

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
FACILITY LICENSING AND INVESTIGATIONS SECTION**

IN RE: Complete Care at Groton Regency LLC
d/b/a Groton Regency Residences by Complete Care
1145 Poquonnock Road
Groton, CT 06340

Intended Licensee: Complete Care at Groton Regency LLC

PRE- LICENSURE CONSENT ORDER

WHEREAS, Complete Care at Groton Regency LLC is seeking an initial license to operate a Residential Care Home as defined in Conn. Gen. Stat. §19a-490; and

WHEREAS, upon the execution of this Pre-Licensure Consent Order ("Order") and after meeting all statutory and regulatory requirements, Complete Care at Groton Regency LLC ("Intended Licensee") shall be issued a license to operate a Residential Care Home by the Connecticut Department of Public Health ("Department"); and;

WHEREAS, the Department, the Owners, and the Intended Licensee have agreed that this pre-Licensure Consent Order shall become effective on the date the license is granted to Complete Care at Groton Regency LLC; and;

NOW THEREFORE, the Facility Licensing and Investigations Section of the Department of Public Health of the State of Connecticut acting herein and through Donna Ortelle, its Section Chief, and Complete Care at Groton Regency LLC, acting by and through Jacob R. Klugman, Authorized Agent, hereby stipulate and agree as follows:

1. This Order shall remain in effect for a one (1) year period from the effective date of this Order. The effective date of the Order is the day the Department signs the Order.
2. The Intended Licensee shall notify the Department immediately of any intent to discontinue operations. In such event, the Intended Licensee shall be responsible for the

operations and fulfill all resident care obligations until an orderly transfer of all residents to other sources of care has been completed to the Department's satisfaction.

3. Effective upon the execution of this Pre-Licensure Consent Order, the Intended Licensee, through its Owners, shall ensure compliance with the following requirements:
 - a. The Intended Licensee, shall maintain records on file documenting that all new staff received an initial orientation prior to being allowed to work including but not limited to, safety and emergency procedures for staff and residents, resident rights, and policies and procedures of the Intended Licensee;
 - b. Continuing education for program staff shall be required for one (1) percent of the total annual hours worked (to a maximum of twelve (12) hours) per year. Such education shall include, but is not limited to, resident rights, behavioral management, personal care, nutrition, food safety, emergency procedures including fire safety, and health and safety in general;
 - c. The Intended Licensee shall develop and implement written policies and procedures that prohibit mistreatment, neglect, verbal, mental, sexual, and physical abuse of residents, misappropriation of resident property, and exploitation. Such policies and procedures shall include, but not be limited to the following elements: Training, Prevention, Identification, Investigation, Protection, and Reporting/Response.
 - d. Any staff who administer medication shall be certified in accordance with the Regulations of the Connecticut State Agencies Section 19-13-D6 (m). The Intended Licensee shall develop, implement, and enforce written policies and procedures for control and accountability, distribution, and assurance of quality of controlled drugs in accordance with state law and regulations;
4. Any records maintained in accordance with any state law or regulation or as required by this Pre-Licensure Consent Order shall be made available to the Department, upon request for at least five (5) years.
5. Dietary services shall be provided to meet the resident's basic needs.
6. The Intended Licensee shall within fourteen (14) days of the execution of this Pre-Licensure Consent Order, enter into a contract with an Environmental Consulting Firm (ECF) that has expertise in life safety code compliance in a residential care home setting.

Said ECF shall be approved by the Department prior to execution of the contract between the Intended Licensee and the ECF.

7. The ECF shall, at a minimum, conduct onsite reviews of the residential care home's physical plant and compliance with applicable state and federal laws and regulations as it relates to the change of ownership physical plant inspection report and plan of correction approved August 20, 2021. The ECF team shall consist of professionals necessary to address the issues identified in this document.
8. The ECF and the Intended Licensee shall enter into a written contract that includes the following requirements of this Pre-Licensure Consent Order:
 - a. Timeframes for the initial evaluation;
 - b. The number of individuals with appropriate credentials for conducting the review;
and
 - c. The timeframes for the analysis and development of recommendations.
9. The initial onsite review shall be scheduled within thirty (30) days of the execution of the contract with the ECF and shall include the following:
 - a. Evaluation of the change of ownership physical plant inspection report, plan of correction approved August 20, 2021, and the facility's response to the implementation of such plan;
 - b. Review of the facility's assessment of furnishings, to include, but not limited to, resident/patient bedrooms, dining areas and common areas and replacement plan for such, as applicable;
 - c. Review of the facility's generator evaluation with a focus on installation, maintenance and fuel supplies in accordance with state and federal standards and any recommendations as a result of the generator evaluation;
 - d. Review of the facility's fire detection and suppression systems evaluation and maintenance thereof;
 - e. Evaluation of the preventative maintenance program that includes, but is not limited to, respiratory equipment, electric beds, kitchen equipment, enteral feeding pumps, fire detection and suppression systems, and ancillary equipment;
and;

