

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

Number FC #5934		Amended pursuant to Independent Reviewer's decision dated December 22, 2015.		Report Date November 10, 2015	
Facility Name Primghar Rehab And Care Center		Survey Dates October 13, 16 to 28, 2015			
Facility Address 735 North Rerick					
City Primghar, IA. 51245		HL			
Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction Date	
56.6	<p>481—56.6 (135C) Treble and double fines.</p> <p><i>56.6(1) Treble fines for repeated violations. The director of the department of inspections and appeals shall treble the penalties specified in rule 481—56.3(135C) for any second or subsequent class I or class II violation occurring within any 12-month period, if a citation was issued for the same class I or class II violation occurring within that period and a penalty was assessed therefor.</i></p>	I	\$9,000.00 Treble Fine (\$3,000.X3) Held In Suspension	Upon Receipt	
58.28(3)e	<p>481—58.28(135C) Safety.</p> <p>58.28(3) Resident safety.</p> <p>e. Each resident shall receive adequate supervision to protect against hazards from self, others, or elements in the environment. (I, II, III)</p>				
58.9(2)a	<p>481—58.9(135C) Administration.</p> <p>58.9(2) The administrator shall:</p> <p>a. Be responsible for the selection and direction of competent personnel to provide services for the resident care program; (III)</p> <p>DESCRIPTION:</p> <p>Based on observation, record review, interviews, the facility failed to ensure each resident received adequate supervision to protect against hazards in the environment for two (2) of two (2) residents who utilized wheelchairs. On 8/20/15 a staff transported Resident #3 in the facility van and failed to secure the resident's wheelchair, tipping the resident backwards when the van was in motion. Resident #3 sustained abrasions on his/her head. Interviews revealed there was no formal training on how to secure a resident in the van and there had been no seat belt in the back of the van to safely secure a resident's wheelchair. The facility reported a census of 17 residents.</p>				

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	<p>Findings include:</p> <p>1. According to a Minimum Data Set (MDS) assessment form dated 8/21/15, Resident #3 had diagnosis that included cancer and restless leg syndrome. The assessment indicated the resident had a Brief Interview for Mental Status (BIMS) score of 15 out of 15, which indicates intact cognition. The MDS revealed the resident independent with transfers, ambulation and locomotion and had fallen and received a non-major injury.</p> <p>According to a Care Plan with a problem onset dated 8/21/15, the resident had been at risk for falling related to varying strength due to chemotherapy and radiation therapy and limited ability to walk at times related to weakness secondary to chemotherapy and radiation therapy. The approaches included the following: a. Provide resident with safety devices/appliances: 4 wheeled walker and wheel chair.</p> <p>According to a Fall Risk Evaluation form dated 8/11/15, the resident had a score of 18. A score of 10 or above represented a high risk.</p> <p>A Radiation Oncology Appointment Card (not dated), indicated the resident was to receive daily therapy Monday through Friday at 2 p.m. for a total of 10 treatments.</p> <p>According to the facilities appointment book, the maintenance man transported residents to appointments as follows: a. 7/21/15 at 1 p.m. b. 8/19/15 at 2 p.m. c. 8/20/15 at 2 p.m.</p>			

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	<p>Review of an Incident/Accident Report form dated 8/20/15 at 3:30 p.m., indicated the resident returned to the facility per company van with a bruise on his/her left side of the head that measured 2.0 centimeters (cm) x (by) 1.0 cm and purple in color and an abrasion to the left side of the head that measured 3.0 cm x 0.9 cm and red in color.</p> <p>Review of the facilities Nurses' Notes form with an entry dated 8/20/15 at 4 p.m., revealed the following documentation: The resident returned at 3:30 p.m. per company van with a bruise and abrasion on the left side of his/her head. The bruise measured 2.0 cm x 1.0 cm and purple in color. The abrasion measured 3.0 cm x 0.9 cm and red in color. The resident stated the [driver] facilities maintenance man stopped at a traffic light and when they went forward his/her wheelchair tipped backwards. When that happened he/she hit his/her head. The maintenance man pulled over at a gas station and placed the wheel chair in the upright position and went inside for paper towels to cleanse his/her head. The resident denied any pain. The nurse completed an assessment which indicated: blood pressure 112/64, pulse 96, respirations 30, temperature 96.9 degrees Fahrenheit, pulse oximetry 96 %.</p> <p>According to an interview 10/16/15 at 11:04 a.m., a family member confirmed the resident as not secured with any safety devices when transferred in the van the date of the incident [8/20/15] however, the brakes to the wheelchair had been on. During the interview the family member asked the resident if he/she had been secured in the van again and the surveyor heard the resident state he/she had not been secured in the van going and returning from the radiation treatment the date of the incident.</p> <p>A written statement provided by the facility and signed</p>			

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	<p>by the resident dated 8/20/15 documented the following information: The maintenance man helped me get into the van. The maintenance man put me in the front passenger side but did not strap my wheelchair down onto the floor or put my seat belt on. The maintenance man brought me to the hospital for radiation treatment. When treatment was done, the maintenance man put on no seat belts or straps but my wheelchair brakes were on. The maintenance man drove south to the sound end of town. We stopped at the light then when we went forward my wheelchair flipped backwards when this happened I hit my head on something hard on the edge of the back seat. The maintenance man pulled over at the gas station. He put my wheelchair upright again then he went inside the gas station to get wet paper towels to dry of the sores on my head and dried it with another towel. I was back in the front passenger side with my wheelchair brakes on. The maintenance man did not strap the wheelchair down to the floor or use a seat belt. We drove back to the care center. The maintenance man did not use the ramp either time leaving or returning. The maintenance man told me the wheelchair won't fit on the ramp so I stepped out of my wheelchair, ducked my head down and stepped out of van or into the van each time.</p> <p>Review of a History Daily Time By Labor Code form, the maintenance man worked 8/20/15 from 10:00:00 a.m. until 3:42:36 p.m.</p> <p>During an interview 10/16/15 at 10:44 a.m., the maintenance man indicated he and a hospital female staff member strapped the resident in the back right side of the van in his/her wheelchair with the brakes on. He then took the resident for a soda but while there the resident must have unsecured the brakes on the wheelchair because when he took off the wheelchair fell backwards onto the bench seat of the van but he had</p>			

