IOWA DEPARTMENT OF
INSPECTIONS & APPEALS

HEALTH FACILITIES DIVISION
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Complaint/Incident Intake #:
49335-C
50567-C

November 20, 2014

Ms. Felicia Owens, Manager
Rose of Des Moines
1330 19th Street
Des Moines, IA 50314

RE: Final Complaint/Incident Investigation Report, Rose of Des Moines, Des Moines, IA 50314

Dear Ms. Owens:

Enclosed is the **Final Complaint/Incident Investigation Report** 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, following an investigation by DIA on **November 18, 2014.** The following allegations were investigated in regards to Complaints #49335-C and 50567-C: Structural concerns related to mice and bugs in the building and dips in the flooring, Occupancy Agreement related to billing for meal delivery to apartments, Food Service related to improper cooking of food resulting in tough meat and hard rice, Service Plans related to improper care, and Criteria for Admission and Retention related to tenants exceeding level of care.

Based on observations, staff and tenant interviews, a review of tenant files, incident reports, and a review of menus, the following areas were unsubstantiated.

1. Allegation – Level of Care

   Findings- Not Substantiated
   Comments – Three tenants were reviewed after being identified through interview as tenants who required the most care. One tenant was in a hospice program. None exceeded criteria for admission and retention at an assisted living program.

2. Allegation – Service Plan

Findings – Not Substantiated
Comments – Service plans were reviewed for the three tenants identified as requiring the most care from the program. Service plans met the identified needs of the tenants including toileting assistance, hygiene assistance, history of falls, and resistance to cares.

3. Allegation – Food Service

   Findings – Not Substantiated
   Comments – The program maintained a current food license, provided menus signed by a dietitian and served portions as directed by the dietitian. There are no assisted living regulations related to the quality of the food. An inspection of the kitchen was completed by the Food Division of DIA on 11-14-14 which revealed no insects in the kitchen, but a fly strip was found which was removed and corrected at the time of the onsite visit by the Food Division.

4. Allegation – Occupancy Agreement

   Findings – Not Substantiated
   Comments - Interviews revealed one tenant routinely received meal trays delivered to the apartment and was billed for the service. The "In-House Service Plan Summary" was signed by this tenant which acknowledged the program would be billing the tenant for meal delivery.

5. Allegation – Structural

   Findings – Substantiated and Not Substantiated
   Comments – The concern related to dips in the flooring on the second and third floors of the building was not substantiated as a safety hazard. A tenant in a nearby apartment on the second floor who was observed using a walker denied issues with the floor. Incident reports were reviewed for three months which did not identify any falls or injury related to the flooring.

The concern related to mice in the building was substantiated. The Report notes a Regulatory Insufficiency in the area(s) of: Structural Requirements.

Each Regulatory Insufficiency requires that the Program submit a written Plan of Correction (POC).

In preparing the POC, please use the tenant identifiers from the Report, i.e. Tenant #1, when reference is made to specific tenants. If your response includes a specific tenant's assessment or service plan, it is the Program's responsibility to conceal the tenant's name in order to maintain the tenant's anonymity. Your response shall include the following:

1. Elements detailing how the Program will correct each regulatory insufficiency.
2. What measures will be taken to ensure the problem does not recur.
3. How the Program plans to monitor performance to ensure compliance.
4. The date by which the regulatory insufficiency will be corrected.

Please note that all regulatory insufficiencies must be **corrected within 30 days of the date of the exit conference**; however, there may be situations where the timeframe may be shortened or lengthened, at the discretion of the department.

The POC must be submitted/emailed to DIA to my attention within ten (10) working days of receipt of this letter. It may be necessary for DIA to revisit the Program to confirm progress in fulfilling the POC's corrective measures.

As provided by IAC rule 481-67.14, you are afforded one opportunity to refute cited regulatory insufficiencies through the informal conference process. A request for an informal conference must be made within 20 working days of the notice or service of this letter and the final report. Please refer to rule 67.14 for more information.

