IOWA DEPARTMENT OF
INSPECTIONS & APPEALS

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GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

RODNEY A. ROBERTS, DIRECTOR

Complaint/Incident Intake #: 36881-I

January 12, 2012

Ms. Mary Keen, Administrator
Bickford Cottage Assisted Living
101 New Castle Road
Marshalltown, IA 50158

RE: Final Complaint/Incident Investigation Report – Bickford Cottage Assisted Living, Marshalltown, IA

Dear Ms. Keen:

Enclosed is the **Final Complaint/Incident Investigation Report** from the on-site monitoring visit of December 28 & 29, 2011, completed by the Department of Inspections and Appeals ("DIA") in accordance with Iowa Code chapter 231C and Iowa Administrative Code ("IAC") chapters 481—67 and 481—69. **No Regulatory Insufficiencies were identified.**

If you have any questions regarding the enclosed Report, please contact me at 515/281-4116.

Sincerely,

Jim Berkley

Jim Berkley
Program Coordinator
Adult Services Bureau

Enclosure

LUCAS STATE OFFICE BUILDING, 321 EAST 12TH STREET, DES MOINES, IOWA 50319-0083

ADMINISTRATION
(515) 281-5457
FAX: (515) 242-6863

ADMINISTRATIVE HEARINGS
(515) 281-6468
FAX: (515) 281-4477

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

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

Telephone Number for the Hearing Impaired: (515) 242-6515

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS
Assisted Living Program
Final Complaint/Incident Investigation Report

Assisted Living Program:

Complaint/Incident Intake #: 36881-I

Mary Keen, Administrator
Bickford Cottage Assisted Living
101 New Castle Road
Marshalltown, IA 50158

Date of Complaint/Incident Investigation:

December 28 & 29, 2011

Monitor(s):

Hal L. Chase, RN BSN MPH

Definitions: ***The following definitions are relevant:***

Assisted Living Program – A program certified under 481 IAC 69 that provides housing with contracted services to three or more tenants in a physical structure that provides a homelike environment. Services may include but are not limited to health-related care, personal care, and assistance with instrumental activities of daily living. A General Population Program is an Assisted Living Program that is not dementia-specific but may have tenants with cognitive disorder.

Dementia-Specific Assisted Living Program - An assisted living program certified under 481 IAC 69 that serves fewer than fifty-five (55) tenants and has five (5) or more tenants who have dementia between Stages 4 and 7 on the Global Deterioration Scale (GDS), or serves 55 or more tenants and 10 percent or more of the tenants have dementia between Stages 4 and 7 on the GDS, or holds itself out as providing specialized care for persons with dementia, such as Alzheimer's disease, in a dedicated setting.

Regulatory Insufficiency - A violation of a statutory or rule provision within the Code of Iowa (2011) or the 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 statutory or rule violations. The plan should identify how and by what date each regulatory insufficiency will be corrected, and what measures will be taken to ensure the problem does not recur. The plan is due to DIA within ten (10) working days of the program's receipt of a Complaint/Incident Investigation Report. Depending on the circumstances, DIA may revisit the assisted living program to confirm progress in fulfilling a plan's corrective measures.

Overview: ***In preparing this report, the following information was considered:***

Current Program Census

Assisted Living Programs are defined by the type of population served. The census numbers below were provided by the Program at the time of the on-site visit.

Dementia-Specific Program by Definition	
Number of tenants without cognitive disorder:	29
Number of tenants with cognitive disorder:	11
Total Population of Program at time of on-site	40
TOTAL census of Assisted Living Program	40

Program History – There were substantiated Regulatory Insufficiencies found in the areas of: Food Service and Record Checks during this certification period.

Complaint/Incident Investigation – The Complaint/Incident investigator(s) made the observations detailed in the following areas:

A. Tenant Rights

Complaint/Incident Allegation: The Program reported an incident occurred on 11-25-11 between a staff member and a tenant. A staff member, "in a raised, nearly yelling voice," told Tenant #1 to go to the bathroom. Tenant #1 resisted the staff member's assistance and slapped the staff member's nose, mouth and hand. The staff member became angry and told Tenant #1 she was going to report Tenant #1 to her supervisor.

Monitoring Observation: An incident, reported to have occurred 11-25-11 occurred on 11-24-11. Two tenant files were reviewed.

Tenant #1, a 92 year old, was admitted 10-12-01 and had diagnoses of: Depression, Cerebro Vascular Accident (CVA), Recurrent Urinary Tract Infections, Osteoarthritis, Fibromyalgia, Status Post Hysterectomy and Status Post Appendectomy. A cognitive evaluation was completed on 10-19-11, staged Tenant #1 at six on the Global Deterioration Scale (GDS), indicating severe cognitive decline.

A service plan of 10-19-11 indicated Tenant #1 was confused and staff was to approach Tenant #1 in a calm and caring matter. Staff was not to approach Tenant #1 from behind or touch Tenant #1 without first making eye contact and giving verbal direction. When Tenant #1 became upset with staff attempting to assist Tenant #1 with activities of daily living (ADLs) or medication administration, staff was to leave and re-approach Tenant #1 at a later time.

The Program conducted an investigation on 11-28-11. On 11-24-11, Agency Staff #2 reported she observed Staff #1 interacting with Tenant #1 in a potentially verbally abusive manner. Agency staff #2 reported she and Staff #1 entered Tenant #1's apartment to assist with evening cares. Tenant #1 became resistant to cares, swung his/her arms and made contact with Staff #1's face, hands and nose. Staff #1 raised her voice and in an angry tone instructed Tenant #1 on what he/she was to do.

Staff #1 told Tenant #1 she was going to report Tenant #1's behavior to her supervisor. Tenant #1 grabbed at the pen Staff #1 had tucked into her polo shirt. Staff #1 told Tenant #1 she needed her pen to report Tenant #1. Staff #1 and Agency Staff #2 left the apartment with the intent to return at a later time to provide cares Agency Staff #2 reported she was very concerned how Staff #1 addressed Tenant #1.

- Regulatory Insufficiency: None noted.