

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

FC#6755		Date: February 13, 2018		
Good Samaritan-Red Oak		Survey Dates: December 14-15, 23, 27-29, 30,2018		
201 Alix Avenue Red Oak, Iowa 51566		DS		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date

58.28(3)e	<p>481—58.28 (135C) Safety. The licensee of a nursing facility shall be responsible for the provision and maintenance of a safe environment for residents and personnel. (III) 58.28(3) Resident safety.</p> <p>e. Each resident shall receive adequate supervision to ensure against hazards from self, others, or elements in the environment. (I,II, III)</p> <p>DESCRIPTION:</p> <p>Based on observations, record review and staff interviews, the facility failed to assure supervision of residents with swallowing problems to prevent choking for 3 residents with swallowing disorders (Residents #2, #3, and #4 [closed record]). The sample consisted of 3 residents and the facility reported a census of 53 residents.</p> <p>Based on observation, record review and interviews with staff, physician and therapist, the facility failed to provide Resident #4 with adequate supervision while eating in his room alone. Resident #4 had difficulties swallowing, at risk for choking and placed in a situation which resulted in choking and died. Although staff found the resident unresponsive and blue in color, they attempted techniques (suctioning, back blows and Heimlich maneuver), the resident did</p>	I	\$10,000 (Held in suspension)	Upon Receipt
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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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	<p>not respond. The sample consisted of 2 additional residents with swallowing difficulties (Resident #2, Resident #3). The facility reported a census of 53 residents.</p> <p>Findings include:</p> <p>1. Resident #4 had a Minimum Data Set (MDS) assessment with a reference date of 11/8/17. The MDS identified the resident had diagnoses that included non-Alzheimer's dementia and oropharyngeal phase dysphagia (difficulty swallowing). The MDS indicated the resident had a BIMS (Brief Interview of Mental Status) score of 5. A score of 5 identified severe cognitive impairment. The MDS indicated Resident required supervision and 1 person assistance when eating [a mechanically altered and therapeutic diet].</p> <p>The Care Plan, initiated on 11/20/16, identified a potential nutritional problem related to the diagnosis of oropharyngeal dysphagia/swallowing problem that may be accompanied by nasopharyngeal regurgitation, aspiration, and/or a sensation of residual food remaining in the pharynx. The interventions included and directed staff to provide supervision/observation at meals.</p> <p>Another care plan intervention initiated 7/31/15</p>			
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	<p>identified the resident able to eat independently but spills foods and liquids at times so needs partial assist when spilling, utilized a Flo-Trol cup for all liquids and served a reduced sodium Level 3-advanced diet with nectar thick liquids. An addendum to this intervention dated 9/20/16, directed the staff to monitor the resident's chewing and swallowing ability during mealtime and the resident would be moved to a table closer to the nurse's work area.</p> <p>The ST (speech therapy) Therapist Progress & Discharge Summary dated 10/26/16 documented the resident received speech therapy treatment 9/19-10/26/16 for the diagnosis of oropharyngeal phase dysphagia. The report documented the resident exhibited increased tendency to overfill his mouth with mild residual remaining in the left buccal cavity and the tongue after swallowing. The resident displayed a delayed reflexive cough on a regular textures/liquids and large quantities and identified the resident at high risk of aspiration due to reduced awareness, tendency to be compulsive and history of dysphagia.</p> <p>The resident discharged from speech therapy on 10/26/16 after the therapist printed and distributed compensatory feeding strategies and Safe Swallow Precautions for the resident to the resident as well as the nursing staff.</p>			
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	<p>A document titled Safe Swallow Precautions for the resident dated 10/26/16 directed the following:</p> <ol style="list-style-type: none"> 1. Always eat and drink while sitting up as close to 90 degrees as possible. 2. Remain sitting up for at least 30 minutes after eating, drinking or taking meds. 3. Swallow everything before taking another bite or drink. 4. Small bites and 1 drink at a time. 5. Alternate a bite then a drink. <p>Review of the resident's Care Plan identified these directives not incorporated on the resident's current Care Plan.</p> <p>On 1/28/18 at 3:26 PM the speech therapist was interviewed and stated she treated Resident #4 from 9/19/-10/26/16 and staff needed to follow the recommendations she provided. The speech therapist stated she had educated the staff to the fact the resident required supervision with eating as the resident being at high risk for aspiration or choking because of his swallowing problem, impulsivity and cognitive deficits. The therapist also stated she would expect her recommendations be followed and placed on the resident's Care Plan unless the resident was re-evaluated and the recommendations she made were no longer appropriate. The therapist stated supervision should be provided with snacks and trays served to residents in their rooms.</p>			