If you have any questions in regard to 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

DEPARTMENT OF INSPECTIONS AND APPEALS

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	S0223	A. BUILDING: _____ B. WING _____	C 11/18/2014

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
ROSE OF DES MOINES	1330 19TH STREET DES MOINES, IA 50314

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
A 000	481-69 Initial Comments 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 visit. General Population Program Number of tenants without cognitive disorder: 49 Number: of tenants with cognitive disorder: 0 Total Population of Program at time of visit: 49 TOTAL census of Assisted Living Program 49 The following insufficiency was cited during the investigation of Complaints #49335-C and 50567-C.	A 000		
A 154	481-69.35(1)b Structural Requirements 481-69.35(231C) Structural requirements. 69.35(1) General requirements. b. The buildings and grounds shall be well-maintained, clean, safe and sanitary. This REQUIREMENT is not met as evidenced by: Based on observations and staff interviews the program did not maintain the building in a clean, safe and sanitary manner A mouse problem was identified in the building and a pest control company provided services for mice on 10-3-14. Evidence of mouse droppings continued in an apartment during the onsite visit of 11-17-14, as mouse droppings were evident on the kitchen counter and behind the refrigerator. Two tenants reported seeing a mouse just days before the	A 154		

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A 154	Continued From page 1	A 154		

onsite visit. Open trays of mouse bait, identified by the program-provided MSDS as a rodenticide, was left on the kitchen counter in one apartment, despite directions not to place bait in areas where there was a possibility of contaminating food or surfaces that come in direct contact with food.

Complaint #50567-C alleged mice ran over counters and the mouse infestation was not being controlled with the current measures.

Staff A was interviewed on 11-17-14 at 11:41 a.m. and stated she knew of three tenants with mice. Tenant #1 had mouse droppings on the kitchen counter three weeks ago, but Staff A did not look for droppings on this day, Tenant #2 caught two mice in a trap and Staff A reported she removed them from the apartment, and Tenant #3 reported seeing a mouse in the living room, but Staff A did not see it.

Staff B was interviewed on 11-17-14 at 9:20 a.m. and stated Tenant #3 reported on 11-15-14 seeing a couple mice in the apartment. Staff B stated she did not see any mouse droppings. Staff B reported Tenant #1 had mouse bait in the apartment.

Staff C was interviewed on 11-17-14 at 12:08 p.m. and stated Tenant #1 and Tenant #4 had mouse traps in their apartments.

Maintenance was interviewed on 11-17-14 at 10:15 a.m. and stated there were three apartments that had mice. Tenant #1, Tenant #2, and Tenant #5 resided in those apartments. Maintenance reported a pest control company had come when there was a mouse problem and holes were filled. A receipt from a pest control company documented services were provided for

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A 154	Continued From page 2 mice on 10-3-14. Maintenance reported the mouse problem had been taken care of. Tenant #1 was interviewed on 11-17-14 at 8:30 a.m. Tenant #1 reported the apartment shared a wall with the garage where the garbage was kept. Tenant #1 reported seeing mice on the counters, under the stove, and on the floor. Tenant #1 reported drowning a mouse in the sink "last week." Tenant #1 reported last seeing a mouse on 11-16-14. Tenant #1 stated it was reported to the Administrator a couple weeks ago about the mice, and three weeks ago an outside pest company was here. Tenant #1 reported the need to clean the countertops daily and has had to clean underneath the stove top to remove mouse droppings. Tenant #1 stated the mouse problem was first noticed about a month ago. Tenant #1 believed the mice came in the apartment from underneath the door as there was a gap between the bottom of the door and the sill plate. The apartment was observed to have six glue boards and boxes and two open bait trays. One bait tray was on the floor in the corner of the living room and the other was on the kitchen countertop along with foodstuffs including boxed cereal and cooked green beans. Mouse droppings were observed on a canister located on the kitchen countertop. Tenant #1 confirmed mouse droppings were on the canister. Mouse droppings were also present on the floor behind the refrigerator. Tenant #1 identified Tenants # 4 and #5 as other tenants with mouse problems. Maintenance went to Tenant #1's apartment with the monitor on 11-17-14 at 10:15 a.m. Maintenance confirmed the presence of mouse droppings on the canister on the kitchen	A 154		

