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
	S0011	A. BUILDING: _____ B. WING _____	C 09/29/2022

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BICKFORD COTTAGE BURLINGTON	3301 STERLING DR BURLINGTON, IA 52601

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A 000	Initial Comments Assisted Living Programs for People with Dementia are defined by the population served. The census numbers were provided by the Program at the time of the on-site. General Population Number of tenants without cognitive disorder: 39 Number of tenants with cognitive disorder: 1 Memory Care Unit: Number of tenants without cognitive disorder: 0 Number of tenants with cognitive disorder: 6 TOTAL Census of Assisted Living Program for People with Dementia : 46 The following regulatory insufficiencies were cited during the investigation into Complaints #107955-C, #108055-C:	A 000		
A 130	481-67.2(1)e Program Policies and Procedures 67.2(1) The program's policies and procedures on incident reports, at a minimum, shall include the following: e. All accidents or unusual occurrences within the program's building or on the premises that affect tenants shall be reported as incidents. This REQUIREMENT is not met as evidenced by: Based on interview and record review, the program failed to complete incident reports for all unusual occurrences involving 2 of 4 tenants reviewed (Tenant #2 and Tenant #3). Findings	A 130		

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follow:

Record review on 9/28/22 revealed an Incident Report dated 9/23/22 at 8:30 PM. Tenant #3 yelled for help and Staff A promptly responded to her apartment, where she found Tenant #2 and Tenant #3. Tenant #3 claimed Tenant #2 was going to kill her. Staff A removed Tenant #3 from the apartment to another area of the building and asked her for more information about the situation. Tenant #3 reported Tenant #2 pushed her and held her down on the bed with intentions to rape her. Tenant #3 stated the relationship had been going on for quite some time and she felt she was naive at first but has lately realized she had been taken advantage of.

Following the first event, Staff B wrote a statement about an incident, which happened later in the evening (no time provided). Staff B brought Tenant #3 back to her apartment and found Tenant #2 was still in there. Tenant #3 would not enter the room knowing he was in there. Tenant #3 kept saying, "I am scared of him" and "I do not want him near me". Tenant #3 expressed she was afraid Tenant #2 was going to beat her up as well as Staff B. When Staff B entered the apartment, Tenant #2 did not want to leave until Tenant #3 entered the room. Tenant #2 walked near the doorway and Tenant #3 yelled, "no, no, no". Another tenant and a family member heard the yelling and came out to the hall to intervene. Tenant #3 stepped into her apartment and the family member was left with Tenant #2 in the hall. Once in the apartment, Tenant #3 reported she did not want to be alone as she was scared Tenant #2 would break in and hurt her. Once Staff B got Tenant #3 settled, she exited the apartment and found Tenant #2 standing outside the door. She locked Tenant

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#3's door so Tenant #3 could exit but no one could enter and assisted Tenant #2 to his apartment.

When interviewed on 9/28/22 at 3:00 PM, Staff C recalled the other night, Tenant #3 said she wanted to go to her room and Tenant #2 said he wanted to join her. Tenant #2 was irate, loud, not making any sense and verbally aggressive. Staff C tried to redirect Tenant #2. Tenant #2 started cutting off his Wanderband. He said he was doing it because they were both consenting adults. He said he couldn't wait until Tenant #3 could service him (sexually) every night.
Staff C went in to give Tenant #3 her medication at 5:00 AM on 9/21/22 and did not find her in her own apartment. Staff C then went to look for her in Tenant #2's apartment. Staff C found Tenant #2 masturbating and pushing Tenant #3's head down toward his penis. Tenant #2 told Staff C she was not supposed to be there and you can't take her from me. I deflowered her, I'm going to marry her, she belongs to me. Tenant #3 was trying to pacify Tenant #2 during the conversation and told Staff C Tenant #2 told me to come in here. Tenant #2 told Tenant #3 not to take her medication. Staff C assisted Tenant #3 to her own apartment for medication. Staff C came back to the room around 5:20 AM and found Tenant #2 in Tenant #3's apartment. He had no pants on. He was masturbating. Staff C asked Tenant #2 to leave and made a complaint to the Director.

When interviewed on 9/29/22 at 1:55 PM, Staff D reported Tenant #3 received daily medication at 4:00 AM. About one month ago, the med aide told her Tenant #3 wasn't in her room but said she believed Tenant #3 was in Tenant #2's apartment. They entered the apartment and

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Tenant #2 was laying in his bed. Tenant #3 was sitting on the end of the bed with a shirt on but no pants and seemed really confused. Staff I asked Tenant #3 if she was hurt or did he attack you but Tenant #3 did not answer, which was unusual. Tenant #3 was crying and looking for her clothes. It took the staff members 20 minutes to get Tenant #3 to her apartment which was right around the corner from Tenant #2's apartment.

