safety awareness. The Care Plan directed staff as follows:</p> <ul style="list-style-type: none"> <li>-Ensure a safe distance from other residents who have a tendency to become agitated with her actions.</li> <li>-Follow facility elopement policy and procedures.</li> <li>-Identify pattern of wandering: purposeful, aimless or escapist; looking for something; or need more exercise?</li> </ul>			
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	<p>-Monitor location with one on one supervision at all times. Document wandering behaviors and attempted diversion interventions.</p> <p>The Care Plan revised on 7/31/23 for Resident #5 documented the resident has a behavior problem of sitting on the floor and going into other resident's rooms related to cognitive impairment. The Care Plan directed staff as follows:</p> <ul style="list-style-type: none"> <li>-Anticipate and meet the resident's needs.</li> <li>-Caregivers to provide opportunities for positive interaction, attention, and to stop and interact as passes by.</li> <li>-Psyche referral as needed for behavior and medication management.</li> </ul> <p>The Care Plan lacked any indication of sexual behavior.</p> <p>The Progress Notes for the resident documented the following:</p> <p>On 7/17/23 at 10:29 PM CNA paged nurse to resident's room. CNA reported to this nurse that she had walked in on resident and another resident during an inappropriate act. CNA had already started to separate residents and this nurse took the other resident out of the room and delegated cna to stay with Resident #5 until nurse could get back and perform assessment. Male resident escorted to nurses' station and this nurse went back to resident's room. Skin assessment completed along with psycho-social eval completed. resident stated to this nurse when asked if she was okay with what happened and she stated she didn't mind it. Skin assessment revealed no skin breaks, marks or vaginal bleeding. Resident stated</p>			
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	<p>that she was not injured or hurt. Resident was not showing any obvious signs of being upset or distressed, not crying or agitated. She was not verbally or physically aggressive. Half hour checks completed by staff on resident to ensure safety. Resident found to be wandering a few times and redirected back to her room. Contacted Administrator, DON and ADON immediately after incident at approx. 10:21 PM after separating the residents.</p> <p>On 7/18/23 at 9:39 AM DON and ADON spoke with resident's brother at 9:32 AM. DON updated brother on incident between resident and a male resident. Brother stated that he wanted facility to do what they think is right and make sure his sister is okay. Brother aware and gave consent for resident to be seen at local hospital for evaluation per orders from the resident's physician that were received at 9:39 AM.</p> <p>The ED (Emergency Department) Provider Note for the resident signed by a physician on 7/18/23 at 11:32 AM documented the following:</p> <ul style="list-style-type: none"> <li>-Per staff report, another resident went into patient's room, took off his clothes, and laid on top of her. SANE (Sexual Assault Nurse Examiner) nurse reports patient denied sexual intercourse. She stated patient told him to stop, then CNA walked by room. CNA reports telling other resident to leave room. Per CNA report, he left patient's room and was sent to a different hallway. Patient has no complaints at this time.</li> <li>-Description of Assault: Patient was in her room, male stated he wanted to do sex, patient stated, get outta here. He took his and her clothes off. She stated this occurred at another facility. Asked to clarify and then she stated it happened in her room. Patient was asked</li> </ul>			
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	<p>multiple times and in different ways if there was penile penetration, patient denies each time. (vaginally, orally, anally). Staff CNA at the nursing home walked in and found male on top of the patient. She stated that male was undressed and patient undressed waist down. CNA told male to leave room and get dressed. Male got up, left, dressed, and was escorted to a different hallway in facility. Nursing Home Facility called and reported incident to SA and called law enforcement to report.</p> <p>-Activities Following the Assault: Patient account: "I told him get off, get off." "Some people walked in and said get outta there. He dressed up and got outta the room." Patient was brought to ED for assessment. Interviewed by SANE RNs and law enforcement. Brother called and consent was obtained for external exam done and to defer the internal exam.</p> <p>-Assessment of General Appearance Note Full body skin assessment performed with unremarkable findings. Adult brief observed to be clean and free from bloody/bodily fluids.</p> <p> FACILITY RESPONSE:</p>			
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<b>58.43(9)</b>	<p><b>481—58.43(135C)</b> Resident abuse prohibited. Each resident shall receive kind and considerate care at all times and shall be free from mental, physical, sexual, and verbal abuse, exploitation, neglect, and physical injury. Each resident shall be free from chemical and physical restraints except as follows: when authorized in writing by a physician for a specified period of time; when necessary in an emergency to protect the resident from injury to the resident or to others, in which case restraints may be authorized by designated professional personnel who promptly report the action taken to the physician; and in the case of an intellectually disabled individual when ordered in writing by a physician and authorized by a designated qualified intellectual disabilities professional for use during behavior modification sessions. Mechanical supports used in normative situations to achieve proper body position and balance shall not be considered to be a restraint. (II)</p> <p><b>58.43(9)</b> 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)</p>	<b>I</b>	<b>\$8000.00 (Held in Suspension)</b>	<b>Due Upon Receipt</b>