- f. Emergency preparedness procedures to include, but not be limited to, fire response procedures.
10. The ECF shall have thirty (30) days after the completion of the initial onsite review, to develop a report(s) which shall include, in addition to the responsibilities included in paragraph nine (9), the facility's progress with the change of ownership physical plant inspection report, plan of correction approved August 20, 2021, and provide copies to the Intended Licensee and the Department. Neither party shall be provided with the opportunity to review the report prior to release nor shall both parties receive copies of the documents simultaneously. The report shall identify methods utilized for the analysis, areas reviewed and process, findings, and recommendations, if applicable. If the Intended Licensee, the ECF and the Department shall meet to discuss issues, the Intended Licensee shall have the right to present information related to the Intended Licensee, areas of disagreement.
11. The Department shall have the final determination to accept or reject any ECF recommendations should the parties not be able to reach a mutual agreement.
12. Upon approval by the Department of any recommendations by the ECF, the Intended Licensee shall provide the Department with a proposed timeframe for implementation of the ECF recommendations within fourteen (14) days of receipt of the report(s). The timeframes shall be subject to approval by the Department and shall become operative upon the Department's approval. All recommendations shall be implemented in accordance with the Department's approved timeframe.
13. Any records maintained in accordance with any state or federal law or regulation or as required by this Pre-Licensure Consent Order shall be made available to the Department upon request.
14. The ECF shall re-evaluate, at a minimum, the Intended Licensee every three (3) months throughout the tenure of this Pre-Licensure Consent Order following the completion of the initial facility evaluation. The re-evaluation shall monitor implementation of the Intended Licensee change of ownership physical plant inspection report and plan of correction approved August 20, 2021. Upon conclusion of said reviews, the ECF shall provide the Department with a comprehensive report of said assessment. The ECF shall have fourteen (14) days after the completion of the re-evaluation, to develop a report(s)

and provide copies to the Intended Licensee, and the Department. Neither party shall be provided with the opportunity to review the report prior to release nor shall both parties receive copies of the documents simultaneously.

15. The Intended Licensee, within three (3) business days of the execution of this document, shall designate an individual within the Agency to monitor the requirements of this Pre-Licensure Consent Order;
16. All reports pertinent to this document shall be sent to:

Karen Gworek, R.N.
Supervising Nurse Consultant
Facility Licensing and Investigations Section
Department of Public Health
410 Capitol Avenue, P.O. Box 340308, MS #12 HSR
Hartford, CT 06134-0308

17. All parties agree that this Pre-Licensure Consent Order is an Order of the Department with all of the rights and obligations pertaining thereto and attendant thereon. The Intended Licensee agrees that compliance with all the terms and conditions of this Pre-Licensure Consent Order is part of the responsibility of the Intended Licensee's governing authority as set forth in Public Health Code section 19-13-D6 (c)(1) and/or (5). The Intended Licensee further agrees that failure to comply with any of the terms and conditions of this Pre-Licensure Consent Order shall constitute grounds for disciplinary action pursuant to Section 19a-494 of the Connecticut General Statutes. Nothing herein shall be construed as limiting the Department's other available legal remedies against the Intended Licensee for violations of the Pre-Licensure Consent Order or of any other statutory or regulatory requirements, which may be sought in lieu of or in addition to the methods of relief listed above, or any other administrative and judicial relief provided by law.
18. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the MFCU or the Bureau Chief of the Department of Criminal Justice's Statewide Prosecution Bureau.
19. The Intended Licensee and Owner understands that this Pre-Licensure Consent Order and the terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum including any right to review under the Uniform

Administrative Procedure Act, Chapter 368a of the Statutes, Regulations that exist at the time the Order is executed or may become available in the future, provided that this stipulation shall not deprive the Intended Licensee and Owner of any other rights that it may have under the laws of the State of Connecticut or of the United States.

20. The Intended Licensee and Owner had the opportunity to consult with an attorney prior to the execution of this Pre-Licensure Consent Order.

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WITNESS WHEREOF, the parties hereto have caused this Order to be executed by their respective officers and officials, which Order is to be effective as of the later of the two dates noted below. The undersigned signatories represent and warrant that they are authorized to execute this Order on behalf of the party they represent.

By: _____

Jacob R. Klugman, Authorized Agent
Complete Care at Groton Regency LLC

On this 30 day of August 2021, before me, personally appeared Jacob R. Klugman, who acknowledged himself to be an Authorized Agent of Complete Care at Groton Regency LLC, a limited liability company, and that he, as such Authorized Agent, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company as Authorized Agent.

My Commission Expires: _____

TZIPPORAH C. LEVOVITZ
NOTARY PUBLIC OF NEW JERSEY
Commission Expires May 18, 2022

Notary Public

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Justice of the Peace

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Town Clerk

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Commissioner of the Superior Court ☐

STATE OF CONNECTICUT,
DEPARTMENT OF PUBLIC HEALTH

By: Donna Ortelle, RN, MSN

Donna Ortelle, R.N., M.S.N., Section Chief
Facility Licensing and Investigations Section

August 31, 2021