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A 154	Continued From page 3 countertop and behind the refrigerator. Maintenance reported the mouse bait was used at the recommendation of the pest control company. Tenant #2 did not respond to knocks on the door. The apartment was not observed. Tenant #3 was interviewed on 11-17-14 at 2:35 p.m. Tenant #3 reported about a month earlier someone entered the apartment and stated they thought they saw a mouse run in. A glue trap was placed by Maintenance near the front door at that time. Tenant #3 stated "yesterday" he/she saw a mouse in the living room near a chair, and then the mouse ran under the furniture. Tenant #3 stated he/she reported the mouse to staff and was waiting for Maintenance to arrive to follow up. Tenant #3 reported no mouse droppings were seen and none were seen by the monitor. One glue board was observed by the front door. The glue board contained dirt and/or lint, but did not contain a mouse. Tenant #3's apartment was located in the same hallway as Tenant #1. Tenant #4 was interviewed on 11-17-14 at 11:33 a.m. and stated about a month ago, a personal mouse trap was used and a mouse was caught. Tenant #4 reported no further issues with mice. Four glue boards were present in the apartment. The mouse trap was observed in the set position near the front door. Maintenance and the monitor entered Tenant #5's apartment with permission and with Tenant #5 present during the interview of 11-17-14 at 10:15 a.m. Six glue boards were present. Tenant #5 reported mice were present about a month	A 154		

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A 154	Continued From page 4 earlier. Maintenance reported the mouse problem resolved when Tenant #5 was encouraged to keep the apartment cleaner. Maintenance was shown the items under the sink in the Community Room. A roach trap which contained no bugs was discarded by Maintenance. A metal box which contained openings at either end but on the same side was reported by Maintenance to be a live-trap mouse trap. The trap contained a glue board that was blackened. Maintenance opened the box and reported the glue board contained hair and lint and then discarded the glue board. Maintenance returned the trap to a position underneath the sink with the entrance holes away from the wall. Maintenance was asked what the pest control company reported as to mouse behavior. Maintenance reported mice ran along a wall. Maintenance was asked if the trap should be positioned so that the entrance holes were along the wall. Maintenance repositioned the trap accordingly. Maintenance was asked to provide a copy of the Material Safety Data Sheet (MSDS) for the mouse bait. Maintenance provided the MSDS for a name-brand bait. Maintenance reported the pest control company recommended the use of the bait. The MSDS identified the product as a rodenticide and to use the product only as directed on the container label. The program was asked if a container label was available. It was reported the program had no more unopened containers of bait. Directions for use of the bait tray was found on the Internet for the same brand as identified on the MSDS. The directions indicated bait was not to be placed in areas where there was a	A 154		

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A 154	Continued From page 5 possibility of contaminating food or surfaces that came in direct contact with food. During the tour of Tenant #1's apartment, the open bait tray was on the kitchen countertop along with foodstuffs including boxed cereal and cooked green beans. Mouse droppings were observed on a canister located on the kitchen countertop.	A 154		

The Rose of Des Moines
1330 19th Street
Des Moines, Iowa 50314

Contact: Angela Adam, Executive Director: 515-250-9261 or
Felicia Owens, Administrator: 515-554-3557

RE: Plan of Correction (POC) for Final Complaint/Incident Investigation Report, Rose of Des Moines, Iowa 50314

Plan of Correction:

5. **Allegation – Structural**
   Findings – Substantiated (Not Substantiated portion not included in POC)
   Regulatory Insufficiency: Structural Requirements 481-69.35(1)(b) The buildings and grounds shall be well-maintained, clean, safe and sanitary

   Elements detailing how the Program will correct the insufficiency:
   The pest control company came back out on November 21st and exterminated the mice in Tenant #1 and #3's units. The pest control company did a follow up visit on November 26th and saw no signs of mice in either unit or within the building.

   What measures will be taken to ensure the problem does not recur:
   Our professional pest control company had been coming out monthly and as needed in between scheduled visits.

   When very cold weather hit and the mice were initially reported, the pest control company worked with us in placing additional traps, filling any potential access points and regularly following up. The professional pest control company inspected the building on Friday November 17th and saw no signs of activity. It is possible that the two weekend reports were a result of mice entering the building through the garage over the weekend prior to the investigation Monday morning. We are taking steps to ensure the garage door is not left open unattended for any amount of time.

   Going forward, the pest control company will have a technician on our property at least once every two weeks to monitor and adjust our general pest control program. As usual, we can still call them in between visits as needed.

   How the Program plans to monitor performance to ensure compliance:
   The program will continue to monitor for signs of activity and respond to tenant reports in a timely fashion.

   The date by which the regulatory insufficiency will be corrected:
   We got the all clear form the pest control company on 11/26/2014.