

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

Citation Number: <b>#6142</b>		Date: <b>June 22, 2023</b>		
Facility Name: <b>Harmony Cedar Rapids</b>		Survey Dates: <b>May 15, 2023 – May 31, 2023</b>		
Facility Address/City/State/Zip: <b>1940 First Avenue NE Cedar Rapids, IA 52402</b>		TAG		
Rule or Code Section	Nature of Violation		Class	Fine Amount
Correction date				

<b>58.19(2)j</b>	<p><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:</p> <p><b>58.19(2) Medication and treatment.</b></p> <p><i>j.</i> Provision of accurate assessment and timely intervention for all residents who have an onset of adverse symptoms which represent a change in mental, emotional, or physical condition. (I, II, III)</p> <p><b>DESCRIPTION:</b></p> <p>Based on Pre-Admission Hospital Record review, facility clinical record review, State of Iowa Certificate of Death review, Medical Director and staff interviews, and facility document review, the facility failed to complete a thorough assessment, contact the resident's physician timely to request transport to the hospital for provision of treatment for 1 of 5 residents reviewed (Resident #2), when a serious change in condition noted for the resident. This failure resulted in the resident not being transported to the Emergency Room (ER) in a timely manner to receive medical interventions/treatment and subsequently</p>	<b>CLASS I</b>	<b>\$9,000.00 (HELD IN SUSPENSION)</b>	<b>UPON RECEIPT</b>
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Facility Administrator

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	<p>the resident found in bed at the facility without a pulse or respirations. The facility reported a census of 79 residents.</p> <p>Findings Include:</p> <p>The Pre-Admission Hospital Record documented diagnoses including COVID, acute cough, hematemesis, esophageal varices, and Grade D (severe) esophagitis. The hospital record documents the resident presented to the Emergency Department (ED) on or around 2/27/23 after his daughter observed coffee ground emesis.</p> <p>Resident #2's Minimum Data Set (MDS) dated 3/16/23, documented an admission date of 3/16/23.</p> <p>The Electronic Health Record (EHR) Medical Diagnosis Section documented admission medical diagnosis including esophageal varices without bleeding and secondary esophageal varices with bleeding.</p> <p>The Progress Note written on 3/16/23 at 5:55 PM documented the resident was admitted from a local Hospital by a transportation service. He was in the facility for strengthening. The resident was oriented to his room, call light, and TV remote. Medication orders were faxed to the Pharmacy and the Doctor (MD) was aware of the admission.</p>			
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	<p>The clinical record lacks a Progress Note, vital signs, any nursing documentation or physician documentation for 3/17/23.</p> <p>The Progress Note written on 3/18/23 at 5:53 AM, documented the resident had a quiet night, was COVID positive with intermittent cough. His respirations were even without distress.</p> <p>The Progress Note written on 3/18/23 at 8:23 PM, documented the resident's lungs sounds were clear and diminished and his abdomen had active bowels sounds in all 4 quadrants.</p> <p>The Progress Note written on 3/19/23 at 4:46 AM, documented the resident was resting peacefully with his eyes closed. His respirations were even and no distress observed. The resident had an intermittent cough.</p> <p>The Progress Note written on 3/19/23 at 9:48 AM, documented the resident was vomiting and refused (his medications). The clinical record lacked documentation of a physical assessment, vital signs or Physician notification at that time.</p> <p>The Progress Note written on 3/19/23 at 11:15 AM, documented the nurse entered the resident's room at</p>			
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	<p>10:30 AM. The resident was making retching noises and had an emesis basin with spit and a tinge of blood. The resident asked the nurse if he was going to die that day and began to get worked up and breath heavy. The nurse encouraged the resident to deep breath through his nose and out through his mouth as he was "exhibiting signs of an anxiety attack." His pulse was 102 beats per minute and his oxygen saturation was 100 % on room air. The nurse called the resident's daughter to ask medical questions as the resident did not appear to be an accurate historian. The daughter requested the resident be sent to the Emergency Room (ER) immediately. The nurse documented she told the daughter this was not an emergency situation, he was just anxious. The resident was given Zofran (medication given for nausea) and water, covered with a blanket and the nurse told the resident she would be back to see if the Zofran helped. At 11:05 AM, the nurse entered the resident's room to see the resident with a blank stare, pupils fixed, his mouth and chin were blood stained. He did not have a pulse or respirations. The nurse documented an overhead page was made for the "Code Blue" and chest compressions were started. The nurse, another nurse and the Activity Assistant rotated compressions and the Ambu bag (to provide breaths to resident). At 11:06 AM, the Assistant Director of Nursing (ADON) called 911. At 11:13 AM, the ambulance crew arrived and took over care. At</p>			