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	<p><b>DESCRIPTION:</b></p> <p>Based on clinical record review, family interview, resident interview, staff interview and facility policy review the facility failed to protect residents from alleged sexual abuse for 2 of 5 residents reviewed (Resident #4 and #5).</p> <p>The facility reported a census of 32 residents.</p> <p>Findings include:</p> <p>1. The Minimum Data Set (MDS) dated 6/5/23 for Resident #4 revealed a Brief Interview of Mental Status (BIMS) score of 4 out of 15 which indicated severely impaired cognition. The MDS documented a diagnoses to include amnesia.</p> <p>The Care Plan for Resident #4 revised on 2/6/23 documented the resident has a behavior problem (having multiple episodes) related to unrealistic expectations. The Care Plan directed staff as follows:</p> <ul style="list-style-type: none"> <li>-Anticipate and meet the resident needs.</li> <li>-Caregivers to provide opportunity for positive interaction, attention, stop and interact as passes by.</li> <li>-Monitor behavior episodes and attempt to determine underlying cause.</li> </ul> <p>The Care Plan dated 6/9/23 documented the resident has the potential to be verbally aggressive related to the aging process/confusion. The Care Plan directed staff as follows:</p> <ul style="list-style-type: none"> <li>-Assess and anticipate resident needs.</li> </ul>			
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	<p>-Give the resident as many choices as possible about care and activities. The Care Plan lacked any indication of sexual behaviors.</p> <p>The Progress Note for Resident #4 documented the following: On 1/24/23 at 12:12 PM the Director of Nursing (DON) went to a female resident room to inform her that it was lunch time. Upon entering the room, Resident #4 was leaning over female residents' bed, groping the female's breasts and kissing her intimately. The DON informed the resident to leave her room and asked the female resident if she was okay and if she had consented to that encounter. The female did nod her head yes. The DON went to residents' room and educated him on the importance of consent and explained that some people may not be able to make proper decisions for themselves. Fax sent to Primary Care Provider (PCP) to update. Residents daughter also notified of encounter. On 1/30/23 at 9:12 PM the resident continues on increase dose of Namenda with no signs and symptoms of any adverse reactions noted, multiple behaviors noted tonight- found trying to get resident from room 206 (Resident #5) to let him go up under her shirt-this nurse separated them-yelling about taking his pill-why does he have to take them-yelling about blanket-staff went immediately downstairs to get it stood shouting and stomping at nurse's station until she got back upstairs with it. On 3/23/23 at 2:42 PM Care Plan Meeting: attended ADON, SSD (Social Services Director), Activity Director, resident's daughter, resident. Discussed</p>			
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	<p>residents care, wt. at 139, daughter please resident is starting to gain some. resident c/o (complained of) staff telling resident not to sit too close to female resident's staff discussed resident inappropriately touching other residents at times. No other concerns at this time. Plan is for resident to remain in facility contrary to resident's belief, daughter is unable to provide the care he needs. Family has no concerns at this time.</p> <p>On 4/9/23 at 2:48 PM resident touching a female resident thigh and rubbing her shoulders and kissed her.</p> <p>On 4/16/23 6:19 PM resident sitting on couch in lounge, seen trying to get his hands up underneath another resident shirt. Residents separated, and he went to his room, yelling about it being cold in here.</p> <p>In an interview on 7/26/23 at 11:18 AM, the resident's daughter reported that the resident was accused of touching a female resident, the resident has always been lovey in behavior. She stated the facility hasn't informed her that anything has happened between this resident and other residents since the new company took over in 11/22.</p> <p>In an interview on 7/27/23 at 1:16 PM Resident #12 reported that she has observed the resident touch Resident #3's breast and genitals. Resident #12 has observed the resident take his penis out of his slacks and Resident #3 touched the resident's penis. Resident #12 reported that she saw this before the resident had COVID in 4/23.</p> <p>In an interview on 7/26/23 at 2:31 PM, Staff A, CNA, reported that the resident's nickname among staff was</p>			
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	<p>"Captain McFeely Pants", and he can get inappropriate with staff. She stated staff remind him to behave. She stated he hasn't had any issues since before the beginning of May but before that he was touchy feely. He would sit on the couch and grope female residents. She stated he never would go past first base, he would touch them outside of their clothes including their breasts. She stated she remembered him with Resident #3 touching her at times. She stated staff separated them and redirected them.</p> <p>In an interview on 7/26/23 at 2:16 PM, the DON reported that the other resident involved in the 1/24/23 incident was Resident #5. She stated she talked to the previous Administrator about the incident on 1/24/23 and was informed the incident didn't need to be reported to the SA. She stated she didn't know they had to be reported.</p> <p>2. The MDS dated 5/8/23 for Resident #5 revealed the resident had short term and long-term memory problems, had severely impaired cognitive skills for daily decision making, and had inattention and disorganized thinking behavior present that fluctuates. The MDS documented diagnoses to include non-traumatic brain dysfunction, Alzheimer's disease, and schizophrenia.</p> <p>The Care Plan revised on 7/20/23 for Resident #5 documented the resident is at risk for wandering and elopement related to impaired safety awareness. The Care Plan directed staff as follows:</p> <p>1. Ensure a safe distance from other residents who</p>			
