

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

<b>Citation Number:</b> #10101					<b>Date:</b> November 9, 2023
<b>Facility Name:</b> Pine Acres Rehabilitation Care Center		<b>Survey Dates:</b>  October 9 – 25, 2023			
<b>Facility Address/City/State/Zip</b> 1501 Office Park Road West Des Moines, IA 50265					
		CP			
<b>Rule or Code Section</b>	<b>Nature of Violation</b>		<b>Class</b>	<b>Fine Amount</b>	<b>Correction date</b>

56.6(1)	<b>481—56.6 (135C) Treble and double fines.</b> <b>56.6(1)</b> 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.			
58.19(2)(b)(h)	<b>481—58.19(135C) Required nursing services for residents.</b> 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: <b>58.19(2)</b> Medication and treatment <b>b.</b> Provision of the appropriate care and treatment of wounds, including pressure sores, to promote healing, prevent infection, and prevent new sores from developing; (I, II). <b>h.</b> Provision of all treatments; (I, II, III)  <b>DESCRIPTION:</b>	CLASS I	\$27,750 (\$9,250.00x3)  <b>(TREBLED)</b>  <b>(HELD IN SUSPENSION)</b>	UPON RECEIPT

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	<p>Based on clinical record review, hospital records, resident, staff and advanced registered nurse practitioner interview along with the facility protocol/policy, at the time of the investigation, the facility failed to provide ongoing assessment and intervention for a resident who demonstrated an unstageable wound to the right lateral plantar foot that was covered with eschar. The facility was not able to provide any wound documentation, and failed to follow through with wound clinic referral for which resulted in the resident being admitted to the hospital with septic shock (blood poisoning, for which can lead to organ failure, and death) related to osteomyelitis (infection in the bone for which travels in the bloodstream) and gangrene (tissues death) to the residents right foot for which resulted in the resident having a guillotine (emergency surgical amputation to prevent the spread of infection) amputation (removal of the limb) on 9/12/23 and a below the knee amputation on 9/20/23 for 1 of 6 residents reviewed. (Resident #12). The facility identified a census of 73 residents.</p> <p>Findings include:</p>			
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	<p>1. A Quarterly Minimum Data Set (MDS) assessment form dated 7/30/2023, documented Resident #12 had diagnosis that included orthostatic hypotension, renal insufficiency, renal failure, diabetes mellitus, need for assistance with personal care, varicose veins of bilateral lower extremities with pain and abnormalities of gait and mobility. The assessment documented the resident with a Brief Interview for Mental Status (BIMS) score of 15, for which indicated intact cognition and had the ability to make needs known, needing limited assistance of two (2) staff members with bed mobility, extensive assistance of (2) for transfers, dressing, toilet use and bathing. The assessment also documented the resident with being at risk for developing pressure ulcers/injuries with no use of pressure reducing device for bed, chair and no turning/repositioning program.</p> <p>A Care Plan with a initiated date of 7/31/2023 and revision date of 8/03/2023, documented the resident had a Stage 5 pressure ulcer on resident right foot related to immobility. Interventions include the following:</p> <ul style="list-style-type: none"> <li>*Administer treatments as ordered and monitor for effectiveness.</li> <li>*Educate the resident/family/caregivers as to causes of skin break down, including: transfer/positioning requirements, importance of taking care during</li> </ul>			
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	<p>ambulating/mobility/, good nutrition and frequent repositioning.</p> <p>*Follow facility policies/protocols for the prevention/treatment of skin breakdown.</p> <p>*heel protectors on at all times, float heels while in bed, monitor and report if area deteriorates.</p> <p>*Inform the resident/family/caregivers of any new area of skin breakdown.</p> <p>*Weekly treatment documentation to include measurement of each area of skin breakdowns width, length, depth, type of tissue and exudate.</p> <p>The Progress Notes dated 7/31/2023 at 11:10 a.m., documented communication - with Physician Situation: Noted to have a 1.0 cm x 0.5 cm x 0.2 cm open area to foot. Area appears to be pressure related at this time. Area had small amount of drainage. No odor. Resident reports pain when pressure is applied.</p> <p>The Progress Notes dated 7/31/2023 at 8:04 p.m., documented Text: new orders: heel protection treatment and protection all times.</p> <p>An Occupational Therapy Evaluation and Plan of Treatment dated 8/01/2023-8/11/2023, documented patient training initiated with positioning in wheelchair as patient displays skin breakdown on ball</p>			
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	<p>of right foot and awaiting appointment with wound doctor outside of the facility.</p> <p>The Progress Notes dated 8/03/2023 at 8:28 a.m., documented, Order Note: New order obtained at this time to discontinue current treatment for heel. Start Cleanse with wound cleanser of choice, apply betadine moistened gauze, cover with abdominal pad and wrap with gauze, change daily and PRN (as needed). Refer to wound clinic. Prevalon boot at all times as tolerated. Will set up appointment for wound clinic.</p> <p>The Care Plan lacked documentation of the Prevalon boot at all times as tolerated order dated 8/3/23 at 8:28 a.m. from the Progress Note.</p> <p>The Progress Notes dated 8/04/2023 at 4:39 p.m., documented, Skin/Wound Text: Wound area to right foot (heel). Additional amino acid supplement to promote wound healing.</p> <p>A Weekly Pressure Wound Assessment tool dated 8/10/2023 at 2:37 p.m., documented acquired pressure area to right foot as healed.</p>			
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	<p>The Progress Notes dated 8/10/2023 at 5:56 p.m., documented, Order Note: Encounter note received from ARNP (Advanced Registered Nurse Practitioner) with new orders to discontinue wound treatment to heel. Continue heel protection and notify office if redness, boggiess or open wound recurs.</p> <p>A Weekly Skin Review Form dated 8/13/2023 at 3:39 p.m., documented resident presents with dry skin to the lower shins. Charting reflects resident frequently refuse preventive treatments. Post-podiatry visit resident has areas of concern noted to her right foot. Areas included:</p> <p>*right lower leg (front) dry patch measuring 6 centimeters (cm) by 2 cm with scabs throughout.</p> <p>*right toe(s), 3rd toe nail was trimmed by podiatry, nail was cut short and open area formed. Scant blood drainage noted on sock. Band-Aid removed. Wound cleaned and new Band-Aid applied. 1 cm by 1 cm open spot at the first knuckle of the same toe. No drainage or sign/symptoms of infection noted.</p> <p>*right toe(s), right 4th and 5th metatarsal-contains a callous that has been shaved leaving an open spot in the interior measuring 6 millimeters by 5 millimeters with a 3-millimeter depth. Skin is hard and dry around the edges with a soft dark red interior wound bed. No signs/symptoms of infection at this time.</p>			
