



October 2021

Suspected abuse: What and when to report

Reporting abuse requirements for hospitals

State rules require hospital staff to [report any instances of suspected dependent adult abuse](#) to the Iowa Department of Inspections and Appeals (DIA). [Iowa Code Chapter 235E](#) provides the department with statutory authority to receive and investigate reports of suspected dependent adult abuse in licensed healthcare facilities. To help clarify who should report, when to report, and what to report, some main points are outlined below, however, this is not comprehensive list. Please refer to state rules and federal code for additional topics not covered in this newsletter.

Deficiencies and citations

C-1008/1022 Patient Care Policies

The policies are developed with the advice of members of the CAH's professional healthcare staff, including one or more doctors of medicine or osteopathy and one or more physician assistants, nurse practitioners, or clinical nurse specialists (if on staff). These policies are reviewed at least biennially by the group of professional personnel required, and are reviewed as necessary by the CAH.

Examples of deficiencies

1. The CAH's professional healthcare staff did not review policies from all CAH departments and services.
2. The CAH's professional healthcare staff only reviewed policies that were new or revised.
3. The CAH was unable to provide documentation that a physician reviewed all policies.
4. The CAH was unable to provide documentation that a nurse practitioner or physician assistant reviewed all policies.

Tips to avoid C-1008/1022 deficiencies

1. All policies from all departments and services must be reviewed by the CAH's professional healthcare staff. Develop a schedule for each department or service line to review their policies.

Who must report dependent adult abuse?

Mandatory reporters are required to report child and dependent adult abuse. Each hospital shall ensure that written policies and procedures cover all requirements for the mandatory reporting of abuse pursuant to the Iowa Code.

Per [Iowa Administrative Code \(IAC\) 481.51.7\(5\)](#), each hospital shall provide that the treatment records of victims of child abuse or dependent adult abuse which includes a statement that the Iowa Department of Human Services' (DHS) protective services was contacted. Per [Iowa Code 235E.2\(1\)\(a\)](#), DIA shall receive and evaluate reports of dependent adult abuse in facilities and programs.

An employee of a facility or program who, in the course of employment, examines, attends, counsels, or treats a dependent adult in a facility or program and reasonably believes the dependent adult has suffered dependent adult abuse per [IAC 481.52.2](#).

Per [Iowa Code 235E.2\(2\)](#). A staff member or employee of a facility or program who, in the

2. CAHs must demonstrate through meeting minutes or other documentation that all members of the review committee, including the designated physician(s), physician assistant(s) or nurse practitioner(s), have had the opportunity to review, revise and approve all CAH department and service policies.

Deficiencies cited in September 2021

- Immediate jeopardy (IJ) deficiencies: 1 (A-0385)
- Emergency Medical Treatment and Active Labor Act (EMTALA) deficiencies: 0

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Contact us

If you have any questions or concerns, or if there are topics you would like to see covered in this newsletter or at a future lunch-and-learn, please contact **Megan Montalvo** at megan.montalvo@dia.iowa.gov or **515.249.9648**.

course of employment, examines, attends, counsels, or treats a dependent adult in a facility or program and reasonably believes the dependent adult has suffered dependent adult abuse, shall report the suspected dependent adult abuse to DIA.

For example: When a nurse diverts medication from a dependent adult, this should be reported to DIA.

When should you notify DIA of suspected abuse?

Hospital staff are required to immediately notify the person in charge or the person's designated agent, who shall then notify DIA within 24 hours of allegations of suspected dependent adult abuse. If the person in charge is the alleged dependent adult abuser, the staff member shall directly report the abuse to DIA within 24 hours per Iowa Code [235E.2\(3\)\(a\)](#).

Acute care hospitals and critical access hospitals with swing beds must follow the reporting timeframes in the state operations manual (located at A-1566 and C-1612). Additionally, CMS requires a staff member suspected of dependent adult abuse separated from all

potential victims (other dependent adults) while the hospital staff investigate the allegation of dependent adult abuse.

When reporting abuse, what information should you report?

Per [IAC 481.52.2\(2\)\(f\)](#), a report of suspected dependent adult abuse shall contain as much of the following information as the person making the report is able to furnish:

- The date and time of the incident;
- The name, date of birth, and diagnoses of the dependent adult;
- Whether the dependent adult sustained an injury and, if yes, whether photographs of the injury were taken;
- The nature and extent of the dependent adult abuse, including evidence of previous dependent adult abuse allegations;
- A list of the staff members working at the time of the incident, including each staff member's full name, title, date of birth,

address, and telephone number;

- The alleged perpetrator's full name, title, date of birth, social security number, address, and telephone number;
- Other information which the person making the report believes might be helpful in establishing the cause of the abuse or the identity of the person or persons responsible for the abuse or helpful in providing assistance to the dependent adult;
- The name, address, and telephone number of the person making the report.

State and federal abuse references

Relevant dependent adult abuse chapters should be reviewed to ensure hospitals are reporting suspected dependent adult abuse accordingly which include but not limited to: [IAC 481.51](#) (Hospitals), [IAC 481.52](#)(Dependent Adult Abuse in Facilities and Programs), [Iowa Code Chapter 235E](#)(Dependent Adult Abuse in Facilities and

Programs) [Iowa Code Chapter 235B](#)(Dependent Adult Abuse Services – Information Registry).

Additionally, [appendices](#) from the Centers for Medicare and Medicaid Services' (CMS) [state operations manual](#) for both acute care hospitals ([Appendix A](#)) and critical access hospitals ([Appendix W](#)) require the hospital staff to report instances of suspected dependent adult abuse to DIA.

Report dependent adult abuse to DIA at dia-hfd.iowa.gov.

Employee spotlight



Julie Paulsen started with the Health Facilities Division in July 2021 as a health facilities surveyor.

Julie earned her associate degree in nursing from the University of South Dakota.

Julie has an extensive background in nursing which includes, hospital, clinic, long-term care, school, and secondary education experience in her years as a nurse.

Julie enjoys being outdoors, riding utility terrain vehicles, deer hunting with a bow, any sports, gardening, and spending time with her family and friends. She farms with her husband, Randy, near Paulina. They have three children and six grandchildren, with another grandchild expected in December. Julie feels like being a grandma has been the best part of her life.

Iowa Department of Inspections and Appeals

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