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	<p>Review of the resident's clinical record revealed no other speech therapy evaluation or treatment after 10/26/16.</p> <p>The Progress Notes entry, completed by Staff A, registered nurse (RN) on 12/4/17 at 1:40 p.m. indicated she was summoned to the resident's room by the far west hall charge nurse at 1:26 pm. Staff A identified the resident as non-responsive and blue in color. The far west hall charge nurse was present and performed the Heimlich maneuver without success so back blows were done. The treatment nurse in the room did a finger sweep of the resident's mouth to remove the visible food and also performed the Heimlich maneuver without success. The charge nurse suctioned the resident's mouth with no success. The resident had no palpable pulse. The emergency responders pronounced the resident deceased at 1:40 p.m. as the resident had no pulse, respirations or measurable blood pressure.</p> <p>On 12/15/17 at 8:46 AM Staff D, certified nursing assistant (CNA), was interviewed and stated she was assigned to the hallway where Resident #4 resided and the only CNA assigned to that hallway due to a staff call-in. She assisted residents with transportation to and from the</p>			
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	<p>dining room for breakfast and lunch and then remained in the dining room for both meals. Staff D stated Staff A told her she passed out [served] the resident room trays for her hall. Staff D stated Resident #4 normally sat at a table at the back of the dining room in front of where the nurses keep their medication carts, but the resident had been experiencing loose stools so he remained in his room for breakfast and lunch. Staff D stated she picked up resident room trays after lunch. She had a conversation with the resident's roommate. She looked over and saw the resident's whole body as blue in color. Staff D stated she asked the resident if he was okay; she got no response so she went to the nursing desk right around the corner from the resident's room and alerted Staff C, licensed practical nurse (LPN) who went immediately to the resident's room. Staff D stated Staff C attempted to do the Heimlich maneuver on the resident but Staff C is small in stature and could not get her arms around him as the resident sat in a recliner. Staff C performed back blows on the resident and then Staff B, LPN (licensed practical nurse), also came into the room. Staff D stated the resident was observed eating cookies all day and had crumbs on his shirt and all the cookies were gone. Staff D stated she would assume the resident needed to be supervised while eating in his room because the resident normally sat in the</p>			
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	<p>supervised area of the dining room.</p> <p>On 12/14/17 at 5:11 PM, Staff C (licensed practical nurse) was interviewed and stated she was summoned to the resident's room by Staff D. Staff C stated she observed the resident sitting in the recliner and she observed his skin color to be blue. Staff C stated she attempted to do the Heimlich Maneuver with the resident seated in the recliner but unsuccessful because she is short in stature. She performed back blows. Staff C stated she left to get the suction machine and did a finger sweep of the resident's mouth as the chewed food and liquids were coming from the resident's mouth. Staff C stated she suctioned the resident without success and the resident had no carotid or apical pulse at this time. The staff previously checked and the determined the resident had requested no DNR (do not resuscitate).</p> <p>On 12/15/17 at 8:03 AM Staff B (licensed practical nurse) was interviewed and stated the Dietary Services Manager (DSM) called for her to come to the resident's room. Staff B stated she observed the resident as blue in color. Staff C was already in the room and Staff A was also coming down the hall from the opposite direction. The resident sat slightly forward in the recliner with food and fluid coming out from his</p>			
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	<p>mouth. Someone in the room said “He is choking”. Staff B stated the staff lowered the resident to the floor. Staff B stated she could not get her arms around the resident so she performed the Heimlich without response. The resident had no pulse by palpation and auscultation (listening with stethoscope). Staff B stated she was the only staff member to perform the Heimlich maneuver. Staff C did a finger sweep of the resident's mouth because there was food in the resident's mouth. Staff C also suctioned the resident without success. EMS (Emergency Medical Services) responded and placed the resident on a monitor (to record heart rhythm) and pronounced the resident deceased. Staff B stated the resident normally sat in the dining room in the assisted area. A nurse supervises the dining room and the other charge nurses assists in the dining room. Staff B stated she also will assist in the dining room. Staff B stated if a resident's Care Plan directed a resident to be supervised when eating and the resident required a room tray, then the staff needed to sit with the resident while they are eating, even if the resident fed themselves.</p> <p>On 12/14/17 at 4:40 PM Staff A (registered nurse) was interviewed and stated the overnight nurse had reported the resident had loose stools so she</p>			