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	<p>1:00 PM, the Medical Examiner called and reported the cause of death to be ruptured esophageal varices.</p> <p>The State of Iowa Certificate of Death documented the date and time of death as 3/19/23 at 11:45 AM. The immediate cause of death is listed at exsanguination (sever blood loss) secondary to esophageal varices with other significant conditions being COVID-19.</p> <p>During an interview on 5/15/23 at 1:59 PM, the Director of Nursing (DON) explained if a resident or family member was requesting a resident be sent to the ED, she would expect an assessment to be completed, the Doctor be notified and made aware of the request and assessment findings. She further explained the nurse would get the order to send at that time. She would expect that information to be documented. She explained that if it isn't documented that doesn't necessarily mean it wasn't done. If there was an emergency or something it could have slipped the nurses mind.</p> <p>During an interview on 5/16/23 at 8:49 AM, Staff B, Licensed Practical Nurse (LPN) explained if a family member requested a resident go to the ER she would do an assessment, vitals and notify the Doctor.</p> <p>During an interview on 5/16/23 at 8:52 AM, Staff C,</p>			
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	<p>LPN explained if a family member or resident was requesting the resident go to the ED she would do an assessment and notify the Doctor.</p> <p>During an interview on 5/16/23 at 8:58 AM, Staff D, Registered Nurse (RN), explained if a resident was requesting to go to the ER she would do an assessment, call the Doctor and would send the resident to the ER. She explained if a family member was requesting the transfer, the resident gets transferred, the request can't be declined.</p> <p>During an interview on 5/16/23 at 9:15 AM, Staff A, RN explained the passed away on her last day working in this facility. She recalled the resident wasn't feeling well and had a little blood in his mouth. She explained the resident was anxious that day (March 19, 2023) and he was in the facility for COVID. The resident felt nauseated and she gave him a Zofran. He did not vomit but spit up. She called the daughter from the resident's cell phone with his permission. She remembers the cell phone recording they talked for 13 minutes. The resident was spitting up pink tinged sputum and the daughter thought he should go to the Emergency Room. Staff A explained to the daughter that he was anxious, this was not an emergency and she was calling to get a better picture of his previous history and background. The daughter gave that picture. Staff A explained she left the resident with an</p>			
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	<p>emesis basin as he was feeling nauseated and his call light and went to tend to another resident. When she was done with the other resident, she went back to check on the resident and found him with a blank stare, pupils fixed. She stated she shouted his name and felt for a pulse. She did not find one. She explained she knew he was a Full Code (wanted life saving measures), she called the code overhead and called for the crash cart and began compressions. She reported bright red blood clots were coming out of the resident's mouth with compressions. She stated she was not aware the resident had esophageal varices at that time.</p> <p>During an interview on 5/16/23 at 11:42 AM, Staff F, RN, Unit Manager explained she was working in another part of the building when she heard the code page. She explained 2 nurses were doing Cardiopulmonary Resuscitation (CPR) when she got to the room. She recalled she ran and grabbed the suction machine and took it into the room and called 911. She went back in the room to get the suction machine going and the ambulance crew was there very quickly. She recalled the resident had blood coming from somewhere on or near his face. His color was completely pale. She explained she called the resident's daughter and notified her the resident was on his way to the hospital. Staff F explained if a family member requested the resident be sent to the ER the</p>			