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	<p>have a tendency to become agitated with her actions.</p> <p>2. Follow facility elopement policy and procedures.</p> <p>3. Identify pattern of wandering: purposeful, aimless or escapist; looking for something; or need more exercise?</p> <p>4. Monitor location with one on one supervision at all times. Document wandering behaviors and attempted diversion interventions.</p> <p>The Care Plan revised on 7/31/23 for Resident #5 documented the resident has a behavior problem of sitting on the floor and going into other resident's rooms related to cognitive impairment. The Care Plan directed staff as follows:</p> <p>1. Anticipate and meet the resident's needs.</p> <p>2. Caregivers to provide opportunities for positive interaction, attention, and to stop and interact as passes by.</p> <p>3. Psyche referral as needed for behavior and medication management.</p> <p>The Care Plan lacked any indication of sexual behavior.</p> <p>The Progress Notes for the resident documented the following:</p> <p>On 6/10/23 at 3:46 PM multiple residents approached nurse to express concern d/t (due to) resident being in their rooms while they were not. Resident had multiple different candy items that she was hiding and eating which were not hers. Resident also walked by medication cart and stole applesauce in the middle of medication pass. Resident educated but ineffective as resident continued with behavior throughout the whole shift.</p>			
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**Iowa Department of Inspections and Appeals  
Health Facilities Division  
Citation**

<b>Citation Number:</b> #6206		<b>Date:</b> August 17, 2023		
<b>Facility Name:</b> Caring Acres Nursing and Rehab		<b>Survey Dates:</b> July 25, 2023 – August 3, 2023		
<b>Facility Address/City/State/Zip</b> 1000 Hillcrest Drive Anita, Iowa 50020		LG		
<b>Rule or Code Section</b>		<b>Nature of Violation</b>		
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	<p>On 7/17/23 at 10:29 PM CNA paged nurse to resident's room. CNA reported to this nurse that she had walked in on resident and another resident during an inappropriate act. CNA had already started to separate residents and this nurse took the other resident out of the room and delegated cna to stay with Resident #5 until nurse could get back and perform assessment. Male resident escorted to nurses' station and this nurse went back to resident's room. Skin assessment completed along with psycho-social eval completed. resident stated to this nurse when asked if she was okay with what happened and she stated she didn't mind it. Skin assessment revealed no skin breaks, marks or vaginal bleeding. Resident stated that she was not injured or hurt. Resident was not showing any obvious signs of being upset or distressed, not crying or agitated. She was not verbally or physically aggressive. Half hour checks completed by staff on resident to ensure safety. Resident found to be wandering a few times and redirected back to her room. Contacted Administrator, DON and ADON immediately after incident at approx. 10:21 PM after separating the residents.</p> <p>On 7/18/23 at 9:39 AM DON and ADON spoke with resident's brother at 9:32 AM. DON updated brother on incident between resident and a male resident. Brother stated that he wanted facility to do what they think is right and make sure his sister is okay. Brother aware and gave consent for resident to be seen at local hospital for evaluation per orders from the resident's physician that were received at 9:39 AM.</p> <p>The ED (Emergency Department) Provider Note for Resident #5 signed by a physician on 7/18/23 at 11:32</p>			
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	<p>AM revealed:</p> <p>-Per staff report, another resident went into patient's room, took off his clothes, and laid on top of her. SANE (Sexual ASSUALT Nurse Examiner) nurse reports patient denied sexual intercourse. She states patient told him to stop, then CNA walked by room. CNA reports telling other resident to leave room. Per CNA report, he left patient's room and was sent to a different hallway. Patient has no complaints at this time.</p> <p>-Description of Assault: Patient was in her room, male said "he wanted to do sex" patient said, "get outta here." He took his and her clothes off. She stated this occurred at another facility. Asked to clarify and then said "In my room." Patient was asked multiple times and in different ways if there was penile penetration, patient denies each time. (vaginally, orally, anally). Staff CNA at nursing home walked in and found male on top of the patient. She stated that male was undressed and patient undressed waist down. CNA told male to leave room and get dressed. Male got up, left, dressed, and was escorted to a different hallway in facility. Nursing Home Facility called and reported incident to the SA and called law enforcement to report.</p> <p>-Activities Following the Assault: Patient account: "I told him get off, get off." "Some people walked in and said get outta there. He dressed up and got outta the room." Patient was brought to ED for assessment. Interviewed by SANE RNs and law enforcement. Brother called and consent was obtained for external exam done and to defer the internal exam.</p> <p>-Assessment of General Appearance Note Full body skin assessment performed with unremarkable</p>			
