Iowa Department of Inspections and Appeals
Health Facilities Division
Citation

Citation Number: **#5950**			**Date:** **December 21, 2022**
Facility Name: **Iowa City Rehab & Health Care**		**Survey Dates:** **November 14, 2022 – December 8, 2022**	
Facility Address/City/State/Zip: **3661 Rochester Avenue** **Iowa City, IA 52245**	**TAG**		

Rule or Code Section	Nature of Violation	Class	Fine Amount	Correction date
58.11(3)	**481—58.11(135C) Personnel.** **58.11(3)** Employee criminal record checks, child abuse checks and dependent adult abuse checks and employment of individuals who have committed a crime or have a founded abuse. The facility shall comply with the requirements found in Iowa Code section 135C.33 and rule 481—50.9(135C) related to completion of criminal record checks, child abuse checks, and dependent adult abuse checks and to employment of individuals who have committed a crime or have a founded abuse. (I, II, III) **DESCRIPTION:** Based on personnel file review, staff interviews, and facility policy review the facility failed to complete background checks prior to employment and failed to await the response for record check evaluations to indicate the employee could work at the facility prior to employment for two of five Contracted Direct Care Staff files reviewed for background checks (Staff W and Staff F) and also failed to ensure one of five staff members reviewed for Dependent Adult Abuse Training had current training (Staff A, Licensed Practical Nurse (LPN).The facility reported a census of 53 residents.	**CLASS II**	**$500 (HELD IN SUSPENSION)**	**UPON RECEIPT**

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Facility Administrator Date

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	Findings Include: 1. On 11/30/22 at approximately 3:00 PM, the personnel file for Staff W, Certified Nursing Assistant (CNA), revealed a contract between Staff W, referred to as a contractor, and the name of the facility and corporation effective 10/28/22 to 11/20/22. Review of the background check information for Staff W revealed the Single Contact License and Background Check (SING) had been run 10/28/22, and the results of a Record Check Evaluation dated 11/4/22 indicated the staff member may work. 2. On 11/30/22 at 3:08 PM, the personnel file for Staff F, Licensed Practical Nurse revealed a contract between Staff F, referred to as a contractor, and the name of the facility effective 10/31/22 to 12/1/22. Review of background check information for Staff F revealed the SING had been run 11/10/22, and the results of a Record Check Evaluation dated 11/17/22 indicated the staff member may work. On 12/5/22 at 1:45 PM, Staff O, Administrator from a sister facility, explained a background check should be completed upon hire, and acknowledged the staff should not be be placed on the schedule until after the Record Check Evaluation came back and the			

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	Department of Public Health and Human Services (Formerly DHS) had verified the person could work. 3. On 11/30/22, review of the personnel file for Staff A, LPN documented the employee had been hired 3/26/19. Review of the Dependent Adult Abuse (DAA) Training for Mandatory Reporters certificate present in Staff A's file revealed the training had been completed 12/28/16. The certificate documented the training met the 5 year training requirements. On 12/5/22 at 10:03 AM, Staff N, Administrator, provided a DAA training certificate for Staff A which revealed training completion on 12/3/22. On 12/05/22 at 1:43 PM, Staff O, Administrator from a sister facility, acknowledged DAA training was to be completed within six months of hire. When queried in regard to the frequency after this, Staff O explained they need to go check. The Facility Policy titled Abuse Prevention Program & Reporting Policy dated 9/14 and reviewed 8/19 documented, Screen all potential employees prior to hire for a history of abuse, neglect, or mistreating residents/patients, exploitation and/or misappropriation of resident property during the hiring process. Screening will consist of, but not be limited to:			