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	<p>made decision to keep the resident in his room for breakfast and believed he had ate in his room the day before too. She stated she observed the resident eating cookies without difficulty when she administered his/her medications scheduled for 8:00 AM. Staff A stated she delivered the resident's room tray at lunch which consisted of regular toast, Jell-O and broth and other liquids. She stated the resident was seated upright in a recliner. Staff A stated around 12:55 PM Staff C called for her to come to the resident's room. Staff B was also present in the room. The resident was unresponsive. Staff B and C attempted to perform the Heimlich after staff lowered the resident to the floor in order to get behind the resident. Staff A stated the resident had beige-colored food in the oral cavity and Staff C removed it with a finger sweep. Staff A called 911 and the EMS responders verified the resident had no pulse, respirations or blood pressure. Staff A stated the staff supervised the resident from the hallway while he ate in his room. Staff A stated only 1 CNA assigned to that hall.</p> <p>Review of the surveillance camera footage of the resident's hallway showed Staff A delivered room trays to the resident and his roommate at 1:01 PM and 1:02 PM and no other staff present in the hallway. Staff A stated she called the resident's</p>			
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	<p>physician's nurse to inform her of the resident's death but did not explain the circumstances surrounding the resident's death.</p> <p>On 12/20/17 at 10:27 AM, the resident's physician was interviewed and stated he called the facility for additional information regarding the resident's death after the surveyor left him a message on 12/15/17. The physician stated the facility had not informed him of the circumstances surrounding the resident's death until he requested the facility send him the resident's progress notes for review. The physician stated he had already completed the resident's death certificate prior to his knowledge of the incident but could say that it is highly suspected the resident expired because of choking and considered the death to be unexpected. The physician asked if the resident should have been supervised while eating. The resident's Care Plan and speech therapist documentation was discussed at this time. The physician stated that all recommendations and documentation from all licensed therapists is sent to him and is reviewed and he does sign them so it would have technically been a physician order to supervise the resident as directed by the speech therapist. The physician stated he is also the facility's medical director and the issue has been addressed with the facility management staff.</p>			
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	<p>2. Resident #2 had a MDS with a reference date of 11/8/17. The MDS indicated the resident had diagnosis that included oropharyngeal dysphagia, cerebrovascular accident (stroke) and non-Alzheimer's dementia. The MDS indicated the resident could feed self after set up.</p> <p>The Care Plan identified the resident could feed self independently and required a dysphagia Level II diet. The Speech Therapy Daily Treatment Note dated 11/16/17 documented the resident swallowing as safe but usually required moderate cues to use compensatory strategies. The note directed nursing staff to monitor the resident closely for pneumonia because of at high risk for aspiration.</p> <p>On 12/28/17 at 9:40 AM the speech therapist was interviewed and stated Resident #2 had significant cognitive deficits, declined thickened liquids and a modified diet, and should not eat unsupervised.</p> <p>3. Resident #3 had a MDS with a reference date of 9/27/17. The MDS identified diagnosis that included oropharyngeal phase dysphagia for Resident #3. The MDS indicated the resident required set-up and supervision with eating. The Care Plan identified a potential nutritional</p>			
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	<p>problem on 11/20/16 related to oropharyngeal dysphagia and directed the staff members to monitor the resident for chewing and swallowing difficulties. The Care Plan contained the nursing rehab plan, initiated on 5/7/14. On 11/2/17 the plan directed the staff to ensure the resident swallowed twice with every bite (a dry swallow after the first swallow), alternate solids and liquids (a drink after a couple of bites) and for the resident to remain alert during meals (eyes open).</p> <p>The Speech Therapy Treatment Note dated 11/2/17 documented the resident aspirates across all diet consistencies due to Zenker's diverticulum.</p> <p>The document titled <u>Nursing's Shift-to-Shift Huddle Care Plan Updates and Need to Knows</u>, dated 12/14/17, listed 10 residents, which included Residents #2 and #3, with swallowing difficulties/aspiration. The listed residents required supervision at meals whether in the dining room or in their rooms.</p> <p>Observation on 12/28/17 at 12:55 PM identified no nursing staff in the dining room and Residents #2 and # 3 and 9 other residents still eating lunch.</p> <p>Observation revealed Staff E, dietary aide, in the dining room recording resident meal</p>			