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	<p>findings. Adult brief observed to be clean and free from bloody/bodily fluids.</p> <p>In an interview on 7/26/23 at 12:25 PM, Resident #11 reported that Resident #5 came into her room several times and was combative. The resident yelled down the hall for someone to get the resident out of her room. When she tried to corral her towards the door, the resident came at her in a threatening way. Resident #11 did not see her be sexually inappropriate but she felt she could be. Resident #11 stated she told whoever was in charge that she couldn't sit with her because she made her uncomfortable. She stated the resident would come into her room and sit on the sofa and look at her and it was creepy and made her uncomfortable.</p> <p>In an interview on 7/26/23 at 1:17 PM, the resident's brother reported that he was not informed of the 1/24/23 incident or any other incidents of inappropriate sexual behavior or the resident's issues wandering. He stated he was informed by the facility of the incident of sexual abuse that occurred 7/17/23.</p> <p>In an interview on 7/26/23 at 2:16 PM, the DON reported that the residents involved in the incident she charted on 1/24/23 were Residents #4 and #5. She stated she knew the residents were confused and that their families did not give approval for them to have sexual behavior at the facility. She stated she reported the incident to the facility Administrator who advised her that the incident did not need to be investigated.</p> <p>The Progress Note for Resident #5 lacked</p>			
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	<p>documentation of any incident on 1/24/23 of a sexual interaction with a male resident. The Progress Note is in the clinical record for Resident #4.</p> <p>The facility policy Compliance with Reporting Allegations of Abuse/Neglect/Exploitation with revision date of 7/23 revealed:</p> <ol style="list-style-type: none"> <li>1. The facility will develop and operationalize policies and procedures for screening and training employees, protection of residents and for the prevention, identification, investigation, and reporting of abuse, neglect, mistreatment, and misappropriation of property. The purpose is to assure that the facility is doing all that is within its control to prevent occurrences.</li> <li>2. New employees will be educated by the department manager, or designee, on issues related to abuse prohibition practices and abuse reporting requirements during initial orientation. Annual education and training will be provided to all existing employees. Front line supervisors will provide education as situations arise.</li> <li>3. The facility will identify events, occurrences, patterns and trends that may constitute: sexual Abuse, the non-consensual sexual contact of any type with a resident.</li> <li>4. Alleged violation: A situation or occurrence that is observed or reported by staff, resident, relative, visitor or others but has not yet been investigated and, if verified, could be noncompliance with the Federal requirements related to mistreatment, exploitation, neglect, or abuse, including injuries of unknown source, and misappropriation of resident property</li> <li>5. Investigation: The facility will investigate all allegations and types of incidents as listed above in</li> </ol>			
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	<p>accordance to facility procedure for reporting/response as described below.</p> <p>6. Protection: The facility will protect residents from harm during an investigation.</p> <p>7. The Licensed Nurse will:</p> <ul style="list-style-type: none"> <li>a. Respond to the needs of the resident and protect him/her from further incident.</li> <li>b. Remove the accused employee from resident care areas.</li> <li>c. Notify the Administrator or designee.</li> <li>d. Notify the attending physician, resident's family/legal representative, and Medical Director.</li> <li>e. Monitor and document the resident's condition, including response to medical treatment or nursing interventions.</li> <li>f. Document actions taken in the medical record.</li> <li>g. Complete an incident report if indicated.</li> <li>h. Revise the resident's care plan if the resident's medical, nursing, physical, mental, or psychosocial needs or preferences change as a result of an incident of abuse.</li> </ul> <p>FACILITY RESPONSE:</p>			
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<b>58.19(2)</b>	<p><b>481—58.19(135C)</b> 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><b>58.19(2)</b> Medication and treatment.</p> <p>j. Provision of accurate assessment and timely intervention for all residents who have an onset of adverse symptoms which represent a change in mental, emotional, or physical condition. (I, II, III)</p> <p><b>DESCRIPTION:</b></p> <p>Based on observation, clinical record review, facility policy review, and staff interview, the facility failed to provide care consistent with professional standards of practice, to prevent pressure ulcers and provide necessary treatment and services to promote healing of a pressure ulcer for 1 of 1 resident reviewed (Resident #1). The facility reported a census of 32 residents.</p> <p>The MDS (Minimum Data Set) assessment identifies the definition of pressure ulcers:</p> <p>Stage I is an intact skin with non-blanchable redness of a localized area usually over a bony prominence. Darkly pigmented skin may not have a visible blanching; in dark skin tones only it may appear with persistent blue or purple hues.</p>	<b>I</b>	<b>\$5500.00</b>	<b>Due Upon Receipt</b>
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	<p>Stage II is partial thickness loss of dermis presenting as a shallow open ulcer with a red or pink wound bed, without slough (dead tissue, usually cream or yellow in color). May also present as an intact or open/ruptured blister.</p> <p>Stage III Full thickness tissue loss. Subcutaneous fat may be visible but bone, tendon or muscle is not exposed. Slough may be present but does not obscure the depth of tissue loss. May include undermining and tunneling.</p> <p>Stage IV is full thickness tissue loss with exposed bone, tendon or muscle. Slough or eschar (dry, black, hard necrotic tissue). may be present on some parts of the wound bed. Often includes undermining and tunneling or eschar.</p> <p>Unstageable Ulcer: inability to see the wound bed.</p> <p>Other staging considerations include:          Deep Tissue Pressure Injury (DTPI): Persistent non-blanchable deep red, maroon or purple discoloration. Intact skin with localized area of persistent non-blanchable deep red, maroon, purple discoloration due to damage of underlying soft tissue. This area may be preceded by tissue that is painful, firm, mushy, boggy, warmer or cooler as compared to adjacent tissue. These changes often precede skin color changes and discoloration may appear differently in darkly pigmented skin. This injury results from intense and/or prolonged pressure and shear forces at the bone-muscle interface.</p>			