When interviewed on 9/28/22 at 4:20 PM, Staff B reported she worked on 9/23/22 and wrote a statement about the events of the night. She said when she found Tenant #3 following the incident, she was only wearing pants, a jacket and a bra but no shirt. Staff B reported more so in the evening, Tenant #3 had instances of not wanting to be around Tenant #2. One night Staff B and another staff member came out of a room and Staff A was speaking with Tenant #2 and Tenant #3. Staff A was repeating to Tenant #2, Tenant #3 doesn't want to go with you. Tenant #2 was saying you (Tenant #3) have to go with me. Staff B walked Tenant #3 to her room, and Tenant #2 followed them. Tenant #2 kept looking back and said I don't want him following me, I'm not going anywhere with him. Staff A took Tenant #2 to his room.

When interviewed on 9/28/22 at 2:40 PM Staff A confirmed the events she wrote in the Incident Report dated 9/23/22. Staff A reported one time they had to escort Tenant #3 to her apartment because Tenant #2 had been so condescending and demanding. He wanted Tenant #3 to drive him to the bank and he wouldn't take no for an answer (Tenant #3 doesn't have a car). She tried to calm Tenant #2 down and eventually had to walk away. Staff A said staff have to intervene 3-4 times a week in similar situations between

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A 130	Continued From page 4 Tenant #2 and Tenant #3. A review of the record for Tenant #2 and Tenant #3 revealed no Incident Reports for these events. The program had an Incident and Accident Report policy. Incidents and accidents were to be documented on the Incident Report form immediately following the occurrence. The person in charge at the time of the incident or accident should prepare and sign the Report. The Report shall include statements from all witnesses, if any. Incident Reports are to be kept on file on premises, for a minimum of three years. The RNC confirmed these findings on 9/29/22 at 2:30 PM.	A 130		
A 155	481-67.3(1) Tenant Rights 481-67.3 Tenant rights. All tenants have the following rights: 67.3(1) To be treated with consideration, respect, and full recognition of personal dignity and autonomy. This REQUIREMENT is not met as evidenced by: Based on interview and record review, the program failed to ensure Tenant #3 was treated with consideration, respect, and full recognition of personal dignity. This pertained to 1 of 4 tenants reviewed (Tenant #3). Findings follow: Record review on 9/28/22 revealed an Incident Report dated 9/23/22 at 8:30 PM. Tenant #3	A 155		

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yelled for help and Staff A promptly responded. She found Tenant #3 and Tenant #2 in the apartment. Tenant #3 claimed Tenant #2 was going to kill her. Staff A removed Tenant #3 from the room to another area of the building and asked her for more information about the situation. Tenant #3 reported Tenant #2 pushed her and held her down on the bed with the intention of raping her. Tenant #3 stated the relationship had been going on for quite some time and she felt she was naive at first but realized she had been taken advantage of.

Following the first event, Staff B wrote a statement about an incident, which happened later in the evening (no time provided). Staff B brought Tenant #3 back to her apartment and found Tenant #2 was still in there. Tenant #3 would not go into the room while he remained there. Tenant #3 kept saying, "I am scared of him" and "I do not want him near me". Tenant #3 expressed she was afraid Tenant #2 was going to beat her up as well as Staff B. Tenant #2 walked near the doorway and Tenant #3 yelled, "no, no, no". Another tenant and a family member heard the yelling and came out to the hall to intervene. Tenant #3 stepped into her apartment with Staff B and the family member was left with Tenant #2 in the hall. Once in the apartment, Tenant #3 reported she did not want to be alone as she was scared Tenant #2 would break in and hurt her. Once Staff B got Tenant #3 settled, she exited the apartment and found Tenant #2 standing outside the door. She locked Tenant #3's door so Tenant #3 could exit but no one could enter and assisted Tenant #2 to his apartment.

When interviewed on 9/28/22 at 2:40 PM Staff A confirmed the events she wrote in the Incident Report dated 9/23/22. Staff A reported one time

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they had to escort Tenant #3 to her apartment because Tenant #2 had been so condescending and demanding. He wanted Tenant #3 to drive him to the bank and he wouldn't take no for an answer (she doesn't have a car). She tried to calm him down and eventually had to walk away. Staff had to intervene 3-4 times a week in situations between him and Tenant #3.