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	<p>The Progress Notes dated 8/13/2023 at 4:19 p.m., documented, Note Text: Skin assessment completed on right foot this afternoon after concerned noted post podiatry visit.</p> <p>-3rd toe nail was trimmed by podiatry nail was cut short and open area formed. 4 mm x 1 mm. Scant blood drainage noted on sock. Band-Aid removed. Wound cleaned and new Band-Aid applied. 1x1 mm open spot at the first knuckle of the same toe. No drainage or s/s of infection noted.</p> <p>-Right 4th and 5th Metatarsal area contains a callous that has been shaved leaving a open spot in the interior measuring 6 mm x 5 mm with a 3 mm depth. Skin is hard and dry around the edges with a soft dark red interior wound bed. No signs/symptoms of infection at this time.</p> <p>The Progress Notes dated 8/14/2023 at 9:00 a.m., documented, Nursing Note Text: Fax received to apply triple antibiotic ointment to open areas and cover with non-adherent dressing once daily. Monitor for improvement and report if not improving or patient has signs/symptoms of infection.</p> <p>A Metro Geriatric Service Encounter note dated 8/28/2023 at 2:42 p.m., revealed resident chief complaint-right foot wound.</p> <p>*This patient is seen for routine encounter.</p>			
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	<p>*Right lower extremity wound. Unable to be seen by wound nurse practitioner due to hemodialysis schedule. Right lateral plantar foot with eschar. Unstageable pressure wound. Will discontinue triple antibiotic ointment and start betadine and refer to wound clinic.</p> <p>*Orders and Requisitions:              *Refer to wound clinic              *Please use Prevalon boots as ordered.</p> <p>*Plan Notes:              *Continue current level of care.              *Dressing changes as above.              *Refer to wound clinic.</p> <p>The Progress Notes dated 9/01/2023 at 12:36 p.m. documented, Health Status, Note Text: Call placed to Wound Clinic to follow up on information that was sent for referral. Appointment scheduled at this time for Friday at 7:30 a.m. Awaiting call back from transport to set up transportation.</p> <p>The Progress Notes dated 9/12/23 at 6:15 a.m., documented Health Status Note Text: During 5:00 a.m., medication pass resident was not responding to nurse, resident would open her eyes then shut them, when checking mental status, she would state her name but didn't know place month or year. Resident was twitching and jerking. Blood pressure attempted</p>			
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	<p>to get via manual cuff. Resident unable to swallow sips of water to take medication. Call placed to receive orders to send to Emergency Room. Call placed to family, left message on cell phone of resident being transferred to emergency room.</p> <p>The Progress Notes dated 9/12/2023 at 11:02 p.m., documented, Note Text: Call placed to Hospital to check in on resident admitted to Critical Care Unit (CCU) Admitting Diagnosis: Sepsis</p> <p>The Pre-Arrival Summary dated 9/12/2023 at 7:14 a.m., documented, patient was brought into the emergency department due to confusion and twitching this morning at 5:00 a.m.</p> <p>The Emergency Room notes dated 9/12/2023 at 7:15 a.m., documented, this patient present with weakness and lethargy. The onset was just prior to arrival. The character of symptoms is generalized. Patient was ok last night when went to bed at 11:00 p.m., but when they woke her up at 5:00 a.m., patient was less alert and "twitching" per facility on emergency medical service arrival patient was more alert and oriented but had borderline low blood pressure. Patient appears fatigued on arrival but arousable to voice and denies any complaints. Chronic right foot ulceration. skin appears to be warm, dry with large necrotic</p>			
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	<p>ulceration to right foot with surrounding erythema and warmth. Antibiotic ordered due to suspected right foot as source of sepsis. Diagnosis=septic shock, soft tissue infection of right foot. Condition=critical</p> <p>The Hospital Progress notes dated 9/12/2023 at 11:19 a.m., documented, 70-year-old female with a history of end stage renal disease, chronic hypotension who presents with septic shock suspected secondary to soft tissue infection on the right foot. Will obtain MRI of the right lower extremity to rule out osteomyelitis. Reviewing with the patient, a large colonic chronic foot wound measuring 4 cm by 4 cm appearing somewhat deep. Patient with large 4 cm by 4 cm necrotic wound on the distal lateral plantar aspect of the right foot.</p> <p>The Pharmacy Antibiotic Kinetic Consult dated 9/12/2023 at 1:36 p.m., documented patient brought into the emergency department due to confusion and twitching this morning at 5:00 a.m. Blood pressure that time was noted to be 70/59. Patient has large colonic chronic foot wound measuring 4 cm by 4 cm appearing somewhat deep. Facility nurse reports they have been dealing with this foot wound for the last 3 to 4 weeks, and have had wound care consulted, with regular wound care occurring.</p>			
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	<p>The Vascular Consult dated 9/12/2023 at 6:09 p.m., documented, patient with bilateral Charcot foot deformity, chronic right foot wound.</p> <p>*Right foot x-ray, numerous gas bubbles overlying the distal fifth metatarsal and abnormal appearance of the distal fifth metatarsal suspicious for osteomyelitis</p> <p>*Sepsis</p> <p>Today's Plan= consulted with podiatry for poor prognosis of right lower extremity limb salvage, discussed at length risks and benefits of proceeding with guillotine amputation versus keeping the patient comfortable, patient agreed to proceed with amputation this evening. will perform right above ankle guillotine amputation.</p> <p>The Podiatrist Surgery Progress Note dated 9/12/2023 at 6:21 p.m., documented, resident with plantar left forefoot ulcer, necrotic right forefoot ulcer/cellulite/developing abscess with probable osteomyelitis, poor prognosis for right lower extremity limb salvage, will consult vascular surgery.</p> <p>The Vascular Amputation Operative Note dated 9/12/2023 at 9:21 p.m., documented, preoperative diagnosis= septic right deep space diabetic foot infection, with hypotension. Procedure= Guillotine right foot amputation. Podiatry had evaluated the patient's septic right diabetic foot, and deemed it</p>			
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	<p>unsalvageable. The patient was evaluated, and noted to have deep space tenderness, and foul gangrenous tissue in the lateral foot. The right foot is chronically inverted, due to Charcot diabetic foot.</p> <p>The History and Physical Consultation dated 9/13/2023 at 2:48 p.m., documented on arrival to the emergency department on 9/12/2023, patient reports that she got confused. Reviewing with the patient she has a large right colonic chronic foot wound measuring 4 cm by 4 cm appearing somewhat deep. Patient was evaluated at the bedside. Right foot x-ray personally reviewed and was significant for gas bubbles overlying the distal fifth metatarsal and abnormal appearance of the distal fifth metatarsal suspect osteomyelitis. Guillotine amputation of right lower extremity covered in surgical bandages with swelling and erythema appreciated proximal to bandaging.</p> <p>The Vascular Operative Notes dated 9/20/2023 at 2:40 p.m., documented pre-operative diagnosis= sepsis/right foot osteomyelitis/status post urgent right ankle guillotine amputation. Procedure=right below knee amputation</p> <p>The History and Physical Consultation report dated 9/21/2023 at 9:41 p.m., documented patient</p>			