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	<p><b>Findings Included:</b></p> <p>Resident #1's Minimum Data Set (MDS) dated 3/10/23 listed an admission date of 3/3/23. The MDS identified a Brief Interview of Mental Status (BIMS) score of 8 out of 15, which indicated moderate cognitive impairment. The MDS included diagnoses of medically complex conditions of peripheral vascular disease, diabetes mellitus, psychosis and above the knee amputee of the right and left leg. The MDS indicated Resident #1 required extensive assistance of two plus persons for bed mobility, total dependency for transfers and used a wheelchair for a mobile device. The MDS documented the resident did not have any unhealed pressure ulcers/injuries on admission.</p> <p>The Baseline Care Plan dated 3/3/23 identified Resident #1 presented to the facility with skin integrity issues. The care plan also documented the resident required two plus persons for bed mobility, transfers and used a wheelchair for mobility. The care plan lacked documentation of the specified skin integrity issue and interventions to prevent a pressure ulcer.</p> <p>The Skin Observation Tool dated 3/3/23 identified Resident #1 did not present with a buttock wound upon admission to the facility.</p> <p>The Task List Report for Resident #1 initiated on 3/3/23 documented the Certified Nurse's Aides (CNA 's) as assigned to observe skin every shift.</p> <p>The Braden Scale Assessment for Predicting Pressure Sore Risk for Resident #1 dated 3/3/23 and 3/10</p>			
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	<p>indicated moderate risk for pressure ulcers.</p> <p>The Braden Scale Assessment for Predicting Pressure Sore Risk for Resident #1 dated 3/11/23 indicated high risk for pressure ulcers.</p> <p>The Progress Notes for Resident #1 documented the following:          On 3/3/23 at 10:24 PM redness noted to buttocks, incontinent of bowel, cannot tell when she has to go, and uses a bed pan.          On 3/6/23 at 11:31 AM the Registered Dietician initial assessment documented the only skin issues as a scabbed area to her left wrist and bruising to her right antecubital area.          On 3/12/23 at 9:51 AM staff identified multiple small opened skin areas on the left and right buttock, and a large open area on the right buttock that measured 3 centimeters (CM) by 2.5 CM and had a small amount of green drainage. Areas cleaned and a foam dressing applied.          The Progress Notes lacked any other documentation of skin assessments or open areas prior to 3/12/23.          On 3/20/23 at 2:01 PM resident's buttocks continue to worsen. Daughter informed staff the resident has a sensitivity to all dressings. Area left open to air and fax to provider.          On 3/20/23 at 5:10 PM orders received to discharge home.</p> <p>Review of the clinical record revealed staff failed to assess and intervene related to skin breakdown of the buttock area prior to the formation of the pressure ulcer that measured 3 CM by 2.5 CM when first</p>			
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	<p>documented on 3/12/23.</p> <p>The Treatment Administration Record showed Resident #1 received a foam border dressing to the buttock on 3/12/23.</p> <p>The Fax (facsimile) Cover Sheet dated 3/12/23 for Resident #1 signed by a physician included an order to continue with foam dressing changes to the wound on the buttock. The order lacked a dressing change frequency, interventions or further skin care services. Review of the chart failed to show nursing requests or clarifications orders for 3/12/23.</p> <p>The Skilled Charting dated 3/13/23 for Resident #1 documented staff identified a pressure wound to the left buttock. The documentation lacked any measurements or characteristics and documented a dressing change not required.</p> <p>The Treatment Administration Record showed Resident #1 received a foam border dressing to the buttock on 3/18/23.</p> <p>The Weekly Skin Assessment dated 3/18/23 documented the presence of a wound to the left buttock but lacked measurements or any other characteristics.</p> <p>The Weekly Skin Assessment dated 3/20/23 documented the left buttock appears that the area is getting bigger where the bandage is covering the wound. The assessment lacked measurements or any other characteristics.</p>			
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	<p>Review of the clinical record revealed the facility failed to implement interventions after the discovery of the buttock pressure ulcer.</p> <p>The Pressure Injury Prevention Guidelines dated July 2023 identified the policy is to prevent the formation of avoidable pressure injuries and to promote healing of existing pressure injuries, it is the policy of this facility to implement evidence- based interventions for all residents who are assessed at risk or who have a pressure injury. Policy Explanation and Compliance Guidelines identify individualized interventions that will address specific factors identified in the resident's risk assessment, skin assessment and any pressure injury assessment. Interventions will be implemented in accordance with the physician's orders, including the type of prevention devices to be used and, for tasks, the frequency for performing them. Interventions will be documented in the care plan and communicated to all relevant staff. The effectiveness of interventions will be monitored through ongoing assessment of the resident and/or wound. Considerations for needed modifications include.</p> <p>In an interview on 07/27/23 at 2:44 PM, the Director of Nursing (DON), reported Resident #1 assessed to be a low risk for developing a pressure ulcer on admission. When asked how the resident developed the buttock wound, the DON stated, it was caused by moisture, unavoidable. When reminded that Resident #1's urinary catheter prevented moisture, and pointed out Resident #1's limited mobility and cognitive ability, the DON stated, she could see that. The DON reported</p>			