When interviewed on 9/28/22 at 4:20 PM, Staff B stated she was working on 9/23/22 and wrote a statement about the events of the night. She said when she found Tenant #3 following the incident, she was only wearing pants, a jacket and a bra but no shirt.
Staff B said in the evening, Tenant #3 had increased instances of not wanting to be around Tenant #2. One night Staff B and another staff member came out of a room and saw Staff A speaking with Tenant #2 and Tenant #3. Tenant #3 was sitting in a chair. Staff A was repeating to Tenant #2, Tenant #3 doesn't want to go with you. Tenant #2 was telling Tenant #3 you have to go with me. Staff B walked Tenant #3 to her room, and Tenant #2 followed them. Tenant #2 kept looking back and said I don't want him following me, I'm not going anywhere with him. Staff A took Tenant #2 to his room.
Tenant #3 would say I don't want to be with him. Sometimes Tenant #2 would respect his and other times he would act out. It usually took two staff members to intervene in these situations.

When interviewed on 9/28/22 at 3:00 PM, Staff C recalled the other night, Tenant #3 said she wanted to go to her room and Tenant #2 said he wanted to join her. Tenant #2 was irate, loud, verbally aggressive and not making any sense. Tenant #2 started to cut off his wanderband. He said he was doing it because he and Tenant #3

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were both consenting adults. He said he couldn't wait until Tenant #3 could service him (sexually) every night.
Staff C went in to give Tenant #3 her medication at 5:00 AM on 9/21/22 and did not find her in her own apartment. Staff C then went to look for her in Tenant #2's apartment. Staff C found Tenant #2 masturbating and pushing Tenant #3's head down toward his penis. Tenant #2 told Staff C she was not supposed to be there and you can't take her from me. I deflowered her, I'm going to marry her, she belongs to me. Tenant #3 was trying to pacify Tenant #2 during the conversation and told Staff C, Tenant #2 told me to come in here. Tenant #2 told Tenant #3 not to take her medication. Staff C assisted Tenant #3 to her own apartment for medication. Staff C came back to the room around 5:20 AM and found Tenant #2 in Tenant #3's apartment. He had no pants on and was masturbating. Staff C asked Tenant #2 to leave and made a complaint to the Director.

When interviewed on 9/29/22 at 1:55 PM, Staff D said Tenant #3 received daily medication at 4:00 AM. About one month ago, the med aide told her Tenant #3 wasn't in her room but said she believed Tenant #3 was in Tenant #2's apartment. They entered the apartment and Tenant #2 was laying in his bed. Tenant #3 was sitting on the end of the bed with a shirt on but no pants and seemed really confused. Staff I asked Tenant #3 if she was hurt or did he attack you but Tenant #3 did not answer, which was unusual. Tenant #3 was crying and looking for her clothes. It took the staff members 20 minutes to get Tenant #3 to her apartment which was right around the corner from Tenant #2's apartment.

When interviewed on 9/28/22 at 9:55 AM, Staff E

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said Tenant #2 yelled at Tenant #3 in the dining room on 9/27/22. Tenant #3 was moved to another table. When Staff E administered medication to Tenant #3, Tenant #2 would follow her. Sometimes, Tenant #2 yelled at Tenant #3. Staff E thought Tenant #3 would ask staff to keep Tenant #2 away from her about once per day due to his yelling and intimidating manner.

When interviewed on 9/28/22 at 10:20 AM, Staff F stated Tenant #2 and Tenant #3 sit next to each other in the dining room. Tenant #2 became aggressive in the dining room. Once he was screaming at Tenant #3 and she said, please stop. Staff F moved Tenant #3 and Tenant #3 said Tenant #2 would follow her. When Tenant #3 moved to a new spot in the dining room, Tenant #2 stared at her. Staff F said Tenant #2 walked up to Tenant #3 and kissed her on the lips and she asked him not to do this. Staff F stated there were many times in the dining room or in Tenant #3's apartment when she saw Tenant #2 grab the elbow of Tenant #3. Staff F reported Tenant #2 would ask Tenant #3 to do something and Tenant #3 would tell him she wanted no part of his sexual activity at least two times a week.

When interviewed on 9/28/22 at 10:55 AM, Staff G reported staff had to intervene in situations on a daily basis between Tenant #2 and Tenant #3. Tenant #2 would grab Tenant #3's arm or become verbally aggressive toward her.

When interviewed on 9/28/22 at 11:15 AM, Staff H stated Tenant #2 was very possessive of Tenant #3. When Tenant #3 received physical therapy, staff had to distract Tenant #2 because he would not leave Tenant #3 alone. They had to lock Tenant #3's door to keep him out because he would knock on the door, yell and become angry.