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	<p>presented to the emergency department on 9/12/2023 in the early morning by the emergency medical service as an emergent transfer from a local nursing home. Reportedly she was confused and has a chronic foot wound measuring 4 cm by 4 cm for the last 3-4 weeks, her normal self yesterday, however at about 5:00 a.m., this morning she was no longer objectively alert and oriented to person, place and time which is her baseline. Patient was lethargic, arousable but only alert to persons, place, or time or situation. She was found to be in septic shock and transferred to the Intensive Care Unit for pressor support. Septic Shock was secondary to osteomyelitis of her right foot and positive culture for proteus (acquired infection), vascular was consulted and status/post guillotine amputation on 09/12/2023 and later status/post below knee amputation on 9/20/2023. Assessment/Plan</p> <p>*Acute Right foot osteomyelitis secondary to right foot gangrene.</p> <p>*Chronic Diabetic right foot wound with bilateral Charcot foot deformity status/post below knee amputation</p> <p>*9/12/2023, right foot x-ray, numerous gas bubbles overlying the distal fifth metatarsal, abnormal appearance of the distal fifth metatarsal suspect osteomyelitis.</p>			
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	<p>*9/15/2023, pathology= right foot, above ankle amputation, ulcer with gangrenous necrosis and acute osteomyelitis, margins grossly viable.</p> <p>The Hospital Progress notes dated 10/10/2023 at 3:42 p.m., documented the hospital course, patient initially presented to the emergency department from local nursing home on 9/12/2023, due to weakness/lethargy, right foot wound and hypotension. Patient was found to be in septic shock with right foot osteomyelitis. Patient was admitted to Intensive Care Unit for pressor support and was started on broad spectrum antibiotics. Vascular surgery was consulted and patient underwent right ankle amputation on 9/12/2023 and then on returned to the operating room on 9/20/2023 for right below the knee amputation. Pathology showed nonviable subcutaneous tissue involving stump, focal calcifications tibia arteries, and excision margin with grossly viable tissues.</p> <p>Interview on 10/9/23 at 3:30 p.m., Resident #12, confirmed and verified that the hospital did an emergency guillotine amputation on 9/12/2023 and a below the knee amputation on 9/202023 and that they were not aware of the area on their right foot was necrotic and had gangrene. Resident #12, felt that if the facility would have done the twice weekly</p>			
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Facility Administrator

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Date

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<b>Citation Number:</b> <b>#10101</b>					<b>Date:</b> <b>November 9, 2023</b>
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	<p>bathing and did weekly skin assessment as required the amputation could have been prevented.</p> <p>Interview on 10/16/23 at 4:45 p.m., Staff I, LPN (licensed practical nurse) (MDS Coordinator), confirmed and verified that the clinical record lacked documentation of the weekly skin sheets being completed on Resident #12 after 8/13/2023. Staff I also confirmed and verified that the expectation of the nursing staff are to do weekly skin assessments and complete baths as scheduled two times per week.</p> <p>Interview on 10/16/2023 at 5:00 p.m., the facility administrator, confirmed and verified that the clinical record lacked documentation of Resident #12 skin sheets being completed weekly after 8/13/2023, and it is the expectation of the nursing staff to do them weekly and the facility will take responsibility to make sure the resident receives the cares that they deserve.</p> <p>Interview on 10/17/23 at 3:10 p.m., Staff J, LPN, confirmed and verified that Resident #12 clinical record lacked any documentation of weekly skin sheets being completed after 8/13/2023 and that it is expected that nursing staff complete the skin sheets weekly.</p>			
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	<p>Interview on 10/18/23 at 9:45 a.m., the facility Advanced Registered Nurse Practitioner (ARNP) was aware of the necrotic area on Resident #12's right lateral plantar foot with eschar from a visit on 8/28/2023 and explained that an order was given to have the resident seen at the wound clinic and if the facility would of informed the ARNP that Resident #12 was not seen at the wound clinic an order to send Resident #12 to the Emergency room would of been given due to the area being necrotic and would of expected the facility to notify and inform of any changes.</p> <p>Completing an Accurate Assessment Regarding Pressure Injuries, Facility Policy and Practice with no date, revealed that the assessment must accurately assess the resident's status and to assure that each resident receives an accurate assessment reflective of the resident's status at the time of the assessment by staff that are qualified to assess relevant care areas and knowledge about the resident status, needs, strengths, and areas of decline.</p> <p>Why Its Done- to accurately assess each residents skin status.</p> <p>First things First-Read the instructions in the RAI manual</p> <p>How You Do It-</p>			
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	<p>1. Following the instructions in the RAI manual (utilization guidelines), complete the MDS section M and Care Area Assessment using:</p> <ul style="list-style-type: none"> <li>a. Staff member interviews (if appropriate)</li> <li>b. Observations/wound assessments</li> <li>c. Medical Record review</li> </ul> <p>Complete the Electronic Medication Administration Record (EMAR), skin assessment in EMAR Go to assessments, open up weekly skin review. Complete for date scheduled. If new area, measure and document in assessment. If new areas identified, open risk management. Notify Medical Doctor and Power of Attorney Obtain treatment order Document in progress notes Notify wound nurse.</p>			
<b>58.28(3)e</b>	<p><b>481—58.28(135C) Safety.</b> The licensee of a nursing facility shall be responsible for the provision and maintenance of a safe environment for residents and personnel. (III).</p> <p><b>58.28(3) Resident safety.</b></p> <p><b>e.</b> Each resident shall receive adequate supervision to protect against hazards from self, others, or elements in the environment. (I, II, III).</p>	<b>CLASS I</b>	<p><b>\$7,000.00</b></p> <p><b>(HELD IN SUSPENSION)</b></p>	<b>UPON RECEIPT</b>

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	<p><b>DESCRIPTION:</b></p> <p>Based on observation, clinical record review, staff interviews, and facility policy review, the facility failed to ensure two (2) of five (5) residents actively reviewed (#1 &amp; #4), received adequate supervision to protect against hazards in the environment. Review revealed Resident #1 required assistance of one staff with a gait belt for transfer. On 8/19/23 at approximated 6:00 a.m., Staff A, Certified Nursing Assistant (CNA) assisted Resident #1 to transfer without a gait belt. During transfer the resident became anxious, was waiving her arms, Staff A heard a loud sound and lowered the resident to the floor. Resident #1 sustained a right arm fracture and required hospitalization and surgery. Additionally, the facility failed to provide 1:1 supervision as assigned for Resident #4 identified with agitation, aggression, exit seeking and trespassing behaviors. On 9/27/23 Staff B, CNA left Resident #4 unsupervised to go on break. Resident #4 exited the building without authorization. The facility reported a census of 73 residents.</p> <p>Findings include:</p>			