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	<p>staff should have called for clarification regarding frequency of wound care. When attempting to further discuss concerns the DON stated, the facility shouldn't have accepted her as an admit because there was a lot going on and she was gone around that time due to personal reasons. She stated things slipped through the cracks.</p> <p>FACILITY RESPONSE:</p>			
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<b>58.20(15)</b>	<p><b>481—58.20(135C) Duties of health service supervisor.</b> Every nursing facility shall have a health service supervisor who shall:</p> <p><b>58.20(15)</b> Teach and coordinate rehabilitative health care including activities of daily living, promotion and maintenance of optimal physical and mental functioning; (III)</p> <p>DESCRIPTION:</p> <p>Based on clinical record review, family interviews, resident interviews, staff interviews and facility policy review the facility failed to provide sufficiency of staff (including both quantity and competency of staff) to care for the behavioral health of 5 of 5 residents reviewed (Resident #3, #4, #5, #6, and #10).</p> <p>The facility reported a census of 32 residents.</p> <p>Findings include:</p> <p>1. The Minimum Data Set (MDS) dated 6/5/23 for Resident #3 revealed the resident had short term and long-term memory problems, had severely impaired cognitive skills for daily decision making, and had inattention and disorganized thinking behavior present that fluctuates. The resident had diagnoses of anxiety, intellectual disabilities, and down's syndrome.</p> <p>The Care Plan for Resident #3 dated 11/16/22 documented the resident has a behavior problem of attention seeking and making false allegations related</p>	<b>I</b>	<b>\$6500.00 (Held in Suspension)</b>	<b>Upon Receipt</b>
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	<p>to mental disabilities. The care plan directed staff as follows:</p> <ol style="list-style-type: none"> <li>1. Anticipate and meet the resident's needs.</li> <li>2. If reasonable, discuss the resident's behavior. Explain/reinforce why the behavior is inappropriate and/or unacceptable.</li> </ol> <p>The Care Plan for Resident #3 dated 1/5/23 documented the resident is a wanderer and wanders aimlessly at times significantly intruding on the privacy of others or activities. The care plan directed staff as follows:</p> <ol style="list-style-type: none"> <li>1. Distract resident from wandering by offering pleasant diversions, structured activities, food, conversation. Resident prefers: Coloring, iPad, Puzzles, cartoons.</li> <li>2. Monitor for fatigue and weight loss.</li> <li>3. Wander alert: wander-guard bracelet placed.</li> </ol> <p>The Care Plan for the resident dated 3/31/23 documented the resident has the potential to be physically aggressive related to mental illness. The Care Plan directed staff as follows:</p> <ol style="list-style-type: none"> <li>1. Triggers for physical aggression are others touching her walker. Behavior is de-escalated by re-direction.</li> <li>2. When the resident becomes agitated: intervene before agitation escalates; guide her from source of distress; engage calmly in conversation; if response is aggression, staff to walk away and approach later.</li> </ol> <p>The Progress Notes for the resident documented the following:          On 1/14/23 at 5:33 PM Physician notified via fax</p>			
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Facility Administrator

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Date

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	<p>regarding resident behaviors. Staff observed her licking her wall. Staff have not been able to keep her out of other resident rooms or to use her walker. Observed crawling down the hall.</p> <p>On 1/14/23 at 10:53 PM resident wandering facility and being silly dancing in the hall way at bedtime. Resident easily redirected with staff. Resident went to bed around 10:00 PM.</p> <p>On 1/15/23 at 3:41 PM resident wandering facility without walker. Easily redirected most of the time.</p> <p>On 1/16/23 at 10:10 PM update returned in regards to licking her wall-not being able to keep her out of others rooms, her not using FWW (4 wheeled walker), keeps half crawling down the hallway. Get psychiatric evaluation put on calendar for tomorrow.</p> <p>On 1/16/23 at 11:48 PM resident started on increased dose of Risperdal. Continues to have multiple behaviors of being in other resident rooms, walking without walker, and standing in the middle of doorways.</p> <p>On 1/17/23 at 10:10 PM resident continues to have increased wandering in facility and into other resident rooms.</p> <p>On 3/16/23 at 10:08 AM reported to Social Worker (SW) another resident walked by this resident. The other resident put a hand on the resident's walker trying to get around her when Resident #3 slapped the other resident's hand and began yelling. Staff intervened and separated but later Resident #3 attempted to run her walker into the same resident.</p> <p>On 3/26/23 at 3:29 PM resident stood in doorway of hall 2 when a male resident attempted to go down the hall. Resident #3 stood in place, stuck her tongue out</p>			
