

TERRY E. BRANSTAD
GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

RODNEY A. ROBERTS, DIRECTOR

**DEMAND LETTER
CERTIFIED**

July 23, 2012

Ms. Tiffany Reiter, Administrator
BeeHive Homes Assisted Living
2116 1st Avenue East
Spencer, IA 51301

- RE:**
- I. Final Recertification Monitoring Evaluation Report**
 - II. Civil Penalty**
 - III. Appeals/Hearings**
 - IV. Standard Certification**
 - V. Conclusion**

Dear Ms. Reiter:

I. Final Recertification Monitoring Evaluation Report – BeeHive Homes Assisted Living (Program), Spencer, 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 and Iowa Administrative Code (IAC) chapter 481—67 and 481—69. The Report notes the Regulatory Insufficiencies in the area(s) of: Evaluation of Tenant. BeeHive Homes Assisted Living is being assessed a \$500 civil penalty pursuant to Iowa Code section 231C.14 and 481 IAC 67.12(3)(a).

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

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

INVESTIGATIONS
(515) 281-5714
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II. 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 in accordance with IAC 67.12(3)d. If you do not wish to request a formal hearing or wish to withdraw your request for formal hearing, please send cover letter to the attention of **Jim Berkley** and remit the penalty assessed by check or money order to the State of Iowa in the amount of three hundred twenty five dollars(\$325) within 30 business days after the receipt of this demand letter.

III. Appeals/Hearings

The Program may appeal the DIA decision in accordance with IAC rule 481—67.13 within 30 days of this notice, by submitting a request for appeal to DIA. A contested case hearing will be held pursuant to IAC chapter 481—10. If the Program appeals, the civil penalty will be suspended, pending the appeal process. If the Program does not appeal, the fine is due within 30 days of notice.

IV. Standard Certification

Enclosed you will find the Assisted Living Program Certificate **S0091** with effective dates of **July 24, 2012 through July 23, 2014**.

V. Conclusion

The Program is being assessed a \$500 civil penalty pursuant to Iowa Code section 231C.14 and 481 IAC 67.12(3)(a). The POC submitted on July 17, 2012, has been reviewed and will constitute the final POC related to the on-site visit of June 6, 2012.

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 in regard to this letter and report, please contact your Program Coordinator, Jim Berkley, at 515/281-4116 or **James.Berkley@dia.iowa.gov**

Sincerely,

Ann Martin

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:

Tiffany Reiter, Administrator
BeeHive Homes Assisted Living
2116 1st Ave. East
Spencer, IA 51301

Date of Monitoring Visit:

June 6, 2012

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 were provided by the Program at the time of the on-site.

General Population Program

Number of tenants without cognitive disorder:	10
Number of tenants with cognitive disorder:	1
Total Population of Program at time of on-site	11
TOTAL census of Assisted Living Program	11

Tenant/Family Satisfaction Results – A community meeting was held with 10 tenants. Tenants reported they were comfortable living at the Program. Housekeeping services were completed to their satisfaction and the building and grounds were clean, safe and sanitary. Nursing services were available when needed. Staff was well trained by the Program nurse to provide the cares needed and staff responded within a minute of being called. Staff treated tenants as they wanted to be treated. The food was good with choices of entrée's offered and a variety of fruits and vegetables were offered. There were enough activities offered but tenants would like to have exercise programming in the afternoon. Tenants reported feeling safe living at the Program, made their own decisions related to personal and health related cares. Tenants reported they were receiving the services they expected and were paying for. Tenants reported they would recommend the Program to anyone.

Program History – The program did not receive any regulatory insufficiencies during this certification period.

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

A. Evaluation of Tenant

Monitoring Observation: Tenant #1, an 88 year old, was admitted on 4-2-11 and had diagnoses of: Coronary Artery Disease (CAD), Congestive Heart Failure, Exertional Dyspnea, Chronic Renal Insufficiency, Hyperlipidemia, Restless Leg Syndrome and Depression. Annual functional and health evaluations were completed on 3-2-12, but a cognitive evaluation was not completed annually.

Tenant #2, an 81 year old, was admitted on 2-15-12 and had diagnoses of: Lumbar Stenosis, Colon Polyps, Hypertension (HTN), CAD, Osteomyelitis, Hyponatremia, Hyperlipidemia, Carpal Tunnel Syndrome and a History of Bladder Cancer. Functional and health evaluations were completed the day of admission and within 30 days of admission, but a cognitive evaluation was not completed prior to or on the day of admission and not within 30 days of admission.

Regulatory Insufficiency: A program shall evaluate each prospective tenant's functional, cognitive and health status prior to the tenant's signing the occupancy agreement and taking occupancy of dwelling unit in order to determine the tenant's eligibility for the program, including whether the services needed are available. The cognitive evaluation shall utilize a scored, objective tool. When the score from the cognitive evaluation indicates moderate cognitive decline and risk, the Global Deterioration Scale shall be used at all subsequent intervals, if applicable. If the tenant subsequently returns to the tenant's mildly cognitively impaired state, the program may discontinue the GDS and revert to a scored cognitive screening tool. The evaluation shall be conducted by a health care professional or human services profession. (IAC r. 481-69.22(1))

Regulatory Insufficiency: A program shall evaluate each tenant's functional, cognitive and health status within 30 days of occupancy. A program shall also evaluate each tenant's functional, cognitive and health status as needed with significant changes, but not less than annually, to determine the tenant's continued eligibility for the program and to determine any changes to services needed. The evaluation shall be conducted by a health care professional or human services professional. A licensed practical nurse may complete the evaluation via nurse delegation when the tenant has not exhibited a significant change. (IAC r. 481-69.22(2))