

IOWA BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

---

IN THE MATTER OF:	)	CASE NO. 02-005
	)	
JENNIFER WULFKUHLE	)	
License No. 270-02102,	)	<b>STATEMENT OF</b>
	)	<b>CHARGES</b>
Respondent.	)	

---

TO THE ABOVE-NAMED RESPONDENT:

The Iowa Board Examiners for Nursing Home Administrators has jurisdiction over this matter pursuant to Iowa Code chapters 17A, 155, and 272C (2001) and (2003).

Licenses issued by the Board are subject to the laws of the state of Iowa and to the administrative rules of the Board.

Respondent Jennifer Wulfekuhle, Nursing Home Administrator, was at all times during the following events licensed to practice as a nursing home administrator. Respondent was issued license number 270-02102 to practice as a nursing home administrator in the state of Iowa, as recorded in the permanent records in the office of the Board. Respondent's license to practice as a nursing home administrator is current until December 31, 2003.

Respondent's current address as reported to the Board is 1373 240<sup>th</sup> Street, Manchester, Iowa, 52057.

**COUNT I**

Respondent is charged with violating Iowa Code sections 155.18(3) and 272C.10(3) and the Board's administrative rules found at 645 Iowa Administrative Code sections 144.1(3) and 144.1(7) by engaging in unethical conduct and practices harmful or detrimental to the public; by knowingly making misleading, deceptive, untrue, or fraudulent representations in the practice of nursing home administration; and by willful or repeated violations of any statute or rule

pertaining to a nursing home.

### **CIRCUMSTANCES**

1. In 2001 and 2002 Respondent was employed as the administrator of the Cresco Care Center, a long-term care facility located in Cresco, Iowa.
2. As the administrator, Respondent was responsible for the day-to-day operation of the facility and for ensuring that the facility was in compliance with all laws and regulations governing the facility.
3. The Respondent's specific duties as the administrator also included the safekeeping and management of resident funds, for which the administrator has a fiduciary duty. Examples of funds for which the administrator has fiduciary duties include personal funds held in resident accounts, resident activity and memorial funds, and resident pop machine funds. All such managed funds remain the property of the resident and the administrator has a duty to manage and account for the funds.
4. The Respondent was also responsible for ensuring that the residents were maintained at their highest practicable level and were free from dependent adult abuse or exploitation, including financial exploitation.
5. In 2001 and 2002 and while employed as a nursing home administrator, the Respondent repeatedly misappropriated resident funds from the facility pop fund, the facility activity and memorial fund and from residents' personal accounts. Facility audit information regarding the funds misappropriated by the Respondent indicates that the Respondent misappropriated at least \$3000.00 from these funds.
6. When questioned regarding the missing funds, the Respondent gave misleading responses to the facility staff charged with investigating the missing funds.

7. The Respondent's conduct in repeatedly misappropriating residents funds constitutes unethical conduct, practices harmful and detrimental to the public, theft and exploitation.

8. The Respondent has engaged in conduct providing the board with jurisdiction to take disciplinary action pursuant to the statutory and regulatory provisions cited above.

### **FINDING OF PROBABLE CAUSE**

On January 16, 2003 the Iowa Board of Examiners for Nursing Home Administrators found probable cause to file this State of Charges and to order that a hearing be set in this case.

This Statement of Charges is approved by the board on February 24, 2003.