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	<p>Doctor should be notified and she would get a Doctor's Order to send the resident to the hospital. When asked about a nurse refusing to call the Doctor, she stated "That would be wrong." She stated the nurse needed to put forth the effort to call the Doctor and let the Doctor know and decide what would happen next.</p> <p>During an interview on 5/16/23 at 11:59 AM, the DON acknowledged Staff A had received a request from the resident's daughter for the resident to go to the ER but she received that information later. She explained it would not be appropriate for the nurse in the facility to tell the family no, this is not an emergency and refuse to send the resident or even call the Doctor.</p> <p>During an interview on 5/30/23 at 4:12 PM, the Medical Director explained when a resident or family member requests to go to the ER we send them. That's standard, we don't refuse to send them. He further explained if it is an emergent situation they can call 911 and send the resident to the ER, get them taken care of and then notify us (himself and his team). If it's not emergent we like to be notified ahead of time so we can give the order and be aware. He explained he would expect a new set of vitals and an assessment from the nurse's interaction with the resident, that is standard. If they call and don't have</p>			
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	<p>that information he would ask them to get that information and call back.</p> <p>The facility document titled Change in Condition, dated 11/2016 directed staff to consult with the resident's Physician for any need to alter treatment or a decision to transfer the resident from the facility. The document further directed staff to immediately notify the Physician for any symptom, sign or apparent discomfort that is acute or sudden onset and a marked change in relation to usual symptoms and signs.</p>			
<b>58.43(9)</b>	<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.</p> <p><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 II</b>	<b>\$500.00 (HELD IN SUSPENSION)</b>	<b>UPON RECEIPT</b>

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	<p><b>DESCRIPTION:</b></p> <p>Based on clinical record review, document review, Iowa Department of Inspection and Appeals On-Line Facility Reported Incident Report review, Facility Investigation, Abuse Policy and staff interviews, the facility failed to ensure allegations of misappropriation of resident narcotic medications had been reported to the State agency within 24 hours of the allegation of abuse for 1 of 1 resident's sampled (Resident #3). The facility identified a census of 79 residents.</p> <p>Findings include:</p> <p>An Iowa Department of Inspection and Appeals (DIA) On-Line Facility Report Incident Report (FRI) documented the Administrator from Harmony Cedar Rapids filed an on-line report with the DIA on 3/21/23 at 6:33 p.m. for a criminal act regarding a nurse alleging on 3/19/23 her signatures were forged on a Narcotic Record for Resident #3. The FRI detailed a report type of a criminal act that occurred on 3/18/23 at 8:00 a.m. The Incident Summary documented during the Narcotic Count, Staff G, Registered Nurse (RN) noticed it seemed like her signature had been forged on the Narcotic Count Sheet. "She" had signed</p>			
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	<p>out two pills of oxycodone for Resident #3. Staff G stated that had not occurred. The narcotic sheet documented one pill of oxycodone had been given on 3/18/23 at midnight and 4:00 a.m. The Electronic Medication Administration Record (EMAR) lacked documentation these narcotic medication doses had been documented as administered to Resident #3. Staff G stated she had given Resident #3 Tylenol around 2:00 a.m. on 3/18/23 to address his pain. Staff G stated the Pharmacy had not delivered Resident #3's oxycodone. The Pharmacy confirmed the card of oxycodone had been delivered to the facility on 3/18/23 at 5:22 a.m. Therefore, Staff G could not have possibly given the medication at midnight and 4:00 a.m. Staff G had handed the keys off to Staff A, RN around 6:00 a.m. Staff G recalled the Narcotic Count for Resident #3 being 30 for the card of oxycodone. The next dose had been given by Staff A around 8 a.m. This led the facility to suspect Staff A took the two doses of medication and signed Staff G's name on the narcotic sheet. The FRI report further documented the incident had been reported to the Cedar Rapids Police Department. The Facility failed to notify the State Department within 24 hours of the allegation of misappropriation of resident property.</p> <p>A Facility Investigation, undated and unsigned, provided by the facility documented under the initial report during narcotic count Staff G noticed it seemed</p>			