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	<p>1. The Quarterly Minimum Data Set (MDS) assessment with a reference date of 6/28/23 for Resident #1 documented a score of 10 of 15 on Brief Interview for Mental Status (BIMS) test which indicated moderate cognitive impairment. The resident had diagnoses that included dementia, osteoporosis, muscle weakness, and anxiety and required extensive assistance of one staff for bed mobility, transfer, ambulation, dressing, toilet use, and personal hygiene. The resident had no falls since reentry.</p> <p>A Nursing Care Plan dated as initiated on 8/1/22 identified a focus area: ADL (Activities of Daily Living) self-care deficit, with a goal of maintaining current level of function, and directed the following interventions: Transfers and ambulates with the assistance of 1 staff member and FWW (four wheeled walker), and one person assist for toileting. The care plan further identified resident has had falls related to impaired balance, poor safety awareness, neuromuscular/functional impairment and/or the use of medications that may increase fall risk, with a goal that resident will have no serious injury from falls, and directed the following interventions: Ensure resident is wearing proper footwear, follow all facility protocol related to falls which included: report, investigate, and immediate intervention and long-term interventions.</p>			
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	<p>A Fall Risk Assessment dated 5/10/23 documented a score of 18 which indicated a high risk of falls.</p> <p>Observation on 10/18/23 at 2:15 p.m. Resident #1 was observed to transfer. Resident appeared anxious, and was noted to shakily and unpredictably mover her arms, and yell out in a high-pitched tone.</p> <p>A Progress Note dated at written by Staff C, Registered Nurse (RN) at 6:29 a.m. 8/19/23 documented that Staff C was alerted by the CNA that the resident had been lowered to the floor on 8/19/23 at 6:03 a.m. in the resident's restroom. Staff C assessed and suspected a right shoulder injury for the resident. The resident was placed in a wheelchair and a call to the on-call was placed to obtain permission to send to the local hospital.</p> <p>In an interview on 10/16/23 at 4:05 p.m., Staff C, RN recalled he had been called to Resident #1's room by Staff A, CNA who had alerted resident was on the floor. Staff C stated responded immediately and found resident on the floor near the toilet in her room. Confirmed Staff A had been the only staff person in the room at the time of the fall, and had reported resident had lost balance during transfer, was flailing</p>			
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	<p>around, and hurt the arm while being lowered to the ground.</p> <p>In an interview on 10/16/23 at 2:52 p.m., Staff D, Licensed Practical Nurse (LPN) confirmed that she had responded to the room to assess Resident #1 who was on the floor and yelling in pain. Staff D, recalled that the resident had complained of right arm pain. Staff D stated after the assessment the staff had assisted the resident from the floor with a gait belt. Staff D stated that she would expect staff to use a gait belt for all staff assisted transfers. Staff D stated that Staff A had reported trying to get the resident over to the toilet and, the resident was flailing around and Staff A, CNA lowered the resident to the floor.</p> <p>In an interview on 10/16/23 at 2:59 p.m., Staff A, CNA recalled on 8/18/23, at approximately 6:00 a.m. she had gone in to provide care to Resident#1. The resident requested to use the bathroom, so Staff A assisted the resident to walk to the bathroom with her walker. Once in the bathroom, Staff A started to turn and assist the resident with her clothing. Staff A reported the resident became hysterical without warning and started flailing her arms. Staff A reported she had heard a sound like clothes ripping, and noticed the resident's arm was limp and lowered resident to the floor. Staff A denied that she had seen</p>			
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	<p>resident strike arm on anything. Staff A responded that she had not used a gait belt to ambulate and transfer resident. Staff A clarified that she had not anticipated that she would need a gait belt, no gait belt was available in the room and she was not wearing one. Staff A stated she knew that she should have used a gait belt, but would have had to go get one and didn't. Further interview on 10/17/23 at 5:18, Staff A clarified that she had eased to the floor by grasping the waist of the resident's pants. Staff A denied that she had grasped the resident by the arm at any time.</p> <p>In an interview on 10/17/23 at 5:00 p.m. the Administrator and Interim Director of Nursing (IDON) stated that they had questioned how Staff A had transferred the resident and had received a text message that she had transferred by grasping at the resident at the waist. The IDON had questioned the previous DON if a gait belt had been used, but the previous DON had resigned without answering her question.</p> <p>An investigation self-report amendment submitted to the Department by the facility included the following; Resident had a fall with injury on 8/19/23. The resident was in the restroom and staff were assisting the resident to the bathroom. The resident grabbed</p>			
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	<p>the grab bar for assistance. Staff member assisting heard a "pop" in the resident's right arm. Staff member lowered resident to the floor and notified the nurse. Resident assessed and sent to the local Emergency Room (ER) for evaluation. Resident reported to have a fracture of the right humerus. Resident admitted to hospital and surgery performed.</p> <p>A Hospital Operative Report dated 8/21/23 documented a preoperative diagnosis of closed right displaced, comminuted (broken in numerous pieces) humerus (upper arm bone) fracture. History documented resident sustained a fall resulting in the injury. Decision was made to operatively repair the fracture.</p> <p>Review of a facility policy titled, Use of Gait Belt, dated 4/2/22 directed to use gait belts with residents that cannot independently ambulate or transfer for the purpose of safety. The policy included the following guidelines: Responsibility of each employee to ensure they have a gait belt available for use at all times when at work. Failure to use gait belt properly may result in termination.</p> <p>2. The Quarterly MDS assessment with a reference date of 9/3/23 for Resident #4 documented a score of 9 of 15 on Brief Interview for Mental Status (BIMS)</p>			
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	<p>test which indicated moderate cognitive impairment. The resident had diagnoses that included a stroke, anxiety, dementia and independent bed mobility, transfer, ambulation, dressing, toilet use, and personal hygiene. The MDS documented that verbal behavioral symptoms directed towards others and wandering occurred 1-3 days.</p> <p>A Nursing Care Plan dated as initiated on 2/20/23 identified a focus area as follows; Resident has episodes of behaviors as evidenced by being combative, negative verbalizations, refusal of medications/cares. The Care Plan included the following directives: Administer medications as ordered, intervene as necessary to protect the rights and safety of others. Approach/speak in a calm manner, divert attention, remove from situation and take to alternate location. Minimize the potential for the resident's disruptive behaviors by offering tasks which divert attention. Observe for early warning signs of oncoming behaviors. Call by name. Remove from unwanted stimuli. Utilize the language line for communication.</p> <p>The Nursing Care Plan further identified a focus area: Resident an elopement risk/wanderer related to history of attempts to leave facility unattended, impaired safety awareness dated as initiated on</p>			