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	a. Inquiries into State licensing authorities. b. Inquiries into State nurse aide registry/Dependent adult/child abuse registry. c. Reference checks from previous and/or current employers. d. Criminal background checks. The policy also documented the following pertaining to Iowa: Each employee shall be required to complete two hours of training relating to the identification and reporting of Dependent Adult Abuse within six months of initial employment. Each employee shall complete at least two hours of additional Dependent Adult Abuse identification and reporting training every three years. The policy also documented, Mandatory Reporter Training completed prior to July 1, 2019 will still be valid for five years from the date of completion.			
58.28(3)e	481—58.28(135C) Safety. The licensee of a nursing facility shall be responsible for the provision and maintenance of a safe environment for residents and personnel. (III) 58.28(3) Resident safety. e. Each resident shall receive adequate supervision to protect against hazards from self, others, or elements in the environment. (I, II, III)	**CLASS I**	**$6,750.00 (HELD IN SUSPENSION)**	**UPON RECEIPT**

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	DESCRIPTION: Based on observation, clinical record review, policy review, and staff interviews, the facility failed to ensure the functioning of a wanderer alert device worn by a resident with a known history of leaving the building, in order to prevent an elopement for 1 of 3 residents reviewed for elopement (Resident #3). Resident #3's wanderer alert device was not in functioning order allowing Resident #3 to exit the facility on 10/31/22 and staff only became aware of the elopement when another resident observed Resident #3 walking down a highly traveled street in front of the facility. The facility also failed to check the wanderer alert device on a regular basis to know the resident's wanderer alert device was not in working order due to the fact the device was expired. Staff who were interviewed stated they had minimal training as to what to check regarding wanderer alert devices and were checking for placement but not function. This failure resulted an Immediate Jeopardy (IJ) to the safety of a resident who resided at the facility. The facility reported a census of 53 residents.			

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	Findings Include: 1. The Minimum Data Set (MDS) Assessment Tool, dated 4/22/22, listed the Resident #3's Brief Interview for Mental Status (BIMS) score as 7 out of 15, indicating severely impaired cognition. The MDS dated 7/22/22, listed diagnoses for Resident #3 which included non-Alzheimer's dementia, difficulty walking, and muscle weakness. The MDS documented the resident was independent with transfers and walking. The MDS section on cognitive patterns was blank and lacked documentation regarding the resident's cognitive status. The MDS dated 10/22/22, lacked documentation staff completed the assessment. A 6/26/22 Progress Note stated the resident eloped from the building around 8:00 a.m. and a Certified Nursing Assistant (CNA) heard the alarm sounding and found the resident walking up the driveway. A 6/30/22 Progress Note stated the facility received an order for a WanderGuard (an electronic wanderer alert device). The resident's Elopement Risk, dated 7/5/22, stated the resident was at high risk for elopement.			

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	8/9/22 Care Plan entries directed staff to check the placement and function of the WanderGuard each shift and stated if the resident was actively exit seeking staff should redirect his attention or walk with him outside. A 9/18/22 Progress Note stated the resident exited the facility and a nurse and CNA saw him and ran and caught him. A 10/2/22 Progress Note stated the resident had increased wandering in the halls and into other resident rooms and stated staff redirected him multiple times. The October 2022 Treatment Administration Record (TAR) directed staff to check the placement and function of the WanderGuard every shift. The TAR included Staff A's, Licensed Practical Nurse (LPN) initials documented for 3 shifts and Staff C's, LPN initials documented for 12 shifts. The TAR lacked staff initials to indicate the completion of the checks for 13 shifts. A 10/31/22 Progress Note stated another resident notified the facility by phone that Resident #3 was walking up the street. The Note stated staff immediately went up the street in a car and saw the			

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	resident approximately 5 blocks to the left of the facility walking on the sidewalk. The staff members drove him back to the facility. A 10/31/22 Care Plan entry stated the resident required 1:1 supervision. An 11/1/22 Progress Note stated the resident remained on 1:1 supervision. An 11/2/22 Progress Note stated the resident remained 1:1 for supervision. An 11/3/22 12:43 p.m. Progress Note stated the facility applied a new WanderGuard to the resident and it was activated and tested prior to placement. An 11/3/22 12:47 p.m. Progress Note stated the resident's WanderGuard worked properly and 1:1 supervision was discontinued. During an observation on 11/14/22 at 4:00 p.m., Staff F, Licensed Practical Nurse (LPN) checked Resident #3's WanderGuard bracelet with the WanderGuard Universal Tester and the tester flashed green. The undated WanderGuard Universal Tester Operating Instructions, utilized as education by the facility, stated it was important to test WanderGuard			