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	<p>like her signature had been forged on the controlled drug administration record (CDAR) and "she" had signed out two pills of oxycodone for a patient. Staff G stated that had not occurred. The narcotic sheet documented one pill of oxycodone had been given at midnight on 3/18/23 and one pill given 3/18/23 at 4:00 a.m. to Resident #3. The March 2023 EMAR did not reflect the two doses of narcotic medication had been administered. Staff G stated she had given Tylenol around 2:00 a.m. on 3/18/23 to address the patients pain. The medication was effective and had been documented in the EMAR. Staff G stated the patient's oxycodone had been delivered to the facility on 3/18/23 at 5:22 a.m. Therefore, she couldn't have administered the medication at midnight and 4:00 a.m. Staff G had handed the keys to the next nurse on duty, Staff A around 6:00 a.m. Staff G recalled the narcotic count being 30 for the card of oxycodone as she had just received the medication from the pharmacy. The next dose given had been around 8:00 a.m. by Staff A leading them to suspect that Staff A took the two doses and signed Staff G's name on the narcotic sheet.</p> <p>A Statement hand written by Staff G addressed to the Director of Nursing (DON) and Staff F, Assistant Director of Nursing (ADON)/Nursing Supervisor on 3/17/23 documented the pharmacy had been unable to deliver medications for Patient #3 until the morning</p>			
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	<p>of 3/18/23 between 5 a.m. - 6 a.m. Staff G had been on Linn Hallway when Staff I, RN, informed her the pharmacy had delivered medications. Staff G counted 30 tablets of oxycodone for Resident #3. Staff G detailed in her statement she had given Resident #3 975 milligrams (mg) of Tylenol for complaints of pain since the oxycodone had not been available from the pharmacy. Staff G documented she gave report that morning to Staff A, RN and they both counted the narcotics before she left shift. Staff G returned 3/18/23 for the 10 p.m. - 6:30 a.m. shift to find that her signature had been forged to show administration of oxycodone at midnight and 4 a.m. Staff G documented she had never administered oxycodone on her shift on 3/17/23. She attached a copy of the March 2023 EMAR and the Pharmacy Delivery Slip for verification. The March 2023 EMAR documented Staff G administered 975 mg of Tylenol per the physician order 3/18/23 at 2:04 a.m. which had been effective for pain control.</p> <p>On 3/20/23 Staff E, RN, wrote a statement noting it had been 1:40 a.m. when Staff G alerted her about her signature being forged. Staff E wrote Staff G's signature had been forged twice. Staff G called Staff F, Assistant Director of Nursing (ADON)/Unit Supervisor and informed her of what had happened. Staff F told Staff G to write a statement and leave a copy for her and she would review it on Monday 3/20/23. Staff E</p>			
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	<p>came to work (3/19/23), she knew how many pills she had counted with Staff G since there were not many narcotics on the Medbridge hallway. Staff E noticed some CDARs had forged signatures with different names, Staff I, RN, Staff M, RN and Staff D, RN for the same day. Staff E wrote she asked Staff A about it and she hadn't been satisfied with the answer because clearly pills were taken illegally or administered in suspicious ways. Staff E called the DON and reported the situation.</p> <p>During an interview on 5/17/23 at 11:19 a.m., the DON reported she received a text message from Staff E on 3/19/23 sometime in the late afternoon notifying her of the issue with Staff A. Staff E noted something wrong with the narcotic sign out and she had tried to message Staff F. Staff E seemed pretty upset so she came to the facility. Staff E showed her the narcotic sheet that had Staff G's signature on it at a time when the narcotics were not even in the facility for Resident #3. The DON voiced she did not receive any messages from Staff A on 3/18/23. Staff F had been on call on 3/18/23. The DON voiced she thought they had 24 hours to report abuse, but she had to go through the Administrator for reporting. She had not been familiar with the process at that time. She had only been the DON for about one year. After she came to the facility, she called the Human Resource Coordinator to come to the facility and notified the Administrator. They called Staff A into the office. She interviewed Staff A,</p>			
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**Iowa Department of Inspections and Appeals  
Health Facilities Division  
Citation**

Citation Number: <b>#6142</b>		Date: <b>June 22, 2023</b>		