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	<p>consumptions. Staff E stated she had received Heimlich maneuver training during employee orientation but would not feel comfortable in responding to a choking resident. She stated if a resident choked she would leave the area and summon a nurse.</p> <p>Staff E stated there is a list of residents who require supervision while eating and she thinks that Resident #2 and #3 required supervision and acknowledged they are still eating at this time.</p> <p>Review of the posting presented by the DON at 2:40 PM on 12/28/18, directed the following: All staff will be trained or re-trained in the Heimlich by 1/5/17 [18]. If you observe a resident that appears to be choking and need to alert another staff member, page overhead for assistance STAT (immediately-No delay). A licensed nurse should be in the dining room to observe and monitor for a choking incident and to monitor residents for change in chew/swallow ability. If this is not possible, a system will be in place to alert the licensed nurse to concerns and provide a person in the dining room who is knowledgeable in performing the Heimlich maneuver.</p> <p>FACILITY RESPONSE:</p>			
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	<p>481-50.7(10A, 135C) Additional notification. The director of the director's designee shall be</p>			

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50.7(1)a(1)	<p>notified within 24 hours, or the next business day, by the most expeditious means available (I,II,III). 50.7(1) Of any accident causing major injury. a. "Major injury" shall be defined as any injury which: (1) Results in death.</p> <p>DESCRIPTION:</p> <p>Based on record review and staff interviews, the facility failed to notify the Iowa Department of Inspections and Appeals (DIA) within 24 hours of a resident incident which resulted in death. The sample consisted of 1 closed record and the facility reported 53 residents.</p> <p>Findings include:</p> <p>1. The Minimum Data Set (MDS) dated 11/8/17 documented the pertinent diagnoses of Non-Alzheimer's dementia and oropharyngeal phase dysphagia for Resident #4. The MDS documented a Brief Interview of Mental Status score of 5. A score of 5 represented the resident had a severe cognitive impairment. The MDS indicated the resident required supervision and 1 person assistance with eating. The MDS indicated the resident to receive a mechanically altered diet.</p>	II	\$500	Upon Request
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	<p>The Care Plan problem initiated 11/20/16 identified a potential nutritional problem related to the diagnosis of oropharyngeal dysphagia/swallowing problem that may be accompanied by nasopharyngeal regurgitation, aspiration, and/or a sensation of residual food remaining in the pharynx and directed staff provide supervision/observation at meals.</p> <p>A Care plan intervention initiated 7/31/15 identified the resident able to eat independently but spilled foods and liquids at times so needs partial assist when spilling, utilized a Flo-Trol cup for all liquids and served a reduced sodium Level 3-advanced diet with nectar thick liquids. An addendum to this intervention dated 9/20/16 directed in order for staff to monitor the resident's chewing and swallowing ability during mealtime the resident will be moved to a table closer to the nurses work area.</p> <p>The Progress Notes entry completed by Staff A, registered nurse (RN), dated 12/4/17 at 1:40 p.m. indicated she was summoned to the resident's room by the far west hall charge nurse at 1:26 p.m. Staff A documented the resident nonresponsive and blue in color. The far west hall charge nurse present performed the Heimlich maneuver without success so back blows were performed. The treatment nurse in the room did a</p>			
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	<p>finger sweep of the resident's mouth to remove the visible food and also performed the Heimlich maneuver without success. The charge nurse suctioned the resident's mouth with no success. The resident had no palpable pulse. Emergency responders pronounced the resident deceased at 1:40 p.m. as the resident had no pulse, respirations or measurable blood pressure.</p> <p>On 12/20/17 at 10:27 AM, the resident's physician stated he called the facility for additional information regarding the resident's death after the surveyor left him a message on 12/15/17. He stated that he had not been informed for the circumstances surrounding the resident's death until her requested the facility send him resident progress notes for review. The physician stated that he had already completed the resident's death certificate prior to his knowledge of the incident but could say that it is highly suspect the resident expired because of choking and considered the death to be unexpected and should have been reported to DIA.</p> <p>On 12/27/17 at 1:00 PM the Administrator and Director of Nursing was interviewed and stated Staff B (licensed practical nurse) called her to inform her of an incident with Resident #4 and the resident observed blue, staff performed the Heimlich technique without success and the</p>			
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	<p>resident expired. The Administrator stated at the time of the call she was traveling to the facility's corporate office, along with the DON (Director of Nursing) and the Corporate Interim Administrator. Facility management staff did not do an investigation into the incident because she thought the nursing staff completed an incident report. They stated she became aware that no incident report had been completed after the surveyor started asking questions about the incident on 12/14/17. The Director of Nursing and the Administrator stated they had not been aware the incident needed to be reported to DIA as staff did not know for sure the actual cause of the resident's death.</p> <p>FACILITY RESPONSE:</p>			
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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).