

CHESTER J. CULVER
GOVERNOR

DEAN A. LERNER, DIRECTOR

PATTY JUDGE
LT. GOVERNOR

**DEMAND LETTER
CERTIFIED**

January 27, 2010

Lonny Smith, Administrator
Forest Plaza Assisted Living
635 E US Highway 9
Forest City, IA 50436-1028

**RE: I. Final Recertification Monitoring Evaluation Report, Forest Plaza Assisted Living,
Forest City, IA
II. Appeals/Hearings
III. Civil Penalty
IV. Standard Certification
V. Conclusion**

Dear Mr. Smith:

**I. Final Recertification Monitoring Evaluation Report, Forest Plaza Assisted Living,
Forest City, IA**

Enclosed is the **Final Recertification Monitoring Evaluation Report** completed by the Department of Inspections and Appeals (DIA) in accordance with Iowa Code chapter 231C, 321 Iowa Administrative Code chapter 25 (pertaining to assisted living programs), and 321 Iowa Administrative Code chapter 26 (pertaining to monitoring, civil penalties, and complaints). The report notes Regulatory Insufficiency in the area of Other. Forest Plaza Assisted Living (the Program) is being assessed a \$500.00 civil penalty.

DIA is accepting the Plan of Correction (POC) following the program's submission of additional information.

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(515) 281-4843
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HEALTH FACILITIES
(515) 281-4115
FAX: (515) 242-5022

INVESTIGATIONS
(515) 281-5714
FAX: (515) 242-6507

II. Appeals/Hearings

The Program may appeal the DIA decision in accordance with 321 Iowa Administrative Code rule 26.4, within 30 days of notice, by submitting a request for appeal to DIA. A contested case hearing will be held pursuant to 481 Iowa Administrative Code chapter 10. If the Program appeals, the civil penalty will be suspended, pending appeal process.

III. Civil Penalty

If, within thirty (30) days of the receipt of this demand letter, you (1) do not request a formal hearing or withdraw your request for formal hearing, and (2) pay the penalty, the assessed penalty will be reduced by thirty-five percent (35%) pursuant to Iowa Code section 231C.14. If you do not wish to request a formal hearing or wish to withdraw your request for formal hearing, please send written notice to the Certification Coordinator and remit the penalty assessed by check or money order in the amount of three hundred twenty five dollars (\$325.00) within 30 business days after the receipt of this demand letter.

IV. Standard Certification

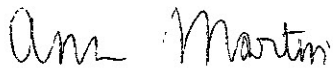
Also enclosed you will find the Assisted Living Program Certificate with effective dates of **November 29, 2009 through November 28, 2011.**

V. Conclusion

The Program is being assessed a \$500.00 civil penalty. DIA may revisit the Program to confirm compliance in fulfilling the POC's corrective measures. If the Program wishes to appeal or request a hearing on the final findings, the Program may do so within 30 days of this letter.

If you have any questions regarding this certification, please contact your Certification Coordinator, Connie Schaffer, at 515-281-5003.

Sincerely,



Ann Martin, Bureau Chief
Adult Services Bureau

Enclosure

**Iowa Department of Inspections and Appeals
Assisted Living Program
Final Recertification Monitoring Evaluation Report**

Assisted Living Program:

Lonny Smith, Administrator
Forest Plaza Assisted Living
635 E US Highway 9
Forest City, IA 50436-1028

Date of Monitoring Visit:

December 23, 2009

Monitor(s):

Hal L. Chase, RN BSN MPH

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 25.8(3)]. 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 Recertification Monitoring Evaluation 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 this chapter 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 specialized care for persons with cognitive disorder or dementia, such as Alzheimer's disease, in a dedicated setting.

Overview:

An on-site monitoring evaluation was conducted at Forest Plaza Assisted Living on December 23, 2009. In preparing this report, the following information was considered:

Current Program Census:

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:	31
Current number of tenants with cognitive disorder:	0
Total Population:	31

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.**

Tenant/Family Satisfaction Results – A community meeting was held with 28 tenants in attendance. Tenants stated the program was a nice place to live and they enjoy the staff and the care. Tenants stated staff were well trained, helpful by keeping tenants independent by letting them do the things they can do themselves and helping them when assistance is needed. Tenants stated they enjoyed the activities. Tenants stated the food was good with plenty of variety and choice. Tenants stated they made their own decisions, felt safe at the program and would recommend it to friends and family.

Program History – There have been no substantiated Regulatory Insufficiencies during this recertification period.

On-Site Monitoring Evaluation – The monitor(s) made the observations detailed in the following areas.

A. Other – The provisions of this section address the program's noncompliance with other applicable statutory and administrative rule requirements.

Monitoring Observation: Tenant #1, an 89 year old was admitted to the program on 9-4-09. The tenant's diagnoses included: Dementia, Early Alzheimer's Disease, Hypertension, Glaucoma, Irregular Heart Beat, History of Skin Cancer, Osteoporosis, Arthritis, Depression and Hyperlipidemia. A cognitive evaluation of 12-9-09 staged the tenant at four on the Global Deterioration Scale, which indicated moderate cognitive decline. Care notes of 10-14-09 indicated the tenant had fallen when returning to bed from the bathroom. The tenant was transported to a local hospital. The program nurse stated the tenant had fractured his/her hip. The tenant returned to the program on 11-10-09. The program did not notify the department when a tenant had sustained a substantial injury.

Tenant #2, an 81 year old, was admitted to the program on 9-1-09. The tenant's diagnoses included: Hyperlipidemia, History of Tracheal Polyps and a History of an Appendectomy. Care notes of 9-10-09 indicated the tenant had not come down for breakfast. Staff checked and determined the tenant had fallen as the tenant's right knee "giving out." Emergency personnel were called and the tenant was transported to a local hospital. A physician's preliminary report of 9-14-09 indicated the tenant sustained a right hip fracture. Care notes of 9-25-09 indicated the tenant returned to the program. The program did not notify the department when a tenant had sustained a substantial injury.

- Regulatory Insufficiency: The program did not notify the Department of Inspections and Appeals within twenty-four hours, by most expeditious means available, of any accident causing substantial injury or death, and any fire or natural or other disaster occurring at or near the assisted living program. (231C.12)

Dated this 27th day of January, 2010.