

Froze In the Moment

The nursing home failed to implement its policies for abuse to prevent an alleged perpetrator CNA 2 from having access to two residents during an ongoing investigation of alleged sexual abuse.

Resident 29 was cognitively intact and always incontinent of bladder (urine) and bowel (stool) functions.

During an interview, Police Officer stated he was called to the nursing home to investigate an alleged sexual abuse against CNA 2, which was reported by both resident 29 and resident 60.

During an interview, resident 29 stated CNA 2 have touched her inappropriately about 15 times in the last three years. Resident 29 stated CNA 2 would put gloves on and put lotion on his gloves and finger me. The resident stated the last time it occurred was three weeks ago when CNA 2 started “playing with me by sticking a couple of fingers up my vagina.” She didn’t notify the nursing home because she was embarrassed. The resident stated her responsible party notified the nursing home about not wanting a male CNA assigned to her care. The resident was afraid and did not feel safe at the nursing home.

During an interview held three days later, resident 29 stated CNA 2 called her and told her to get together with resident 60 and retract the allegations of sexual abuse made by them because he loved them. The resident stated CNA 2 stated only the two residents could save him from jail and from losing his job. The resident told CNA 2 he should have thought about it before. The resident stated not feeling safe in the nursing home because of what CNA 2 could possibly do to both the residents coming forward about the alleged sexual abuse. The resident stated being afraid of CNA 2 coming back to the nursing home.

During an interview, resident 60, who was cognitively intact (based on MDS assessment), stated that about a month ago, she told CNA 2 she was not feeling good. CNA 2 responded to her, “I am going to come and make you feel good tonight baby.” CNA 2 gave her a massage which the resident thought was inappropriate because CNA 2 was rubbing lotion on her legs up to her thighs telling her he had a crush on her and asked if he could kiss her. The resident stated she said “No” because it was inappropriate. She did not report the alleged sexual abuse because she was a prior rape victim and froze in the moment when CNA 2 sexually solicited her. Resident 60 stated she was asked by CNA 2 to drop the allegations of abuse because he could lose his job. The resident stated she was afraid CNA 2 would come back and attack her and resident 29 because his job was at stake and there was a chance for him to go to jail. The resident stated she was afraid of retaliation because CNA 2 felt attacked.

CNA 2 denied the sexual abuse allegations and stated he called resident 29 and 60 to clarify why they made false sexual abuse allegations and called resident 29 again to ask her to drop the allegations because they were not true. CNA 2’s employment was terminated due to his interference with the investigation.

Name of Nursing Home	Los Palos Post-Acute Care Center / Provider ID: 055527
Address	1430 West 6 th Street, San Pedro, California
Date investigation completed	July 2, 2021
Type of deficiency issued	F607 – Develop/Implement Abuse/Neglect, etc. Policies
Severity level	Minimal Harm or Potential for Actual Harm
Overall Quality Star Rating: 4; Staffing Rating: 2	

Investigation report: <https://www.medicare.gov/care-compare/inspections/pdf/nursing-home/055527/health/standard?date=2021-07-02>