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	<p>4/18/23, with a goal that resident will not leave the facility unattended and included the following directives:</p> <p style="padding-left: 40px;">8/7/23 Resident attempted to leave the facility: monitor hours of sleep, stop sign place on skilled door to remind, continue wander guard in place and redirect as appropriate.</p> <p style="padding-left: 40px;">9/23/25 Resident attempted to leave facility, due to extreme behaviors sent to hospital for evaluation</p> <p style="padding-left: 40px;">9/25/23 Resident attempted to leave the facility, 1:1, wander guard in place</p> <p style="padding-left: 40px;">Disguise exits: cover door knobs, handles and tape floor</p> <p style="padding-left: 40px;">Distract resident from wandering by offering pleasant diversions, structured activities, food, conversation, television, book</p> <p style="padding-left: 40px;">Identify pattern of wandering, and intervene as appropriate</p> <p style="padding-left: 40px;">Provide structured activities: toileting, walking inside and outside, reorientation strategies including signs, pictures and memory boxes.</p> <p style="padding-left: 40px;">Wander alert device, verify device is working every night and replace if it is not functioning appropriately.</p> <p style="padding-left: 40px;">When resident wants to go outside assist the resident to exit. If the resident refuses to re-enter the facility call family to assist per request.</p>			
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	<p>An Interdisciplinary Team Progress Note dated 9/26/23 at 9:57 a.m. documented that alarms triggered staff to the activity room door where resident was noted to be outside. Resident discharging home on Friday with daughter. Immediate interventions: 1 on 1, wander guard in place, continue with medication management.</p> <p>A Nursing Progress note dated 9/28/23 at 2:53 a.m., Staff E, Licensed Practical Nurse (LPN) documented on 9/27/23 at 9:50 p.m. she was at the nurse's desk when the door alarm goes off. Alarm board alerted the door at the bottom of the 200 halls was sounding. Staff E ran to the door and exited and found resident in the parking lot sitting in wheelchair self-propelling to the bottom of the hill, another staff person also responded. Approached resident who was waving fists, and throwing rocks. Police were summoned for assistance, resident was returned inside facility buildings. Assisted to his room and given snacks and fluids. One on one assigned to resident for the night shift with new staff member. One on one supervision will continue through the shift.</p> <p>In an interview on 10/11/23 at 4:20 p.m., Staff F, LPN stated on 9/27/23 on the evening shift Staff B, CNA had been assigned to provided 1 on 1 supervision for</p>			
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	<p>Resident #4 due to behaviors and elopement risk. Staff F stated that he had observed Staff B on a hand-held electronic device during the shift so he reminded Staff B that she was supposed to be watching the resident. The nurse stated that he felt Staff B was not being attentive to the resident so he helped out by redirecting and anticipating the resident's needs. Staff F stated when he left work at approximately 9:45 p.m. Staff B was sitting at the front desk with the resident and he had assured that staff knew that he was leaving. Staff F, LPN responded that a one on one for a resident with dementia and behaviors is required to have all their attention focused on the resident so you can quickly identify changes in behavior and intervene. Staff F reported that he would not leave a one on one resident unattended unless he had been assured that someone else was assigned the responsibility and able to provide 1 on 1 supervision.</p> <p>In an interview on 10/16/23 at 12:42 p.m., Staff E LPN stated that she worked the night shift starting 9/27/23, when she arrived at work she passed Staff F, who was leaving work. Staff E reported that she was aware that a 1 on 1 had been initiated for the resident based on his behaviors and that the resident had gotten outside, with supervision previously. Staff E recalled when she arrived Staff B CNA was at the front desk, and was assigned the 1 on 1, however Resident</p>			
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Facility Administrator

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	<p>#4 was not in sight. Staff E questioned Staff B who was with the resident and Staff B shrugged her shoulders and stated that she needed a break, Staff B then denied that she had assured responsibility for 1 on 1 had been assigned to another staff person to take break. At that same time the 200 halls exit alarm sounded and Staff E responded. Staff E exited the facility and noted that the resident was outside but with two oncoming staff. Staff E confirmed staff stayed with the resident until the resident returned inside the facility and 1 on 1 supervision reinstated. Staff E, LPN stated she would expect a staff person assigned to 1 on 1 supervision to be with that resident at all times, to anticipate needs, redirect, diffuse behaviors, and keep safe. Staff E responded that she would never expect staff to leave resident unattended and the staff person assigned to the 1 on 1 would be responsible to ask for help, have someone else assigned to resident before leaving their responsibility as the 1 on 1 staff member.</p> <p>In an interview on 10/12/23 at 12:30 p.m. Staff B, CNA confirmed that she had been assigned the 1 on 1 supervision for Resident #4. Staff B responded that she understood her responsibility was to be with the resident at all times, and stated that she should not have left the resident to go into the breakroom unless a peer had assumed responsibility for Resident #4.</p>			
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	<p>Staff B further responded under no circumstances would you leave a resident who required 1 on 1 supervision unattended.</p> <p>An Interdisciplinary Team Note dated 9/28/23 at 9:51 a.m., initiated by the DON documented that a complete skin assessment of the resident was completed with no skin issues. Continue 1 on 1, wander guard in place.</p> <p>Review of an Employee Disciplinary Form dated 9/27/23 documented that Staff B, CNA was issued a suspension for an occurrence that was described as: Staff B was assigned to resident #4 as a 1 to 1 for resident that eloped on 9/27/23.</p> <p>Review of a facility Staff In-Service Training attendance sign in sheet dated 9/27/23 documented staff were educated that for a 1 to 1, keep resident in eyesight at all times.</p> <p>Observation on 10/11/23 at 3:00 p.m. the 200-door exit was alarmed but not a wander guard exit. Observation revealed an interior exit door, a foyer and an exterior alarmed exit. Beyond the exterior door there is a cemented area that leads to the front parking lot.</p>			
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<b>58.43(9)</b>	<p>The DON provided a screenshot from her cell phone that was sent to staff on 9/25/23 at 11:00 p.m. that directed Resident #4 required 1 to 1 supervision.</p> <p>The facility was unable to provide a facility policy that addressed the responsibility of a 1 to 1 situation.</p> <p><b>481—58.43(135C) Resident abuse prohibited.</b> 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 <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>CLASS I</b>	<b>\$19,500.00</b> <b>(\$6,500.00X3)</b>  <b>(TREBLED)</b>  <b>(HELD IN SUSPENSION)</b>	<b>UPON RECEIPT</b>