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	<p>and started yelling at him. He asked her to move and she refused. Staff intervened and informed her she needed to move to allow others to go by. Resident #3 started crying and stated the male resident hit her. No physical contact observed between the two residents. On 3/27/23 at 6:02 PM resident grabbed a male resident's walker when he was coming into the facility and yelled at him that it was her walker. Staff intervened and separated the two.</p> <p>On 3/27/23 at 11:15 AM SW unable to complete BIMS and mood assessment. Resident recently displaying more behaviors of being verbally and physically aggressive.</p> <p>On 3/28/23 at 10:16 AM SW and Activity Director discussed increased behaviors and need for activities the resident would be interested in. Discussed with family.</p> <p>On 4/9/23 at 2:50 PM resident seeking male resident and asking him to marry her. Resident found sitting on male resident lap kissing him in the family room.</p> <p>On 4/11/23 at 1:54 PM resident required much one on one at meals due to wanted to leave and do other activities. Staff had to redirect resident to table and remind to eat.</p> <p>The Care Plan for Resident #3 lacked any interventions for sexual behaviors.</p> <p>The Plan of Care Note on 6/9/23 at 12:22 PM documented attendees: ADON, Activity Director, CDM (Certified Dietary Manager) resident's sister, SSD. Resident's discharge plan is to remain long term at this time. Advanced directives are a DNR (Do Not Resuscitate). At this time there is not acute medical</p>			
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	<p>conditions main diagnoses: General anxiety, and down syndrome. At this time resident has no skin conditions of concern. Resident weight has remained the same in the last month. Resident does wander from table to table even after multiple attempts of re-direction. Resident is not able to complete a BIMS assessment due to being cognitively impaired. Resident is incontinent of bladder most of the time. At this time resident is not doing therapy. Resident is independent but does need queuing and redirection. resident wanders but is usually pretty good about staying out of other resident's rooms. Resident attends most activities. Family concerns sister (POA) suggests we increase resident's Remeron and decrease Risperdal as she believes it will help with this resident's appetite.</p> <p>In an interview on 7/26/23 at 12:33PM, the resident's sister reported that it was hard for the resident to verbally express herself due to her diagnosis of down's syndrome. The sister stated the resident acted out sexually after she had COVID-19. Staff reported she hid in a male resident's room, Resident #4, and told staff that she was horny. The resident was moved to a different room and had her medication changed. The sister reported she has not been informed by the facility of any additional incidents involving inappropriate sexual behavior.</p> <p>2. The Minimum Data Set (MDS) dated 6/5/23 for Resident #4 revealed a Brief Interview of Mental Status (BIMS) score of 4 out of 15 which indicated severely impaired cognition. The MDS documented a diagnoses to include amnesia.</p>			
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	<p>The Care Plan for Resident #4 revised on 2/6/23 documented the resident has a behavior problem (having multiple episodes) related to unrealistic expectations. The Care Plan directed staff as follows:</p> <ul style="list-style-type: none"> <li>-Anticipate and meet the resident needs.</li> <li>-Caregivers to provide opportunity for positive interaction, attention, stop and interact as passes by.</li> <li>-Monitor behavior episodes and attempt to determine underlying cause.</li> </ul> <p>The Care Plan dated 6/9/23 documented the resident has the potential to be verbally aggressive related to the aging process/confusion. The Care Plan directed staff as follows:</p> <ul style="list-style-type: none"> <li>-Assess and anticipate resident needs.</li> <li>-Give the resident as many choices as possible about care and activities.</li> </ul> <p>The Care Plan lacked any indication of sexual behaviors.</p> <p>The Progress Note for Resident #4 documented the following:</p> <p>On 1/24/23 at 12:12 PM the Director of Nursing (DON) went to a female resident room to inform her that it was lunch time. Upon entering the room, Resident #4 was leaning over female residents' bed, groping the female's breasts and kissing her intimately. The DON informed the resident to leave her room and asked the female resident if she was okay and if she had consented to that encounter. The female did nod her head yes. The DON went to residents' room and educated him on the importance of consent and explained that some people may not be able to make</p>			
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	<p>proper decisions for themselves. Fax sent to Primary Care Provider (PCP) to update. Residents daughter also notified of encounter.</p> <p>On 1/30/23 at 9:12 PM resident continues on increase dose of Namenda with no signs and symptoms of any adverse reactions noted, multiple behaviors noted tonight- found trying to get resident from room 206 (Resident #5) to let him go up under her shirt-this nurse separated them-yelling about taking his pill-why does he have to take them-yelling about blanket-staff went immediately downstairs to get it stood shouting and stomping at nurse's station until she got back upstairs with it.</p> <p>On 3/23/23 at 2:42 PM Care Plan Meeting: attended ADON, SSD (Social Services Director), Activity Director, resident's daughter, resident. Discussed residents care, wt. at 139, daughter please resident is starting to gain some. resident c/o (complained of) staff telling resident not to sit too close to female resident's staff discussed resident inappropriately touching other residents at times. No other concerns at this time. Plan is for resident to remain in facility contrary to resident's belief, daughter is unable to provide the care he needs. Family has no concerns at this time.</p> <p>On 4/9/23 at 2:48 PM resident touching a female resident thigh and rubbing her shoulders and kissed her.</p> <p>On 4/16/23 6:19 PM resident sitting on couch in lounge -seen trying to get his hands up under neath another resident shirt-residents separated, and he went to his room -yelling about it being cold in here.</p> <p>In an interview on 7/26/23 at 11:18 AM, the resident's daughter reported that the resident was accused of</p>			
