

CHESTER J. CULVER
GOVERNOR

DEAN A. LERNER, DIRECTOR

PATTY JUDGE
LT. GOVERNOR

Certified
Complaint: #23882-C

October 20, 2009

Ronald Osby, Administrator
Arbor Heights at University
233 University Avenue
Des Moines, IA 50314-3124

RE: Complaint Investigation Report, Arbor Heights, Des Moines, IA

Dear Mr. Osby:

Enclosed is the **Complaint Investigation Report** completed by the Department of Inspections and Appeals (DIA) in accordance with Iowa Code section 231C.7 (2007) and Iowa Administrative Code, chapters 321—25, pertaining to assisted living programs and 321—26, pertaining to monitoring, civil penalties and complaints regarding assisted living programs. **No Regulatory Insufficiencies were identified.**

If you have questions, please contact me at 515-281-5003.

Sincerely, •



Connie Schaffer
Certification Coordinator – Central Iowa
Health Facilities Division
Adult Services Bureau
Connie.Schaffer@dia.iowa.gov

Enclosure

**Iowa Department of Inspections and Appeals
Assisted Living Program
Preliminary Complaint Investigation Report**

Assisted Living Program:

Complaint Intake #:23882-C

Ronald Osby, Administrator
Arbor Heights at University
233 University Avenue
Des Moines, IA 50314-3124

Date of Investigation:

October 5, 2009

Monitor(s):

Vickie Clingan, RN, MA

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 revisit 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 321 IAC - chapter 25 that either serves five or more tenants with dementia or cognitive disorder staged between 4 and 7 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 Arbor Heights on October 5, 2009. In preparing this report, the following information was considered:

Current Program Census: 22

General Population Program (GPP)* – A program that is not a Dementia Specific program, but may have tenants with cognitive disorder.

Current number of tenants without cognitive disorder: 21

Current number of tenants with cognitive disorder: 1

Total Population: 22

Dementia Specific Program (DSP)* – Not applicable.

***These are the census numbers represented by the program to be applicable at the time of the on-site.**

Accreditation Status – Not applicable.

Program History – There has been a substantiated Regulatory Insufficiency in the area of Nurse Review.

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 was alleged the last weekend of May employees were on the intercom making noises like cats screaming, scaring the tenants and nothing was done to discipline the employees.

- Monitoring Observation: During a group interview, two of fourteen tenants present stated they heard something (an odd noise) approximately two weeks ago and didn't know what it was. They were not bothered by the noise and didn't think it was heard over an intercom system. All fourteen tenants felt safe in their apartments. A review of three personnel files, including the person who worked weekends, revealed no disciplinary action taken for any type of misconduct.

During an interview, Staff #1 stated she was unaware of any noises at night. Staff #2 stated there was no intercom system in use on the assisted living floor. She also stated two tenants on the assisted living floor had cats and one cat frequently made noise when the tenant left the apartment. Staff #2 also explained some residents on the first and third floors would occasionally yell and could be heard on the assisted living floor.

- Regulatory Insufficiency: None noted.

Dated this 20th day of October, 2009.