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	bracelets before putting into use and daily thereafter. The instructions stated failure to do so could result in injury or death and instructed staff to hold the tester within one foot of the bracelet. The instructions stated if the bracelet was operational, the LED would flash green four times. The facility policy "Elopement" dated 6/18/19, stated the facility would evaluate residents for the risk of elopement and Care Plan appropriately. During an interview on 11/14/22 at 12:49 p.m., the Maintenance Supervisor stated when Resident #3 eloped the WanderGuard system on the door was working but the resident's bracelet was not due to being outdated. He stated there were 3 residents who had the bracelets and they were all outdated and stated after the elopement the facility ordered new bracelets but could not get them right away due to the facility having an outstanding bill with the WanderGuard company. He stated he checked the doors daily but the Nursing Staff checked the WanderGuard bracelets. During a phone interview on 11/14/22 1:13 p.m., Staff A, LPN stated there were 3 residents who had a WanderGuard bracelet. She stated the orders directed staff to check the placement of the bracelets. She stated she did not look that closely at the			

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	WanderGuard and she just made sure it was on. Staff A reported she knew there was a remote to check the function but she was not "walked through" that process. She explained after Resident #3 eloped, "corporate" made a procedure of what to if anyone eloped but stated she was not sure if there were any instructions on how to use the remote to check function. Staff A stated on the day Resident #3 eloped she had just started her shift. She stated someone notified the nurse that someone saw the resident out on [street name in front of the facility] past the 4 way stop. She stated she got in the car with Staff D, former Interim Director of Nursing (DON) and Staff B, CMA (Certified Medication Aide) and the staff members picked up the resident. During an interview on 11/14/22 at 1:31 p.m., Staff B, stated the facility had a device to check the WanderGuard bracelets to see if they were working. She stated staff was supposed to check this every day but she had not seen it done. She stated she was working the day that Resident #3 eloped. She stated when Resident #12 returned back to the facility after an outing, stated he saw Resident #3 walking down the street. Staff B stated, she, along with Staff D and Staff A got into Staff A's car and drove down [name of street in front of the facility] and picked the resident up in the car. She stated she thought the resident got out the front door but she did not hear it alarm. She			

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	stated when they brought the resident back to the facility his WanderGuard bracelet did not work. During an interview on 11/14/22 at 2:21 p.m., Resident #12 stated on the day Resident #3 eloped he was on a bus coming back to the facility. He stated he was about a mile away and saw Resident #3 on [street name]. He stated the resident looked disheveled and had no shoes on. Resident #12 stated he was not exactly sure where the resident was but it was not within walking distance. He stated he reported it to facility staff when he returned to the facility and stated staff started to leave and look for the resident on foot but he informed them they needed a car because it was not in walking distance. During a phone interview on 11/15/22 at 10:17 a.m., Staff C, LPN stated she was not sure who checked the WanderGuard bracelets. She reported she did not have to do this and did not know how staff checked the bracelets for functionality. During a phone interview on 11/15/22 at 11:26 a.m., Staff E, former DON stated at some point between May and October of 2022, the facility ran out of WanderGuards and stated the company would not send them new ones because of outstanding bills. During a phone interview on 11/15/22 at 12:55 p.m.,			

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	Staff D, former Interim DON stated on the day of the resident's elopement after they returned to the facility with the resident, his WanderGuard was not functioning and she did not know why. During an interview on 12/6/22 at 12:19 p.m., the Director of Nursing (DON) stated she reeducated staff regarding the WanderGuards and answering the door alarm in a timely manner. **FACILITY RESPONSE:**			

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