Facility Name: <b>Harmony Cedar Rapids</b>		Survey Dates: <b>May 15, 2023 – May 31, 2023</b>		
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	<p>then walked her out of the facility. The DON reported she arrived at the facility sometime after 2:00 p.m. She asked Staff A if she had documented every time she administered a scheduled narcotic and as needed (PRN). Staff A responded she tried too, but couldn't say if she had missed one. The DON reported she point blank asked Staff A if she signed out narcotics that were not administered. Staff A told her no. Staff A gave no explanation at all for that and appeared tearful as the DON walked her out of the facility. Staff A understood being suspended until they could complete an investigation. At 11:31 a.m., the DON concluded that Staff A had been stealing narcotics. The DON reported she did not know how to file an on-line report with the State of Iowa. She had never had to do that. She did not call the State hot-line number to report. The Administrator had been made aware on the 19th that Staff A had been suspended due to missing medications and forged signatures. The DON did not know if the Administrator had reported the incident via phone to DIA prior to 3/21/23.</p> <p>On 5/17/23 at 12:56 p.m., Staff F reported she had been called by Staff G in the wee hours of the morning. She doesn't recall the date she received the call. She reported Staff G as a very upstanding nurse. She couldn't remember exactly what Staff G told her. Staff G had either reported a narcotic medication had been missing or someone had falsely signed out a</p>			
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	<p>narcotic using her signature. The writing on the narcotic record had not been Staff G's hand writing. It had been one of those situations. She did remember it had been one narcotic pill and involved one resident. She doesn't recall the specific direction that she gave to Staff G but did tell her she would report the situation to the DON and it would be taken care of. She did remember that Staff G had been upset and stated she had not given the resident the narcotic medication and Staff A had been the only other nurse to handle the narcotic medication. Staff F reported she had been the nurse on call at the time. She remembered she had been dead asleep when she got the call. She could not recall the exact medication, but it had been a narcotic medication. She could not recall which resident had been involved. She thought it occurred on the Medbridge hallway. The facility policy is to alert the DON of missing medications. She did not call the DON right away, but thought she had called her later the same morning. She believes the DON investigated it but doesn't recall what she actually reported-off to the DON. If there is missing resident property she alerts the DON and the Administrator. She would not be the one to call the State office. If she saw resident abuse, she would report to the State immediately, but as far as missing items, she would just report those to the DON and the Administrator.</p>			
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	<p>On 5/16/23 at 10:47 a.m., Staff G reported she tried to call Staff F who had been on call that morning (3/19/23), but Staff F couldn't take the call. Then she called the DON and left a message. She then tried to call Staff F on her personal cell phone. Staff F (ADON) informed her to write a statement and leave it in the office and she would address it on Monday when she came in. A Missed Punch Form for Staff F provided by the facility documented Staff F worked at the facility from 10 a.m. - 2:40 p.m. on 3/19/23.</p> <p>During an interview on 5/17/23 at 1:24 p.m., the DON reported she is not the Abuse Coordinator. The Abuse Coordinator is the Administrator. She stated when they first looked at it they had thought they were looking at a forgery for signatures on the narcotic sheets. They weren't aware of everything that had been going on at that point.</p> <p>On 5/17/23 at 6:34 p.m., the Administrator voiced he had first become aware of the situation on the evening of 3/19/23 by the DON. The DON went to the facility and got a statement from Staff A and suspended her from duty. At that point they didn't think they had an allegation of abuse. The narcotic counts were not off, but something had been "fishy." He had not been able to verify Staff G's statement until the evening of 3/20/23 when the pharmacy receipt came to verify the date and time the</p>			