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A 155	Continued From page 9 When interviewed on 9/28/22 at 9:30 AM, Staff I reported Tenant #2 was possessive and angry in his interactions with Tenant #3. When Tenant #3 had physical therapy, Tenant #2 would follow her to these appointments. His presence at times kept staff from providing 1:1 care. The RNC confirmed these findings on 9/29/22 at 2:30 PM.	A 155		
A 350	481-69.26(1) Service Plans 69.26(1) A service plan shall be developed for each tenant based on the evaluations conducted in accordance with subrules 69.22(1) and 69.22(2) and shall be designed to meet the specific service needs of the individual tenant. The service plan shall subsequently be updated at least annually and whenever changes are needed. This REQUIREMENT is not met as evidenced by: Based on interview and record review, the program failed to update the service plan of 1 of 4 tenants reviewed when their needs changed (Tenant #2). Findings follow: Record review on 9/28/22 revealed an Incident Report dated 9/23/22 at 8:30 PM. Tenant #3 yelled for help and Staff A promptly responded. Tenant #3 claimed Tenant #2 was going to kill her. Staff A removed Tenant #3 from Tenant #2 to another area of the building and asked her for more information about the situation. Tenant #3 reported Tenant #2 pushed her and held her	A 350		

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down on the bed with intentions to rape her. Tenant #3 stated the relationship had been going on for quite some time and she felt she was naive at first but has lately realized she had been taken advantage of.

Following the first event, Staff B wrote a statement about an incident, which happened later in the evening (no time provided). Staff B brought Tenant #3 back to her apartment and found Tenant #2 in there fixing the bed. Tenant #3 would not go into the room knowing he was in there. Tenant #3 kept saying, "I am scared of him" and "I do not want him near me". Tenant #3 expressed she was afraid Tenant #2 was going to beat her up as well as Staff B. When Staff B entered the apartment, Tenant #2 did not want to leave until Tenant #3 entered the room. Tenant #2 walked near the doorway and Tenant #3 yelled, "no, no, no". Another tenant and a family member heard the yelling and came out to the hall to intervene. Tenant #3 stepped into her apartment and the family member was left with Tenant #2 in the hall. Once in the apartment, Tenant #3 reported she did not want to be alone as she was scared Tenant #2 would break in and hurt her. Once Staff B got Tenant #3 settled, she exited the apartment and found Tenant #2 standing outside the door. Tenant #3 said he had a piece of mail to give to Tenant #3. Staff B said she would give this to Tenant #3 in the morning and assisted Tenant #2 to his apartment. She locked Tenant #3's door so Tenant #3 could exit but no one could enter.

- On 9/28/22 at 2:40 PM Staff A confirmed the events she wrote in the Incident Report dated 9/23/22. Staff A reported one time they had to escort Tenant #3 to her apartment because Tenant #2 had been so condescending and

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demanding. He wanted Tenant #3 to drive him to the bank and he wouldn't take no for an answer (she doesn't have a car). She tried to calm him down and eventually had to walk away. Staff have to intervene 3-4 times a week in situations between him and Patricia.

- On 9/28/22 at 4:20 PM, Staff B stated she was working on 9/23/22 and wrote a statement about the events of the night. She said when she found Tenant #3 following the incident, she was only wearing pants, a jacket and a bra but no shirt.

In the evening, Tenant #3 increasingly had instances of not wanting to be around Tenant #2. One night Staff B and another staff member came out of a room and Staff A speaking with Tenant #2 and Tenant #3. Staff A was repeating to Tenant #2, Tenant #3 doesn't want to go with you. Tenant #2 was saying you have to go with me. Staff B walked Tenant #3 to her room, and Tenant #2 followed them. Tenant #2 kept looking back and said I don't want him following me, I'm not going anywhere with him. Staff A took Tenant #2 to his room.

Tenant #2 would say I don't want to be with him. Sometimes Tenant #2 would understand this and other times he would act out. It usually took two staff members to intervene in these situations.

- On 9/28/22 at 3:00 PM, Staff C recalled the other night, Tenant #3 said she wanted to go to her room and Tenant #2 said he wanted to join her. Tenant #2 was irate, loud, verbally aggressive and not making any sense. Tenant #2 started cutting off his wanderband. He said he was doing it because they were both consenting adults. He said he couldn't wait until Tenant #3 could service him (sexually) every night.