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	<p><b>DESCRIPTION:</b></p> <p>Based on observation, clinical record review, staff interview and facility policy review the facility failed to thoroughly investigate a major injury (Resident #1) and separate an alleged abuser from the victim (Resident #11), for 2 of 5 residents reviewed. On 09/10/2023, Staff N, Certified Nurse's Aide (CNA) was reported as being rough with Resident #11 during repositioning by "jerking and pulling" on Resident #11's neck and then Staff N continued to work the rest of the shift on 09/10/2023 and also the entire shift on 09/11/2023, caring for Resident #11 and other vulnerable residents. This failure resulted in Immediate Jeopardy to the health, safety, and security of the resident. On 8/19/23 at approximated 6:00 a.m., Staff A, Certified Nursing Assistant (CNA) assisted Resident #1 to transfer. During transfer the resident became anxious, was waving her arms, Staff A heard a loud sound and lowered the resident to the floor. Resident #1 sustained a right arm fracture and required hospitalization and surgery. The facility investigation failed to identify that Staff A, CNA had failed to use a gait belt during the transfer. The facility reported a census of 73 residents.</p>			
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	<p>Finding include:</p> <p>1. The Significant Change in Status Minimum Data Set (MDS) for Resident #11, with an assessment reference dated 9/25/2023, documented diagnoses including Cancer, Osteoporosis, Malnutrition, Depression, Anxiety, Bipolar Disorder, and restlessness and agitation. The MDS revealed the resident with short- and long-term memory problems, severely impaired for decision making abilities, verbal and other behavioral symptoms directed towards others, does not resist cares, and required total assist of two staff for all aspects of daily living. The MDS revealed no functional limitations in range of motion to upper or lower extremities and the wheelchair as primary mode of transportation.</p> <p>The Care Plan with a initiated date of 11/10/2021 revealed resident has self-care deficit as evidenced by requiring assistance with activity of daily living (ADL's), impaired balance during transitions requiring assistance and/or walking, incontinence Dx: intellectual disability, abnormal posture, muscle weakness, bipolar, history of cancer, glaucoma, rheumatic valve disease. Interventions include:          *TOILETING: 1 Assist. Provide peri-care with every incontinent episode and PRN</p>			
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	<p>           *TRANSFER: 2 people assist. with mechanical Hoyer lift            *Use full body slings for Hoyer transfer.            *EATING: Assist x 1- Dependent on staff            *Ask yes/no questions as indicated in order to determine needs.         </p> <p>           An Incident Summary Report Dated 9/11/2023, at 5:20 p.m. documented as follows; with an incident occurred dated 9/10/2023 at 8:00 a.m., report that this writer received a statement from Staff J, Assistant Director of Nursing (ADON) at approximately 2:45 p.m., in regards to an allegation of abuse made by employee Staff M, CNA, against employee Staff N, CNA. The employee indicated she was in the dining room at breakfast and saw Resident #11 slumped over the side of her chair with her face resting on the arm rest and her arm hanging over the left side of her chair. Staff reported that she attempted to reposition and indicated she did not know this resident as the employee was new to the community. Employee waited for Staff N to come and assist her. Staff M, indicated that when Staff N, came to assist the resident that Staff N "jerked patients head" and the resident's top half moved to the right in the chair. The resident is extremely contracture and had jerky movements. Resident can be difficult to reposition due to her rigidity.         </p>			
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	<p>The Progress Notes dated 9/11/2023 at 3:58 p.m., documented as follows; Incident Note, Late Entry: Staff M reported that on 9/10/2023, while in dining room waiting on a room tray noted that Resident #11 was leaned over in her wheelchair with her head resting on the arm rest. Staff M attempted to reposition her and asked Staff N, to assist. Staff M, stated that Staff N, put her hand on Resident #11 top of head. Then "jerked" on Resident #11 neck when trying to reposition her. Staff M could not say for sure that this action was done with the intent of "Harming the resident". She was unable to give further details but felt as though it was "rougher" then was intended/needed. This nurse reviewed skin around head/forehead, no redness, bruises or abrasions were noted to the head. Resident did not appear to be in pain at this time. Resident is primarily non-verbal. She will at times look towards a voice or person. She was resting in recliner per her norm at this time. Resident has very poor truck control and is regularly in a contracted position. She prefers to lean or lay on her right side. She will at times kick her legs out or wiggle herself but does not do this with purpose.</p> <p>On 10/10/2023 at 10:12 a.m., Staff M, CNA confirmed and verified that the facility was aware of the allegation of abuse on 9/10/2023 right after breakfast.</p>			
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	<p>On 10/11/2023 at 11:00 a.m., Staff L, Licensed Practical Nurse (LPN) confirmed and verified that Staff M, CNA, reported the allegation of abuse to the facility nurses on 09/10/2023, sometime after the breakfast meal.</p> <p>Interview on 10/11/2023 at 2:30 p.m., Staff N, CNA, confirmed and verified that they continued to work their entire shift on 9/10/2023 and also their entire shift on 9/11/2023 with all the residents in the facility.</p> <p>Interview on 10/17/2023 at 9:22 a.m., the facility Administrator confirmed and verified that Staff N, CNA, continued to work their entire shift on 9/10/2023 and 9/11/2023 and that the facility failed to separate the alleged abuser from the victim.</p> <p>The Employee Timecard Report with a period dated 09/10/2023 to 09/23/2023, revealed Staff N, CNA, punched in on:            *9/10/2023 at 5:51 a.m., and punched out at 2:07 p.m.            *9/11/2023 at 5:52 a.m., and punched out at 2:05 p.m.</p> <p>The Abuse, Neglect and Exploitation policy with a date of 07/2023, stated that it is the policy of this facility to</p>			
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	<p>provide protections for the health, welfare and rights of each resident by developing and implementing written policies and procedures that prohibit and prevent abuse, neglect, exploitation and misappropriations of resident's property.</p> <p><b>*Procedure for Response and Reporting Allegations of Abuse/Neglect/Exploitation:</b></p> <p>When suspicion of abuse/neglect/exploitation or reports of abuse/neglect/exploitation occur, the following procedure will be initiate.</p> <p>1. The Licensed Nurse will:</p> <ul style="list-style-type: none"> <li>*Respond to the needs of the resident and protect him/her from further incident/</li> <li>*Remove the accuse employee from resident care areas.</li> <li>*Notify the Director of Nursing or designee</li> <li>*Notify the Administrator or designee</li> <li>*Notify the attending physician, residents' family/legal representative</li> <li>*Document actions taken in the medical record</li> <li>*Complete an incident report is indicated</li> </ul> <p>2. The Quarterly MDS assessment with a reference date of 6/28/23 for Resident #1 documented a score of 10 of 15 on Brief Interview for Mental Status (BIMS) test which indicated moderate cognitive impairment. The resident had diagnoses that included dementia,</p>			
