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GOVERNOR

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LT. GOVERNOR

RODNEY A. ROBERTS, DIRECTOR

Complaint/Incident Intake #: 45738-C

October 22, 2013

Ms. Tammy Olson, Executive Director
Village at Legacy Pointe Assisted Living
1650 SE Holiday Crest Circle
Waukee, IA 50263

**RE: Final Complaint/Incident Investigation Report – Village at Legacy Pointe
Assisted Living, Waukee, IA**

Dear Ms. Olson:

Enclosed is the **Final Complaint/Incident Investigation Report** from the on-site monitoring visit of October 21, 2013, 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 515/281-7039 or **Rose.Boccella@dia.iowa.gov**

Sincerely,

Rose Boccella

Rose Boccella
Program Coordinator
Adult Services Bureau

Enclosure

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

Assisted Living Program:

Tammy Olson, Executive Director
Village at Legacy Pointe Assisted Living
1650 SE Holiday Crest Circle
Waukee, Iowa 50263

Complaint/Incident Intake #:

45738-C

Date of Complaint/Incident Investigation:

October 21, 2013

Monitor(s):

Maribeth Freland RN

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.

General Population Program	
Number of tenants without cognitive disorder:	33
Number of tenants with cognitive disorder:	1
Total Population of Program at time of on-site	34
TOTAL census of Assisted Living Program	34

Program History – During the August 2013, Complaint Investigation (44887-C), the Program received regulatory insufficiencies in the areas of Tenant Rights and Medications.

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

Structural Requirements

Complaint/Incident Allegation: It was alleged the program had unpleasant odors emanating in tenants' apartments.

- **Monitoring Observation:** The monitor held a group meeting which was attended by six tenants. All six tenants reported the program provided adequate housekeeping services and all six denied noting any unpleasant odors in the common areas of the building or in individual apartments. One tenant indicated Tenant #4, who lived on the second floor, had previously experienced foul odors exuding from a janitor's closet which was located next door to Tenant #4's apartment.

The monitor toured the first and second floors noting the common areas to be clean and odor free. The monitor noted one janitor's closet on each floor. Each janitor's closet had a floor sink which was used to fill and empty mop buckets. Neither janitor's closet had any unpleasant or foul odors.

The monitor interviewed the tenants who resided next door to each janitor's closet and immediately across the hall from the janitor's closets.

During interview, Tenant #1, a cognitively intact tenant who resided next door to the first floor janitor's closet, denied noting any foul odors exuding from the janitor's closet. The monitor noted no foul odors located within Tenant #1's apartment.

During interview, Tenant #2, a cognitively intact tenant who resided across the hall from the first floor janitor's closet, denied noting any foul odors exuding from the

janitor's closet. The monitor noted no foul odors located within Tenant #2's apartment.

During interview, Tenant #3, a cognitively intact tenant who resided across the hall from the first floor janitor's closet, denied noting any foul odors exuding from the janitor's closet. The monitor noted no foul odors located within Tenant #3's apartment.

During interview, Tenant #4, a cognitively intact tenant who resided next door to the second floor janitor's closet, denied noting any foul odors exuding from the janitor's closet for the past couple of weeks. Tenant #4 reported noting a sewer-like odor in his/her apartment twice with the most recent being a couple weeks ago. Tenant #4 reported the program had explained the odor was coming from the janitor's closet next door due to the sink getting used too infrequently. Tenant #4 reported he/she believed the program had taken care of the odors in a timely fashion. The monitor noted no foul odors located within Tenant #4's apartment.

During interview, Tenant #5, a cognitively intact tenant who resided across the hall from the second floor janitor's closet, denied noting any foul odors exuding from the janitor's closet. Tenant #5 reported his/her neighbor across the hall, Tenant #4, had experienced foul odors emitting from the janitors closet on more than one occasion. The monitor noted no foul odors located within Tenant #5's apartment.

During interview, the Director reported approximately two weeks ago Tenant #4's family member reported noting a sewer-like odor emitting from the second floor janitor's closet into Tenant #4's apartment. The Director reported an understanding that the maintenance personnel were to be assuring water was run into the floor sink located in the second floor janitor's closet on a routine basis to flush out standing water. Maintenance personnel had forgotten to flush the sink traps, which resulted in the sewer-like odor..

During interview, the Director of Environmental Services reported approximately six months prior, Tenant #4's family member noted a sewer-like gas emanating from the janitor's closet located on the second floor. The odor was emanating into Tenant #4's apartment. The program had determined the odor was occurring because housekeeping staff members routinely filled their mop buckets in the first floor janitor's closet and transported the mop buckets up to the second floor via the elevator; therefore, the floor sink in the second floor janitor's closet got used very infrequently. Due to the infrequent use, the sink trap dried out, causing the drain to emit an unpleasant odor. The program put into place a plan to run water down the drain on a routine basis in an attempt to stop the drain from emitting the foul odor. Approximately two weeks ago, Tenant #4's family member reported noticing the foul odor had returned. The Director of Environmental Services immediately came to the program to address Tenant #4's family member's concerns. The Director of Environmental Services reported a belief that the maintenance personnel had inadvertently omitted the flushing of the floor sink drain, causing the odor to return. The Director of Environmental Services indicated he immediately flushed the drain and dumped bleach into the drain. The Director reported he gave Tenant #4's family member his direct cellular phone number so the family member could contact the Director if the odor returned. The Director reported no further issues with the odor

had been reported. The Director of Environmental Services indicated he had personally been running water through the sink drain weekly and planned to continue to flush the drain on a weekly basis.

Tenant #4 had experienced a foul odor emanating into his/her apartment on more than one occasion. The program put a process in place to take care of the odor. Program personnel did forget to flush the sink drain approximately two weeks ago but the program responded immediately and had since been controlling the odor.

- Regulatory Insufficiency: None noted.