

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

Citation Number: 9058		Date: F February 11, 2021			
Facility Name: Progress North		Survey Dates: January 4 – 12, 2021			
Facility Address/City/State/Zip 815 East 15th Street North Newton, Iowa 50208					
		LK	#90183-M		
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date	

64.60	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. This rule is intended to implement Iowa Code Section 135C.2(3).	II	\$500.00	Upon Receipt
52.2	481—52.2(235E) Persons who must report dependent adult abuse and the reporting procedure for those persons 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.			

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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64.33	<p>Iowa Code section 235E.2(3)(a) 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. 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>			
W153	<p>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)</p> <p>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.</p> <p>DESCRIPTION:</p>			

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	<p>Based on interviews and record review, the facility failed to ensure staff immediately reported allegations of abuse. This affected 1 of 1 sample client identified during the investigation of #90183-M (Client #1). Findings follow:</p> <p>Review of an internal facility investigation on 1/05/21 revealed two co-workers witnessed Direct Support Professional (DSP) A drag Client #1 out of the kitchen by his feet/ankles on the afternoon of Saturday, 3/14/20. DSP B wrote a note regarding the incident for the supervisor, but the supervisor didn't see the note until Monday, 3/16/20. DSP C also witnessed the incident, but did not report it until questioned about it on 3/16/20.</p> <p>Additional review of the facility investigation revealed the note written on 3/14/20 by DSP B. She wrote that DSP A yelled and swore at Client #1 to get out of the kitchen. Client #1 didn't leave the kitchen, but dropped to the kitchen floor. DSP A held onto Client #1 by his ankles and dragged him out of the kitchen to the front hall entryway. (A distance of 15 to 18 feet).</p> <p>The Human Resource Director (HRD), who completed the facility investigation, interviewed DSP C on 3/16/20 and wrote a summary of the</p>			
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	<p>interview. In the summary, the HRD noted DSP C corroborated DSP B's written statement and reported DSP A dragged Client #1 by his ankles from the kitchen to an area near the front door of the facility. When asked why she didn't report the incident, DSP C said she thought DSP B reported it.</p> <p>The facility suspended DSP A on 3/16/20 and terminated her employment on 5/07/20. DSP A last worked at the agency on 3/16/20.</p> <p>When interviewed at 4:20 p.m. on 1/05/21, DSP B confirmed she witnessed DSP A drag Client #1 by his feet/ankles from the kitchen to the front entry way. DSP B said DSP A had been yelling and cursing at Client #1 to leave the kitchen. She said Client #1 had been pushing against DSP A in the kitchen and then dropped to the floor. DSP A then dragged Client #1 out of the kitchen. DSP B acknowledged she wrote a note on 3/14/20 and left it for the supervisor. When asked why she didn't immediately report the incident, DSP B said she was a newer staff person and not sure what to do. The supervisor saw the note on the morning of 3/16/20 and called DSP B about it.</p> <p>When interviewed at 3:00 p.m. on 1/06/21, DSP C confirmed she witnessed DSP A drag Client #1</p>			
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	<p>out of the kitchen by his feet/ankles on the afternoon of 3/14/20. DSP C did not report the incident until questioned about it on 3/16/20.</p> <p>A review of the General Event Report (GER) written by DSP B on 3/16/20 regarding the incident on 3/14/20 revealed a follow-up entry by a facility nurse dated 3/16/20. According to the nursing assessment done 3/16/20, Client #1 had three small bruises in a line along the center of his back.</p> <p>A review of DSP A's time sheet revealed she worked at the facility from approximately 6:00 a.m. to 2:00 p.m. on 3/14/20 and 3/15/20 and from approximately 6:00 a.m. to 11:26 a.m. on 3/16/20. DSP A was not immediately separated from working with Client #1 because facility management staff didn't learn of the allegation until the morning of 3/16/20.</p> <p>According to the agency Dependent Adult Abuse policy, staff should immediately report allegations of abuse to the staff person in charge or that person's designated agent.</p> <p>When interviewed on 1/12/21 at 3:20 p.m. the ICF/ID Director confirmed DSP B and DSP C should have immediately reported the allegation</p>			
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	<p>of abuse they witnessed on the afternoon of 3/14/20. She stated a supervisor/manager was always on-call on the weekends and the staff should have notified the on-call supervisor.</p> <p style="text-align: center;">FACILITY RESPONSE</p>			
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