

Punched in the Face

The nursing home failed to ensure that: a. resident 24 was free from abuse; and b. policies and procedures prevented abuse of resident 24.

Resident 24’s medical record indicated that the resident had no cognitive score due to her/his inability to complete the questions related to dementia.

An Incident Report indicated that CNA 4 punched resident 24 in the face. The incident was witnessed by CNA orientee 1 and immediately reported to the Administrator and Director of Nursing (DON).

Review of the nursing home’s investigation of the incident revealed that on a Friday at 3:05 PM, CNA 4 and CNA orientee 1 were in resident 24’s bedroom providing care. Resident 24 became combative and hit CNA 4 in the face. CNA 4 then punched resident 24 twice in the face, causing a bloody nose and mouth. CNA 4 initially called CNA 5 to the bedroom and stated resident 24 hit his head on the bed, but then admitted to hitting resident 24. CNA orientee 1 left the room and went to alert the nurse to resident 24’s injury and CNA 4 clocked out and left the nursing home. CNA orientee 1 went to the Administrator and DON to inform them of the incident. At 3:44 PM, the nursing home contacted local law enforcement, reported the incident, and sent resident 24 to the hospital for evaluation.

CNA 4 was asked to return to the building to be questioned related to the incident. CNA 4 appeared to be under the influence of some substance, and a urine test was administered, but the urine specimen provided did not have high enough temperature to be utilized.

The local police initially declined to take the case, stating CNA 4 acted in self-defense. The Administrator contacted the local Sherriff on the same day (Friday) and further explained the situation. The Sherriff was informed that all staff, including CNAs, were trained to walk away and not retaliate when residents become combative. The Sherriff stated that the situation had been handled incorrectly by the police and a warrant should have been obtained for the CNA’s arrest, but it would likely be Monday as it was the weekend. The Administrator stated that after an initial police refusal to pursue legal action against CNA 4, the police did become involved, and charges were sought against CNA 4 for striking resident 24.

At 8:00 PM on the same day of the incident, CNA 4 had been hospitalized after a car wreck in which CNA 4 was driving and tested positive for alcohol and an unknown substance. CNA 4 did not return a call to discuss the incident and her/his employment was terminated. CNA orientee 1 left the employment with the nursing home and did not respond to attempted phone calls.

Name of Nursing Home	Dundee Manor, LCC / Provider ID: 425118
Address	710 15-401 Bypass, West, Bennettsville, South Carolina
Date investigation completed	September 19, 2019
Type of deficiency issued	F600 – Freedom from Abuse, Neglect, and Exploitation F607 – Develop/Implement Abuse/Neglect, etc. Policies
Severity level	Actual Harm
Overall Quality Star Rating: 1; Staffing Rating: 2	

Investigation report: <https://www.medicare.gov/care-compare/inspections/pdf/nursing-home/425118/health/standard?date=2019-09-19>