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	<p>touching a female resident, and the resident had always been lovey in behavior. She stated the facility hadn't informed her of anything that has happened between this resident and other residents since the new company took over in 11/22.</p> <p>In an interview on 7/27/23 at 1:16 PM Resident #12 reported that she had observed the resident touch Resident #3's breast and genitals. Resident #12 has observed the resident take his penis out of his slacks and Resident #3 touched the resident's penis. Resident #12 reported that she saw this before the resident had COVID in 4/23.</p> <p>In an interview on 7/26/23 at 2:31 PM, Staff A, CNA, reported that the resident's nickname among staff was Captain McFeely Pants, and that he can get inappropriate with staff. The aide stated staff remind him to behave. The aide stated he hasn't been an issue since before the beginning of May but before that he was touchy feely. He would sit on the couch and grope female residents. He never would go past first base. He would touch them outside of their clothes and touch breasts outside of clothes. She stated she remembered him with Resident #3 touching her at times and staff separated them and redirected them.</p> <p>In an interview on 7/26/23 at 2:16 PM, the DON reported that she talked to previous Administrator about the incident on 1/24/23 and directed the incident didn't need to be reported to the SA and that she didn't know they had to be reported.</p>			
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	<p>3. The MDS dated 5/8/23 for Resident #5 revealed the resident had short term and long-term memory problems, had severely impaired cognitive skills for daily decision making, and had inattention and disorganized thinking behavior present that fluctuates. The MDS documented diagnoses to include non-traumatic brain dysfunction, Alzheimer's disease, and schizophrenia.</p> <p>The Care Plan revised on 7/20/23 for Resident #5 documented the resident is at risk for wandering and elopement related to impaired safety awareness. The Care Plan directed staff as follows:</p> <ol style="list-style-type: none"> <li>1. Ensure a safe distance from other residents who have a tendency to become agitated with her actions.</li> <li>2. Follow facility elopement policy and procedures.</li> <li>3. Identify pattern of wandering: purposeful, aimless or escapist; looking for something; or need more exercise?</li> <li>4. Monitor location with one on one supervision at all times. Document wandering behaviors and attempted diversion interventions.</li> </ol> <p>The Care Plan revised on 7/31/23 for Resident #5 documented the resident has a behavior problem of sitting on the floor and going into other resident's rooms related to cognitive impairment. The Care Plan directed staff as follows:</p> <ol style="list-style-type: none"> <li>1. Anticipate and meet the resident's needs.</li> <li>2. Caregivers to provide opportunities for positive interaction, attention, and to stop and interact as passes by.</li> <li>3. Psyche referral as needed for behavior and medication management.</li> </ol>			
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	<p>The Care Plan lacked any indication of sexual behavior.</p> <p>The Progress notes for the resident documented wandering in the facility and/or wandering into resident's rooms on the following:</p> <ol style="list-style-type: none"> <li>1. 1/30/23</li> <li>2. 2/1/23</li> <li>3. 2/12/23</li> <li>4. 2/19/23</li> <li>5. 3/30/23</li> <li>6. 4/9/23</li> <li>7. 4/17/23</li> <li>8. 4/19/23</li> <li>9. 7/23/23</li> </ol> <p>The Progress Notes for the resident documented the following:          On 6/10/23 at 3:46 PM multiple residents approached nurse to express concern d/t (due to) resident being in their rooms while they were not. Resident had multiple different candy items that she was hiding and eating which were not hers. Resident also walked by medication cart and stole applesauce in the middle of medication pass. Resident educated but ineffective as resident continued with behavior throughout the whole shift.          On 7/17/23 at 10:29 PM CNA paged nurse to resident's room. CNA reported to this nurse that she had walked in on resident and another resident during an inappropriate act. CNA had already started to separate residents and this nurse took the other resident out of the room and delegated cna to stay with Resident #5 until nurse could get back and perform</p>			
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	<p>assessment. Male resident escorted to nurses' station and this nurse went back to resident's room. Skin assessment completed along with psycho-social eval completed. resident stated to this nurse when asked if she was okay with what happened and she stated she didn't mind it. Skin assessment revealed no skin breaks, marks or vaginal bleeding. Resident stated that she was not injured or hurt. Resident was not showing any obvious signs of being upset or distressed, not crying or agitated. She was not verbally or physically aggressive. Half hour checks completed by staff on resident to ensure safety. Resident found to be wandering a few times and redirected back to her room. Contacted Administrator, DON and ADON immediately after incident at approx. 10:21 PM after separating the residents.</p> <p>On 7/18/23 at 9:39 AM DON and ADON spoke with resident's brother at 9:32 AM. DON updated brother on incident between resident and a male resident. Brother stated that he wanted facility to do what they think is right and make sure his sister is okay. Brother aware and gave consent for resident to be seen at local hospital for evaluation per orders from the resident's physician that were received at 9:39 AM.</p> <p>The ED (Emergency Department) Provider Note for Resident #5 signed by a physician on 7/18/23 at 11:32 AM revealed:</p> <p>-Per staff report, another resident went into patient's room, took off his clothes, and laid on top of her. SANE (Sexual ASSUALT Nurse Examiner) nurse reports patient denied sexual intercourse. She states patient told him to stop, then CNA walked by room. CNA reports telling other resident to leave room. Per CNA</p>			
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	<p>report, he left patient's room and was sent to a different hallway. Patient has no complaints at this time.</p> <p>FACILITY RESPONSE:</p>			
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