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	<p>osteoporosis, muscle weakness, and anxiety and required extensive assistance of one staff for bed mobility, transfer, ambulation, dressing, toilet use, and personal hygiene. The resident had no falls since reentry.</p> <p>A Nursing Care Plan dated as initiated on 8/1/22 identified a focus area: Activities of Daily Living (ADL) self-care deficit, with a goal of maintaining current level of function, and directed the following interventions: Transfers and ambulates with the assistance of 1 staff member and four wheeled walker (FWW), and one person assist for toileting. The Care Plan further identified resident has had falls related to impaired balance, poor safety awareness, neuromuscular/functional impairment and/or the use of medications that may increase fall risk, with a goal that resident will have no serious injury from falls, and directed the following interventions: Ensure resident is wearing proper footwear, follow all facility protocol related to falls which included: report, investigate, and immediate intervention and long-term interventions.</p> <p>A Fall Risk Assessment dated 5/10/23 documented a score of 18 which indicated a high risk of falls.</p>			
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	<p>Observation on 10/18/23 at 2:15 p.m. Resident #1 was observed to transfer. Resident appeared anxious, and was noted to shakily and unpredictably move her arms, and yell out in a high-pitched tone.</p> <p>A Progress Note written by Staff C, Registered Nurse (RN) at 6:29 a.m. 8/19/23 documented that Staff C was alerted by the CNA that the resident had been lowered to the floor on 8/19/23 at 6:03 a.m. in the resident's restroom. Staff C assessed and suspected a right shoulder injury. The resident was placed in a wheelchair and a call to the on-call was placed to obtain permission to send to the local hospital.</p> <p>On 10/16/23 at 4:05 p.m., Staff C, RN recalled he had been called to Resident #1's room by Staff A, CNA who had reported the resident was on the floor. Staff C reported that he responded immediately and found the resident on the floor near the toilet in her room. Confirmed Staff A had been the only staff person in the room at the time of the fall, and had reported the resident had lost balance during the transfer, was flailing around, and hurt the arm while being lowered to the ground. Staff C stated that he had documented in a progress note but thought someone else had filled out the incident report. Staff C confirmed that an incident report or risk assessment should be filled out with all falls.</p>			
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	<p>During an interview on 10/16/23 at 2:52 p.m., Staff D, Licensed Practical Nurse (LPN) confirmed that she had responded to the room to assess Resident #1 who was on the floor and yelling in pain. Staff D recalled that the resident had complained of right arm pain. Staff D reported that after an assessment was completed staff assisted the resident from the floor with a gait belt. Staff D stated that she would expect staff to use a gait belt for all staff assisted transfers. Staff D responded that Staff A had reported trying to get resident over to the toilet, the resident was flailing around and she lowered her to the floor. Staff D responded she had not filled out an incident report, that would have been the responsibility of Staff C, RN. Staff D reported that she had assumed that he had filled out the incident report due to the fact that there was a fall, and the process would be to do a fall-risk management assessment to fully investigate the circumstances of the fall.</p> <p>In an interview on 10/16/23 at 2:59 p.m., Staff A, CNA recalled on 8/18/23, at approximately 6:00 a.m. she had gone in to provide care to Resident#1. The Resident requested to use the bathroom, so she assisted the resident to walk to the bathroom with her walker. Once in the bathroom, the resident started to turn, and Staff A reported to assist with</p>			
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<b>Rule or Code Section</b>	<b>Nature of Violation</b>	<b>Class</b>	<b>Fine Amount</b>	<b>Correction date</b>	

	<p>removal of the residents clothing. Staff A reported the resident became hysterical without warning and started flailing her arms. Staff A reported she had heard a sound like clothes ripping, and noticed the resident's arm was limp and lowered the resident to the floor. Staff A denied that she had seen resident strike arm on anything. Staff A responded that she had not used a gait belt to ambulate and transfer the resident. Staff A, clarified that she had not anticipated that she would need a gait belt, no gait belt was available in the room and she was not wearing one. Staff A stated she knew that she should have used a gait belt, but would have had to go get one and didn't. Further interview on 10/17/23 at 5:18, Staff A clarified that she had eased the resident to the floor by grasping the waist of the resident's pants. Staff A denied that she had grasped the resident by the arm at any time.</p> <p>In an interview on 10/16/23 at 2:45 p.m. the Administrator stated that she had referred the investigation to the previous DON. The Administrator reported she would have expected that an Interdisciplinary report and investigation would have been completed, however she was unable to provide it. The Administrator stated that she wasn't as involved at the time as she reported now being.</p>			
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Facility Administrator

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Date

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	<p>In an interview on 10/16/23 at 6:15 p.m. the previous DON confirmed she had completed the investigation but could not recall the specifics. The previous DON stated there should have been a risk assessment completed.</p> <p>In an interview on 10/17/23 at 5:00 p.m. the Administrator and Interim Director of Nursing (IDON) stated that they had questioned how Staff A had transferred the resident and had received a text message that she had transferred by grasping at the waist of the resident. The IDON had questioned the previous DON if a gait belt had been used, but the DON had resigned without answering her question.</p> <p>An Investigation Self-Report Amendment submitted to the Department by the facility included the following; Resident#1 had a fall with injury on 8/19/23. The resident was in the restroom and staff were assisting to the resident to the bathroom. The resident grabbed the grab bar for assistance. Staff A, CNA while assisting heard a "pop" in the resident's right arm. Staff A lowered the resident to the floor and notified the nurse. Resident#1 assessed and sent to the local Emergency Room (ER) for evaluation. Resident#1 sustained a fracture of the right humerus. The Resident was admitted to hospital and surgery was performed.</p>			
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	<p>A Hospital Operative Report dated 8/21/23 documented a preoperative diagnosis of closed right displaced, comminuted (broken in numerous pieces) humerus (upper arm bone) fracture. History documented resident sustained a fall resulting in the injury. Decision was made to operatively repair the fracture.</p> <p>Review of a facility policy titled, Use of Gait Belt, dated 4/2/22 directed to use gait belts with residents that cannot independently ambulate or transfer for the purpose of safety. The policy included the following guidelines: Responsibility of each employee to ensure they have a gait belt available for use at all times when at work. Failure to use gait belt properly may result in termination.</p> <p>Review of a facility policy dated as reviewed on 7/2023 included: Investigation of alleged abuse, neglect, and exploitation. An immediate investigation is warranted when suspicion of abuse, neglect, or exploitation, or reports of abuse, neglect or exploitation occur. Identifying and interviewing all involved persons, focusing the investigation on determining if abuse, neglect, exploitation and/or mistreatment has occurred, the extent, and the cause.</p>			
