

**BEFORE THE BOARD OF NURSING HOME ADMINISTRATORS
OF THE STATE OF IOWA**

IN THE MATTER OF

SAMARRA SMITH
License No. 081403

RESPONDENT

CASE NOs.: 2023-0133 and 2023-0222

**VOLUNTARY SURRENDER OF
LICENSE THROUGH CONSENT
ORDER**

COME NOW the Iowa Board of Nursing Home Administrators (“Board”) and Samarra Smith (“Respondent”), and enter into this Voluntary Surrender of License through Consent Order (“Voluntary Surrender”) pursuant to Iowa Code sections 17A.10(1) and 272C.3(4).

A. JURISDICTION AND BACKGROUND

1. **Iowa License**. Respondent was issued Iowa license number 081403 on March 16, 2017. Respondent’s Iowa nursing home administrator license expired on December 31, 2023, and is inactive.

2. **Jurisdiction**. The Board has jurisdiction in this matter pursuant to Iowa Code chapter 155.

B. STATEMENT OF CHARGES

Count I

3. Respondent is charged with violation of a regulation, rule, or law of this state, another state, or the United States, which relates to the practice of nursing home administrators, in violation of 645 Iowa Admin. Code r. 144.2(14), specifically for the deficiencies attributable to Respondent's responsibilities in administering a nursing home identified in the survey completed

by the Department of Health and Human Services Centers for Medicare and Medicaid Services Deficiency Report (2567) on June 8, 2023.

C. FACTUAL CIRCUMSTANCES

4. Respondent was a licensed nursing home administrator. Respondent served as a nursing home administrator at Promedica Skilled Nursing & Rehabilitation Center West Des Moines which later became Harmony West Des Moines. ("Promedica/Harmony") in West Des Moines, Iowa, beginning in or about November 21, 2020, until on or about June 16, 2023.

5. As the administrator, Respondent was responsible for the day-to-day operation of Promedica/Harmony and for ensuring that the facility complied with all state and federal laws. Respondent was also responsible for ensuring that the highest degree of quality care practicable was delivered to residents.

6. During Respondent's time serving as nursing home administrator for Promedica/Harmony, surveys performed at the facility by the Iowa Department of Inspections and Appeals Health Facilities Division identified violations of the federal regulations governing the facility.

7. A survey completed on June 8, 2023 identified deficiencies in violation of federal law that related directly to the responsibilities of Respondent in administering the facility, including: (a) a failure to administer a facility in a manner that enables it to effectively and efficiently use resources to attain or maintain the well-being of each resident; (b) a failure to adequately evaluate the facility's resident population and identify required resources and staffing levels needed to provide residents with necessary care and services; (c) a failure to make a good faith effort to identify and correct deficient practice at the facility; (d) a failure to ensure the facility designated a qualified

professional to serve as the infection preventionist; and (e) a failure to ensure staff serving as nurse aide completed in-service training.

D. SETTLEMENT AGREEMENT

8. Without admission of wrongdoing or guilt, Respondent does not contest the violations alleged in the above-stated statement of charges.

9. Respondent acknowledges that they have a right to a hearing before the Iowa Board of Nursing Home Administrators on the merits of the charges. By freely and voluntarily entering into this Voluntary Surrender, Respondent waives their right to a hearing and all attendant rights, including the right to seek judicial review. This Voluntary Surrender constitutes the final agency order in this contested case pursuant to Iowa Code § 17A.10.

10. Respondent agrees that the Assistant Attorney General may present this Voluntary Surrender to the Iowa Board of Nursing Home Administrators and may have *ex parte* communications with the Iowa Board of Nursing Home Administrators while presenting it. Respondent waives any right of notice of this meeting or any right that the Respondent might have to participate in the discussion of this Voluntary Surrender among the Iowa Board of Nursing Home Administrators and the Assistant Attorney General.

11. This Voluntary Surrender shall be part of the disciplinary record and permanent licensure file of Respondent and shall be considered by the Iowa Board of Nursing Home Administrators in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations of the laws and rules governing the practice of a nursing home administration by the Respondent.

12. Respondent shall at all future times fully and promptly comply with all pertinent orders of the Board and the statutes and Board rules regulating the practice of nursing home administration. Failure to comply with the terms of this Voluntary Surrender shall be *prima facie* evidence of a violation of Iowa Code §272C.3(2)(a) and shall be grounds for further disciplinary action. However, no action may be taken against Respondent for violations of this Voluntary Surrender without a hearing, or waiver of hearing.

13. This Voluntary Surrender is not binding on Respondent or the Iowa Board of Nursing Home Administrators until it has been formally approved by a majority of the Iowa Board of Nursing Home Administrators' members.

(a) In the event that this Voluntary Surrender is rejected by the Iowa Board of Nursing Home Administrators it shall be of no force or effect to either party and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Iowa Board of Nursing Home Administrators approves this Voluntary Surrender, it shall fully dispose of all issues in this case.

14. Upon acceptance by both the Board and Respondent, this Voluntary Surrender shall be a public record available for inspection and copying in its entirety in accordance with the requirements of Iowa Code chapter 22.

15. Respondent understands that the Board is required by Federal law to report this Voluntary Surrender to the National Practitioner Database.

16. Respondent shall submit a copy of this Voluntary Surrender to all licensing boards where Respondent holds a license, whether active or not, within **THIRTY days** of the date of the Board approval of this Voluntary Surrender.

CONSENT ORDER

IT IS THEREFORE ORDERED:


A. VOLUNTARY SURRENDER: The Respondent voluntarily agrees to surrender her Iowa License 081403 to the Iowa Board of Nursing Home Administrators as sanction for the above-admitted violation. The effective date of the license surrender shall be the date this Voluntary Surrender is accepted by the Board.

B. LICENSEE REAPPLICATION: Reinstatement of Respondent's Iowa license shall be governed by Iowa Code § 272C.15. Respondent specifically acknowledges that pursuant to this agreement, Respondent shall not be eligible to seek reinstatement of their license for a minimum of one year from the date her license surrender is effective.

WHEREFORE, the terms of this Voluntary Surrender of License through Consent Order is agreed to by the Iowa Board of Nursing Home Administrators and Respondent.

FOR THE RESPONDENT:

Voluntarily agreed to and accepted by Samarra Smith on this 5 day of April, 2025.


By: Samarra Smith, Respondent

FOR THE IOWA BOARD OF NURSING HOME ADMINISTRATORS:

Voluntarily agreed to and accepted by the **IOWA BOARD OF NURSING HOME ADMINISTRATORS** on this 14th day of April, 2025.

Michael Schueller

MICHAEL SCHUELLER, Chair
Iowa Board of Nursing Home Administrators