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(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 350	Continued From page 12 Staff C went in to give Tenant #3 her medication at 5:00 AM on 9/21/22 and did not find her in her own apartment. Staff C then went to look for her in Tenant #2's apartment. Staff C found Tenant #2 masturbating and pushing Tenant #3's head down toward his penis. Tenant #2 told Staff C she was not supposed to be there and you can't take her from me. I deflowered her, I'm going to marry her, she belongs to me. Tenant #3 was trying to pacify Tenant #2 during the conversation and told Staff C Tenant #2 told me to come in here. Tenant #2 told Tenant #3 not to take her medication. Staff C assisted Tenant #3 to her own apartment for medication. Staff C came back to the room around 5:20 AM and found Tenant #2 in Tenant #3's apartment. He had no pants on. He was masturbating. Staff C asked Tenant #2 to leave and made a complaint to the Director. - On 9/29/22 at 1:55 PM, Staff D said Tenant #3 received daily medication at 4:00 AM. About one month ago, the med aide told her Tenant #3 wasn't in her room but said she believed Tenant #3 was in Tenant #2's apartment. They entered the apartment and Tenant #2 was laying in his bed. Tenant #3 was sitting on the end of the bed with a shirt on but no pants and seemed really confused. Staff I asked Tenant #3 if she was hurt or did he attack you but Tenant #3 did not answer, which was unusual. Tenant #3 was crying and looking for her clothes. It took the staff members 20 minutes to get Tenant #3 to her apartment which was right around the corner from Tenant #2's apartment. - On 9/28/22 at 9:55 AM, Staff E said Tenant #2 yelled at Tenant #3 in the dining room on 9/27/22. Tenant #3 was moved to another table. When	A 350		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	S0011	A. BUILDING: _____ B. WING _____	C 09/29/2022

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BICKFORD COTTAGE BURLINGTON	3301 STERLING DR BURLINGTON, IA 52601

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A 350	Continued From page 13	A 350		

Staff E administers medication to Tenant #3, Tenant #2 will follow her. Sometimes, Tenant #2 yells at Tenant #3. Staff E thought Tenant #3 would ask staff to keep Tenant #2 away from her about once per day due to his yelling and intimidating manner.

- On 9/28/22 at 10:20 AM, Staff F stated Tenant #2 and Tenant #3 sit next to each other in the dining room. Tenant #2 becomes aggressive in the dining room. Once he was screaming at Tenant #3 and she said, please stop. Staff F moved Tenant #3 and Tenant #3 said Tenant #2 will follow me. When Tenant #3 moved to a new spot in the dining room, Tenant #2 stared at her. Staff F said Tenant #2 walks up to Tenant #3 and kisses her on the lips and she asks him not to do this. Staff F stated there were many times in the dining room or in Tenant #3's apartment when she saw Tenant #2 grab the elbow of Tenant #3. Staff F reported Tenant #2 would ask Tenant #3 to do something and Tenant #3 would tell him she wanted no part of his sexual activity at least two times a week.

- On 9/28/22 at 10:55 AM, Staff G reported staff had to intervene in situations on a daily basis between Tenant #2 and Tenant #3. Tenant #2 would grab Tenant #3's arm or become verbally aggressive toward her.

- On 9/28/22 at 11:15 AM, Staff H stated Tenant #2 was very possessive of Tenant #3. When Tenant #3 received physical therapy, staff had to distract Tenant #2 because he would not leave Tenant #3 alone. They had to lock Tenant #3's door to keep him out because he would knock on the door, yell and become angry.

- On 9/28/22 at 9:30 AM, Staff I reported Tenant

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	S0011	A. BUILDING: _____ B. WING _____	C 09/29/2022

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
BICKFORD COTTAGE BURLINGTON	3301 STERLING DR BURLINGTON, IA 52601

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A 350	Continued From page 14 #2 was possessive and angry in his interactions with Tenant #3. When Tenant #3 had physical therapy, Tenant #2 would follow her to these appointments. His presence at times kept staff from providing 1:1 care. Tenant #2 had a service plan dated 9/12/22. According to his service plan, Tenant #2 occasionally became angry and agitated. Staff were to redirect him and use therapeutic communication to deescalate the behavior. Tenant #2 was involved in a relationship with another tenant. He was capable of choosing with whom he wanted to be in a relationship. Tenant #2 and the other tenant were to notify the RNC if any changes were made with either party and their understanding/support of the relationship. Tenant #2's service plan did not address his verbal, physical or sexual aggression with his partner and the service plan was not updated to address this significant change in his behavior. The RNC confirmed these findings on 9/29/22 at 2:30 PM.	A 350		