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	<p>medication had been received by the facility. That confirmed Staff G's story. Looking back, he stated he got it, they probably should have been looking at it from a different perspective, but he likes to think the best of people. Getting the Pharmacy Receipt had been the verification he needed. He reported the incident to the State Department on 3/21/23. He had verified with the DON on 3/19/23 that the narcotic count had been accurate. They thought it may have been a simple case of someone forgetting they had administered a dose of medication and it turned into someone stealing medications. He had never seen anything like it. From their final investigation, it had affected up to 9 residents and showed a trend that Staff A had taken the pills. He stated they had reported Staff A to the Board of Nursing. He further reported Staff A would be terminated. He didn't feel this had been the first time that Staff A had taken medications. She seemed to know exactly what she was doing. He wondered if it had happened at other facilities and they never did anything about it. They tried to do the right thing and get it reported into the State.</p> <p>On 5/18/23 at 9:41 a.m., the Pharmacist/Director of Quality reported the customer service representative had been contacted on 3/20/23 by the DON from Harmony. He didn't have an exact time but felt that he did respond with getting her the information</p>			
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	<p>within 30 minutes of the request. He provided her with a copy of the pharmacy delivery slip with the wet signature from the nurse with the date and time of delivery for Resident #3's medications and a copy of the unsigned packing slip. The Pharmacist confirmed the copies were sent to the DON via email on 3/20/23 at 8:35 p.m. Due to their internal information technology, she could not provide a copy of the information.</p> <p>On 5/23/23 at 11:42 a.m. the DON reported initially when Staff G brought forward the concern, it had only affected Resident #3. They initiated an investigation, but didn't know about the other residents affected until later into the investigation.</p> <p>The Nursing Facility Abuse Prevention, Identification, Investigation and Reporting Policy, dated July 2019, provided by the facility, included a Policy Statement: all residents have the right to be free from abuse, neglect misappropriation of resident property, exploitation, corporal punishment, involuntary seclusion, and any physical or chemical restraint not required to treat the resident's medical symptoms. This includes prohibiting nursing facility staff from taking acts that result in person degradation. Residents must not be subjected to abuse by anyone, including, but not limited to, facility staff, other residents, consultants or volunteers, staff of other</p>			
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	<p>agencies serving the resident, family members or legal guardians, friends, or other individuals. It shall be the policy of this facility to implement written procedures to prohibit abuse, neglect, exploitation and misappropriation of resident property.</p> <p>The Policy included the following definition:  1. Misappropriation of Resident Property means the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a Resident's belongings or money without the Resident's consent. This includes misappropriation or diversion of resident medications.</p> <p>The Policy under Reporting directed the following:  1. All allegations of Resident abuse, neglect, exploitation, mistreatment, injuries of unknown origin and misappropriation should be reported immediately to the charge nurse. The charge nurse is responsible for immediately reporting the allegation of abuse to the Administrator or designated representative.  2. All allegations of Resident abuse shall be reported to the Iowa Department of Inspection and Appeals not later than two (2) hours after the allegation is made.  3. 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</p>			
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	<p>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.</p> <p>4. If there is 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 to be reported to DIA within 2 hours, the Elder Justice Act has a different time frame for reporting to the police/sheriff. If the allegations 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.</p> <p>5. A report shall be made by calling the Department of Inspection and Appeals reporting hotline at (877) 686-0027, submitted an e-mail to the Department at <a href="mailto:HFD_Complaint@dia.iowa.gov">HFD_Complaint@dia.iowa.gov</a>, submitting an online report or sending a fax to (515) 28107106.</p> <p>6. If the person in charge is the alleged abuser, the staff member shall directly report the abuse to the</p>			
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	Department immediately pursuant to the deadlines established above.  <b>FACILITY RESPONSE:</b>			
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