

**Wisconsin Department of Health and Family Services
Bureau of Quality Assurance**

<i>COMPLAINT INVESTIGATION SUMMARY – CASE A</i>

On October 20, 2005, surveyor Callie Cole, was doing a routine survey at ABC facility. While conducting the initial tour, she noticed that a resident, Bob Brown, had a swollen, cut lip. Callie selected Bob for one of her resident interviews. During the interview, which was initiated at 11:00 a.m., Bob revealed that caregiver Joe Jones hit him on the lip. He said that Joe was mad at him because he was taking too much time to get ready in the morning and had missed the bus for work 5 times. Bob said, “Talk to Chuck (Chuck Collins). He saw the whole thing.”

Callie immediately proceeded with her investigation regarding this incident. Sources of information included:

1. Interview with Chuck Collins, resident/witness
2. Ed Edwards, unit supervisor
3. Joe Jones, caregiver
4. Debbie Dogwood, caregiver on Joe’s unit
5. Record Review of previous facility compliance

Resident Chuck Collins was interviewed at 11:30 a.m. He said that they had just finished eating dinner a few nights ago and had come in to the living room to watch TV. They were going to watch Bob’s favorite show, *Wheel of Fortune*. When Joe (Joe Jones) saw that Bob was going to sit down to watch TV, he came over to Bob and told him he couldn’t watch the show. Joe said that Bob had missed too much work because he couldn’t get ready in time, so, he should go to his room and go to bed. Then, maybe he’d be able to get up and get going in the morning. Bob didn’t like that, so he “took a swing” at Joe. Joe was real mad and counted to 10, then he “smacked” Bob in the lip. Callie asked Chuck to show her how Joe smacked Bob. Chuck made a fist and said that Joe hit Bob, “like a boxer.” Callie asked Chuck if he told anyone about what happened. He said he told Ed (Ed Edwards).

Ed Edwards, Unit Supervisor, was interviewed at 12:15 p.m. He verified that Chuck had told him about Joe smacking Bob. Ed said that Chuck is a “busy body” and always gets in to other people’s business. He tends to exaggerate everything that happens on the unit and likes to get people riled up. Ed said that Joe has worked at ABC for 15 years, is a unit leader, and was being considered for a promotion. In fact, Joe teaches new unit staff about ABC’s policies and procedures for de-escalating aggressive behavior. He is one of Ed’s best employees and has never been a problem. Ed pulled Joe off of the unit to discuss the incident with him. He felt confident that Joe was just doing what he had to do to protect himself, according to facility policy.

Joe Jones, caregiver, was interviewed at 2:30 p.m. when he arrived for the PM shift. He said he was surprised about how this situation was being blown out of proportion. He admitted hitting Bob, but said he did it out of self-defense because Bob was about to hit him in the head, and Bob

is very strong when he's mad. Joe said he was "disrespected" by Bob and that Bob knows what the consequences are for missing work. Callie asked about the strategies that are used with Bob to de-escalate his aggressive behavior. Joe recited the behavior program, but nothing was mentioned about sending Bob to bed early.

Debbie Dogwood, a caregiver who has worked with Joe Jones for 5 years, was interviewed at 3:15 p.m. She said she wasn't on the unit when this incident happened, but she saw the cut on Bob's lip when she returned. Callie asked her if she had ever seen Joe get angry with any of the residents. Debbie said that Joe is a really hard worker but that he sometimes gets bossy and has "an attitude" with the residents. She also said that since Joe has worked at ABC for a long time, he likes to have things his way.

The record review shows that ABC has typically had a good compliance history. They had citations in the past regarding inappropriate use of restraints, inadequate day treatment programming for some residents, and isolation in behavioral programming.