

Iowa Department of Inspections and Appeals

Assisted Living Program

Complaint Investigation Report

Assisted Living Program:

Patrick Tomscha
Holy Spirit Assisted Living
1701 W. 25th St
Sioux City, IA 51103

Complaint Intake #: 7878

Date of Monitoring Visit:

June 16, 2004

Monitor(s):

Mary Dean RN

Definitions:

The following definitions are relevant:

Regulatory Insufficiency - A violation of a statutory or rule provision within the Iowa Code or Iowa Administrative Code (IAC) governing assisted living programs. A regulatory insufficiency requires a plan of correction to be presented to, and approved by, the Department of Inspections and Appeals (DIA).

Plan of Correction - A written response to one or more regulatory insufficiencies that are rule violations [321 IAC 26.2(5)(a)]. The plan should identify how, and by a specific date, an insufficiency will be corrected. The plan is due to DIA within ten (10) working days of the program's receipt of a Complaint Investigation Report. Depending on the circumstances, DIA may re-visit the assisted living program to confirm progress in fulfilling a plan's corrective measures.

Dementia-specific assisted living program - An assisted living program certified under this chapter that either serves five or more tenants with dementia or cognitive disorder at Stage 4 or above on the Global Deterioration Scale or holds itself out as providing special care for persons with cognitive disorder or dementia, such as Alzheimer's disease, in a dedicated setting.

Overview:

A complaint investigation on-site visit was conducted at Holy Spirit Assisted Living on June 16, 2004. In preparing this report, the following information was considered:

Current Program Census:

General Population Program -

Current General Population ALP Census: **14**

Current number of tenants with dementia: **4**

Dementia Specific Program – N/A

Complaint History – No complaints on file this certification period.

Complaint Investigation – The complaint investigator(s) made the observations detailed in the following areas.

A. Staffing - The provisions of this section address the program's staffing and training practices and associated documentation in responding to the identified needs of the tenant. [321 IAC 25.33]

Complaint Allegation: It is alleged the program is not providing kind and considerate care to tenants.

- **Investigation Observation**: Three tenants were interviewed individually. One of the three tenants indicated that occasionally some of the employees talk loud, but all three stated that overall the staff is kind and considerate. All three felt they were getting good care and that they are treated with respect. A community meeting was also held with a majority of the tenants present. The overall consensus of the group was that the employees treated them with respect, the employees know how to do their job, and they all said they would recommend this program to a friend. When asked during individual interviews and at the community meeting if they were aware of any instance when they themselves or any other tenant had been abused, neglected, yelled at or sworn at, they all responded no. They also said that if this happened they would report it to either the Registered Nurse (RN) or Social Worker (SW) in charge. Staff interviews were conducted in person with one staff member on duty and over the phone with three evening shift staff members. All four staff members stated they have never seen or heard another staff member hitting or yelling at a tenant. They all four said that if they did, they would report it to their manager. Three of the four staff members interviewed stated they had training by the RN or SW in areas of dementia and adult abuse training. The fourth employee only helps in the kitchen. In interviews with the management team, they stated all staff members go through dementia and dependent adult abuse training along with staff at the attached nursing facility. In-services are held bimonthly. The management team did indicate they do have one employee that tends to talk sarcastically at times to the tenants, but the tenants know this and joke right back to the employee. Management has talked with this employee about this behavior in the past. Employee files were reviewed and showed that appropriate training and background checks are being completed. Two tenant files were also reviewed and showed good documentation of response to tenant needs.
- **Regulatory Insufficiency**: None noted.

Dated this 23rd day of June, 2004.