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<b>58.43(9)</b>	<p>Providing complete and thorough documentation of the investigation.</p> <p><b>481—58.43(135C) Resident abuse prohibited.</b> 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 <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> <p><b>DESCRIPTION:</b></p>	<b>CLASSII</b>	<b>\$500.00 (HELD IN SUSPENSION)</b>	<b>UPON RECEIPT</b>
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	<p>Based on clinical record review, staff interview and review of policy and procedures, the facility failed to ensure all alleged violations involving mistreatment, neglect, or abuse of a resident and/or residents are reported immediately to management staff per facility policy and to the Iowa Department of Inspection and Appeals within two hours. (Resident #11). The facility reported a census of 73 residents.</p> <p>Findings include:</p> <p>1. The Significant Change in Status Minimum Data Set (MDS) for Resident #11, with an assessment reference dated 9/25/2023, documented diagnoses including Cancer, Osteoporosis, Malnutrition, Depression, Anxiety, Bipolar Disorder, and restlessness and agitation. The MDS revealed the resident with short- and long-term memory problems, severely impaired for decision making abilities, verbal and other behavioral symptoms directed towards others, and required total assist of two staff members for all aspects of daily living.</p> <p>The Care Plan with an initiated date 4/23/2022, stated the resident has impaired cognitive function and/or impaired thought processes as evidenced by short/long term memory deficit, impaired decisions</p>			
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	<p>making and/or impaired ability to understand others related to diagnosis of intellectual disability. Interventions include:</p> <ul style="list-style-type: none"> <li>*Ask yes/no questions as indicated in order to determine the resident's needs.</li> <li>* Cue, reorient and supervise as needed.</li> <li>*Monitor document/ report as necessary any changes in cognitive function, specifically changes in the following: decision making ability, memory, recall and general awareness, difficulty expressing self, difficulty understanding others, level of consciousness, mental status.</li> <li>*Use terms, gestures that resident can understand.</li> </ul> <p>Anticipate any non-verbal needs</p> <ul style="list-style-type: none"> <li>* Provide support and allow resident to express feelings, fears and concerns</li> </ul> <p>An Incident Summary Report Dated 9/11/2023, at 5:20 p.m., with an incident occurred dated 9/10/2023 at 8:00 a.m., report that this writer received a statement from Staff J Assistant Director of Nursing (ADON) at approximately 2:45 p.m., in regards to an allegation of abuse made by employee Staff M, Certified Nurse's Aide CNA against employee Staff N, CNA. The employee indicated she was in the dining room at breakfast and saw Resident #11 slumped over the side of her chair with her face resting on the arm rest and her arm hanging over the left side of her</p>			
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	<p>chair. Staff indicated she attempted to reposition and indicated she did not know his resident as the employee was new to the community. Employee waited for Staff N to come and assist her. Staff M, indicated that when Staff N, came to assist the resident that Staff N "jerked patients head" and the resident top half moved to the right in the chair. The resident is extremely contracture and has jerky movements. Resident can be difficult to reposition due to her rigidity.</p> <p>The Progress Notes dated 9/11/2023 at 3:58 p.m., documented, Incident Note, Late Entry: Staff M reported that on 9/11/2023, while in dining room waiting on a room tray noted that Resident #11 was leaned over in her wheelchair with her head resting on the arm rest. Staff M attempted to reposition her and asked another Staff N, to assist her as she was still leaning over. She stated that Staff N, put her hand on Resident #11 top of head. Then "jerked" her when trying to reposition her. Staff M could not say for sure that this action was done with the intent of "Harming the resident". She was unable to give further details but felt as though it was "rougher" then was intended/needed. This nurse reviewed skin around head/forehead, no redness, bruises or abrasions were noted to the head. Resident did not appear to be in</p>			
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	<p>pain at this time. Resident is primarily non-verbal. She will at times look towards a voice or person. She was resting in recliner per her norm at this time. Resident has very poor truck control and is regularly in a contracted position. She prefers to lean or lay on her right side. She will at times kick her legs out or wiggle herself but does not do this with purpose.</p> <p>On 10/10/2023 at 10:12 a.m., Staff M, CNA confirmed and verified that the facility was aware of the allegation of abuse on 9/10/2023 right after breakfast.</p> <p>On 10/11/2023 at 11:00 a.m., Staff L, Licensed Practical Nurse (LPN) confirmed and verified that Staff M, CNA, reported the allegation of abuse to the facility nurses on 09/10/2023, sometime after the breakfast meal. Staff L, confirmed and verified that Staff N continued to work their entire shift with all residents in the facility.</p> <p>On 10/11/2023 at 2:30 p.m., Staff N, CNA, confirmed and verified that they continued to work their entire shift on 9/10/2023 and also their entire shift on 9/11/2023 with all the residents in the facility.</p>			
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	<p>On 10/17/2023 at 9:22 a.m., the facility Administrator confirmed and verified that they failed to report the incident with in the two-hour time frame that the facility policy and procedure stated and that Staff N worked the entire shift on 9/10/2023 and 9/11/2023.</p> <p>The Employee Timecard Report with a period dated 09/10/2023 to 09/23/2023, revealed Staff N, CNA, punched in on:            *9/10/2023 at 5:51 a.m., and punched out at 2:07 p.m.            *9/11/2023 at 5:52 a.m., and punched out at 2:05 p.m.</p> <p>The Abuse, Neglect and Exploitation policy with a date of 07/2023, documented that it is the policy of this facility to provide protections for the health, welfare and rights of each resident by developing and implementing written policies and procedures that prohibit and prevent abuse, neglect, exploitation and misappropriations of resident's property.</p> <p>Reporting/Response            *Reporting of all alleged violations to the Administrator, state agency, adult protective services and to all other required agencies with in specific timeframe's:                *Immediately, but not later than 2 hours after the allegation is made, if the events that cause the</p>			
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	<p>allegation involve abuse or result in serious bodily injury or</p> <p style="padding-left: 40px;">*Not later than 24 hours if the events that cause the allegation do not involve abuse and do no result in serious bodily injury.</p> <p><b>FACILITY RESPONSE:</b></p>			
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