

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

Number FC#6782		Amended Citation – Fine amount by 35% to \$325.00 on April 10, 2018. Pursuant to Iowa Code Section 135C.43A		Report date March 27, 2018	
Facility name Harmony House		Survey dates: February 19-28 2018			
Facility address Three Pennsylvania Place					
City Ottumwa, Iowa 52301		MW			
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction Date	
W-153 64.33(1) 52.2(2)a 235E.2(3)a	<p>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. Guidance §483.420(d)(2)</p> <p>481—64.33(135C) Allegations of dependent adult abuse. 64.33(1) <i>Allegations of dependent adult abuse.</i> Allegations of dependent adult abuse shall be reported and investigated pursuant to Iowa Code chapter 235E and 481—Chapter 52. (I, II, III)</p> <p>52.2(2) Reporting suspected dependent adult abuse in facilities or programs. 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> <p>235E.2 Dependent adult abuse reports in facilities and programs. 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.</p>	II	\$500	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 (2015).

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	<p>DESCRIPTION:</p> <p>Based on interviews and record review the facility failed to ensure staff immediately reported allegations of potential abuse in accordance to facility policy. This affected 1 of 1 client (Client #1) involved in investigation 73810-M. Finding follows:</p> <p>Record review on 2/19/18 revealed a facility self-report submitted on 1/15/18. According to the self-report, Developmental Assistant (DA) A reported DA B encouraged Client #1 to engage in self-injurious behavior of hitting himself. She further reported when DA B told Client #1 to hit himself the client followed the direction. DA B responded by laughing and encouraged DA A to watch. The incident occurred on 1/8/18. The investigation file documented staff completed a written statement on 1/12/18. The investigation summary documented the Administrator was notified on 1/15/18.</p> <p>When interviewed on 2/21/18 at 9:30 a.m. DA A stated she reported a concern to her supervisor on 1/12/18. She stated on 1/8/18 sometime between the hours of 4:45 p.m. - 5:20 p.m. DA B asked her if she wanted to see something. When she responded affirmatively, DA B told Client #1 to hit himself and the client responded by hitting himself in the head. DA B said "again, again and again" and the client hit himself in the head again. DA A stated she reassured the client he did not need to hit his head and the staff made no further comment to the client. DA A stated she did not know DA B's intentions but had the impression the staff thought it was funny. She was concerned about the situation but did not immediately report it because she was unsure of who</p>				

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	<p>to contact and DA B had worked at the facility longer than her. DA A stated because the situation continued to bother her, she reported it on 1/12/18 to her supervisor.</p> <p>Record review of Abuse Prevention, Training and Investigations Policy last revised on 8/24/16 revealed the following protocol for reporting: Any employee would be required to report allegations or suspicions of mistreatment, abuse or other crimes perpetrated by any person immediately and without hesitation directly to the person in charge of the facility at the time. If that person was not the Administrator, the employee would also be required to report the allegation to the Administrator within one hour of first becoming aware.</p> <p>The Mandatory Reporting of Dependent Adult Abuse, Crimes and other Notifications policy last revised on 8/24/16 also documented an employee or staff member should immediately notify the person in charge or the person's designated agent.</p> <p>When interviewed on 2/20/18 at 11:50 a.m. the Opportunity Advancement Center (OAC) Director confirmed staff failed to immediately report an allegation of abuse. She stated DA A informed her on 1/12/18 about an interaction between Client #1 and DA B on 1/8/18. DA A told her she was unsure if she should report it because the staff did not physically interact with the client but did tell Client #1 to hit himself. DA A told the OAC Director the interaction bothered her throughout the week and decided to inform the OAC Director on 1/12/18.</p> <p>When interviewed on 2/28/18 at 3:00 p.m. the Administrator confirmed staff failed to report the</p>				

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	<p>incident immediately. She stated the issue was addressed with the involved staff and staff were currently being retrained to report any concerns immediately to their supervisor.</p> <p>FACILITY RESPONSE:</p>				

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