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	<p>been unsure if the resident hit his/her head but he noticed a mark on the left side of his/her head. The maintenance man indicated on the way home they talked and joked the entire way and the resident appeared fine. The maintenance man confirmed he had been terminated from the facility for improperly securing the resident in the van but that he had been orientated by the facility on how to properly secure a resident.</p> <p>Review of a written statement from the maintenance man dated 8/20/15 at 3 p.m. read as follows: he looked the wheelchair over that Resident #3 had been in, and the brakes were on. When he came around and took off in the van, the wheelchair rolled backwards and tipped over. He stopped and got him/her up and the wheelchair also. He noticed a scratch on the resident's head and went to a gas station and got ice and towels and had him/her hold them over the bruise on his/her head. Later, after they left to come back to the unit, he asked the resident how the chair could have tipped over with the brakes on and the resident stated he/she leaned back and had a lot of weight on the back side of the chair and that had been why it tipped over.</p> <p>An observation 10/23/15 at 10:40 a.m., revealed the facilities Administrator positioned in a wheelchair in the back right side of the van as Staff A, Certified Nursing Assistant (CNA) secured him/her with the safety straps utilized in the van. A seat belt across the Administrator and the brakes on in the wheelchair. When the brakes had been released the Administrator had been able to fall backwards into the bench seat of the van.</p> <p>Review of the Owner's Manual for the van (not dated) and the observation described above, the safety devices which had been described in the manual for</p>			

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	<p>securing a wheelchair had not been utilized by the facility staff.</p> <p>According to a Termination Form dated 8/21/15, the maintenance man had been terminated from the facility for failure to follow the facilities policies related to a failure to strap down a wheelchair which had been occupied by a resident while driving. He accelerated and the wheelchair flipped over backwards.</p> <p>Review of a written statement dated 5/15/15, the maintenance man resigned from the facility related to his short term memory loss. This letter had been rescinded by the facility on 5/18/15.</p> <p>During an interview 10/20/15 at 10:22 a.m., the facilities Administrator indicated the maintenance man had not resigned as he said he went to a physician, had a lot of tests ran and had been placed on medications which made his memory better.</p> <p>During an interview 10/16/15 at 12:00 p.m., the facilities Administrator confirmed the facility failed to document staff education on how to properly position and secure a resident in the facilities van. The maintenance man had been terminated for failure to properly secure Resident #3 in his/her wheelchair in the van. The Administrator reported the maintenance man showed signs of memory deficits while working at the facility as other staff members had to tell him directives several times and had to frequently write those directives down.</p> <p>During an interview 10/23/15 at 11:04 a.m., Staff B, activities indicated there had been no seat belt in the back of the van to have been utilized with a wheel chair transfer.</p> <p>During an interview 10/23/15 at 11:05 a.m., Staff C, CNA confirmed he/she received no formal training on</p>			

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	<p>how to properly secure a resident in the van.</p> <p>During an interview 10/23/15 at 11:05 a.m., the maintenance man identified he never transported any other resident. This resident had been secured in the van during the named transport with the brakes on the wheelchair and the clips around the tires. The maintenance man reported his memory had been bad. The maintenance man reported a physician stated he had not been stable enough to drive and pulled his drivers' license via the Department of Transportation (DOT) sometime in August 2015.</p> <p>2. According to a MDS assessment form dated 8/28/15, Resident #5 had diagnosis that included manic depression, schizophrenia and rhabdomyolysis and a BIMS score of 13.</p> <p>According to a Care Plan form with a problem start date of 3/4/15, the resident had been at risk for falling related to a recent hospitalization.</p> <p>During an interview 10/23/15 at 12:45 p.m., the resident confirmed there had been times he/she went out of the facility to physician visits and etc. in the facilities company van without utilizing the seat belt device during transport.</p> <p>During an interview 10/23/15 at 10:58 a.m., Director of Nursing (DON) stated the maintenance man may have transported Resident #5 to an appointment.</p> <p>Review of a written statement dated 5/15/15, the maintenance man resigned from the facility related to his short term memory loss. This letter had been rescinded by the facility on 5/18/15.</p> <p>During an interview 10/20/15 at 10:22 a.m., the facilities Administrator indicated the maintenance man had not</p>			

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	<p>resigned as he said he went to a physician, had a lot of tests ran and had been placed on medications which made his memory better.</p> <p>The Maintenance Supervisor job description listed expectations to maintain a safe and free from hazards environment. The responsibilities directed the individual to transport resident to various destinations.</p> <p>During an interview 10/23/15 at 10:58 a.m., Staff D, Director of Nursing (DON) stated the facility provided no formal training on how to properly secure a resident in the van however they talked about it. There had been no seat belt in the back of the van to properly secure a resident in the wheelchair.</p> <p>FACILITY RESPONSE:</p>			

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