Iowa Department of Inspections and Appeals
Health Facilities Division
Citation

Citation Number: **#10306**			**Date:** **April 17, 2024**
Facility Name: **Accura Healthcare of Lake City**		**Survey Dates:** **April 2, 2024 – April 4, 2024**	
Facility Address/City/State/Zip **1409 West Main Street** **Lake City, IA 51449**			
	DC		

Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date
58.43(9)	**481—58.43(135C) Resident abuse prohibited.** 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 situations to achieve proper body position and balance shall not be considered to be a restraint. (II) **58.43(9)** 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)	**II**	**$500**	**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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	Description: Based on clinical record review, staff interviews, and facility record review, the facility failed to report an allegation of abuse to the Iowa Department of Inspections, Appeals and Licensing (DIAL) for 1 of 1 resident reviewed for abuse who reported a Certified Nursing Assistant (CNA) was being rough with (Resident #2). The facility reported a census of 39 residents. Findings include: The Minimum Data Set (MDS) assessment dated 3/13/24 revealed Resident #2 had diagnoses of hypertension (high blood pressure), heart failure, and urinary tract infection. The MDS documented the resident had a brief interview for mental status (BIMS) score of 15, which indicated no cognitive impairment. The Care Plan dated 3/21/24 revealed Resident #2 required assistance of one person with ambulation, bathing, bed mobility, dressing, grooming and toilet use. Interview on 4/2/24 at 3:00 PM with Resident #2 revealed Staff A, CNA entered the room, while I was in bed, Staff A started changing my brief. Staff A rolled			

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	me over and pushed real hard on my right leg thigh area and I yelped "owe". Staff A then threw up her hands and said "I am not dealing with this". Resident #2 revealed the dirty brief was still on when Staff A left the room. Resident #2 stated Staff A did not cover me up with anything, I laid there exposed. Staff A did not come back to finish changing me. Resident #2 revealed Staff A might have been too forceful when she pushed me over. On 3/23/24 at 11:10 AM, the Administrator, DON and Administrative Assistant revealed Resident #2 reported to the them, Staff A and Staff B came to get Resident #2 up that morning, they changed Resident #2 in bed and when Resident #2 was rolling, Staff A pushed Resident #2 ' s hip to assist and Resident #2 yelled out. Staff A threw up her arms and said she wasn't dealing with this and walked out of the room. Staff A did close the door as she left and Staff B was still in the room with Resident #2. Resident #2 stated " I don ' t feel Staff A did anything on purpose" Resident #2 stated she didn't feel like what the staff member was doing was intentionally trying to cause pain. On 3/23/24 the facility conducted an internal investigation and per the Administrator, DON, and			

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	Administrative Assistant, they reviewed all the information and since they didn't find any harm and Resident #2 was not hurt, they thought it was non reportable due to the fact Resident #2 didn't feel like she was abused. On 4/2/24 at 3:42 PM per Director of Nursing (DON) there are no pending investigations sent to the Department of Inspection, Appeals and Licensing (DIAL). Per the facility policy titled Nursing Facility Abuse Prevention, Identification, Investigation, and Reporting Policy revealed all allegations of abuse and reported crimes must be coordinated through the facilities QAA Committee and communicated to QAPI to determine: a) If a thorough investigation is conducted; b) Whether the resident is protected; c) Whether an analysis was conducted as to why the situation occurred; d) Risk factors that contributed to the abuse (e.g., history of aggressive behaviors, environmental factors); and e) Where there is further need for systemic actions. Reporting: All allegations of Resident abuse, neglect, exploitation, mistreatment, injuries of unknown origin			

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	and misappropriation should be reported immediately to the charge nurse. The charge nurse is responsible for immediately reporting the allegations of abuse to the Administrator, or designated representative. All allegations of Resident abuse shall be reported to the Iowa Department of Inspections and Appeals not later than two (2) hours after the allegation is made. All allegations of Resident neglect, exploitation, mistreatment, injuries of unknown origin and misappropriation shall be reported to the Iowa Department of Inspections and Appeals, not later than two (2) hours after the allegation is made, if the events that cause the allegation result in serious bodily injury, or not later than twenty-four (24) hours if the events that cause the allegation involve neglect, exploitation, mistreatment, injuries of unknown origin and misappropriation, but do not result in serious bodily injury. If there is a reasonable suspicion that the allegation of abuse also constitutes a crime committed against the resident by any person, whether or not the alleged perpetrator is employed by the facility, the Elder Justice Act requires the matter must also be reported to law enforcement. While the federal regulations require all abuse allegations be reported to DIA within 2 hours, the Elder Justice Act has a different time frame for			

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	reporting to the police/sheriff. If the allegation of abuse (that results from a crime) results in serious bodily injury to a resident, a report must be made to law enforcement not later than two (2) hours after the allegation is made. If the allegation of abuse does not result in serious bodily injury, a report must be made to law enforcement not later than twenty-four (24) hours. **Facility Response:**			

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