



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
AGING AND LONG-TERM SUPPORT ADMINISTRATION
1200 Alder Street, Union Gap, WA 98903

APPLE CREEK INC
APPLE CREEK
PO BOX 11776
YAKIMA, WA 98909

RE: APPLE CREEK License # 621301

Dear Provider:

This letter addresses Compliance Determination(s) 29468 (Completion Date 09/14/2023) and 27339 (Completion Date 08/21/2023).

The Department completed a follow-up inspection of your Adult Family Home on 09/14/2023 and found that you have corrected the violations listed in the Full report dated 08/21/2023. Your home is back in compliance as of 08/31/2023 with the cited requirements of the Washington Administrative Code or the Revised Code of Washington or both.

The Department found that deficiencies for the following licensing laws and regulations were corrected:

WAC 388-76-10175-1, WAC 388-76-10175-3, WAC 388-76-10180-1-b, WAC 388-76-10180-1-a, WAC 388-76-10192, WAC 388-76-10192-1, WAC 388-76-10192-1-a, WAC 388-76-10192-1-b, WAC 388-76-10192-1-c, WAC 388-76-10192-2, WAC 388-76-10192-2-a, WAC 388-76-10192-2-b, WAC 388-76-10192-3, WAC 388-76-10192-4

The Department staff who did the on-site verification:

Melanie Hopkins, NHI-AFH Licenser

If you have any questions, please contact me at (509)572-7394.

Sincerely,

Michelle Closner

Michelle Closner, Field Manager
Region 1, Unit C

APPLE CREEK # 621301

09/14/2023

Page 2 of 2

Residential Care Services



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
AGING AND LONG-TERM SUPPORT ADMINISTRATION
1200 Alder Street, Union Gap, WA 98903

Statement of Deficiencies	License #: 621301	Compliance Determination # 27339
Plan of Correction	APPLE CREEK	Completion Date
Page 1 of 5	Licensee: APPLE CREEK INC	08/21/2023

You are required to be in compliance at all times with all licensing laws and regulations to maintain your Adult Family Home license.

The department completed data collection for the unannounced on-site full inspection on 07/28/2023 and 08/04/2023 of:

APPLE CREEK
517 West Washington Ave
Yakima, WA 98903

The following sample was selected for review during the unannounced on-site visit: 0 of 0 current residents and 0 former residents.

The department staff that inspected the Adult Family Home:

Melanie Hopkins, NHI-AFH Licensors
Jo Whitney, AFH Licensors

From:
DSHS, Aging and Long-Term Support Administration
Residential Care Services, Region 1, Unit C
1200 Alder Street
Union Gap, WA 98903

As a result of the on-site visit(s), the department found that you are not in compliance with the licensing laws and regulations as stated in the cited deficiencies in the enclosed report.

Michelle Closner

Residential Care Services

08/29/2023

Date

I understand that to maintain an Adult Family Home license, I must be in compliance with all the licensing laws and regulations at all times.

This document was prepared by Residential Care Services for the Locator website.

Souya Dawson
Provider (or Representative)

9/6/23
Date

WAC 388-76-10175 Background checks Employment Conditional hire Pending results of Washington state name and date of birth background check. An adult family home may conditionally employ a person directly or by contract, pending the result of a Washington state name and date of birth background check, provided the home:

- (1) Submits the Washington state name and date of birth background check no later than one business day after conditional employment;
- (3) Does not allow the individual to have unsupervised access to any resident;

This requirement was not met as evidenced by:

Based on interview and record review, the Adult Family Home (AFH) failed to submit a date of birth background check (BGI) no later than one working day after conditional employment for 1 of 10 caregiving staff (Staff L). This failure placed residents at risk from an unqualified person.

Findings included . . .

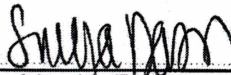
Review of administrative records on 07/28/2023 showed Staff L, Caregiver, hired 04/10/2023, had a BGI resulted on 04/25/2023, more than one working day after conditional employment.

In an interview on 08/04/2023 at 2:00 PM, Staff A, Administrator, stated that the oversight was due to having a newer Human Resources staff person who works remotely and did not understand the BGI timing requirements. Staff A stated that Staff L had finished orientation and was working unsupervised prior to the BGI being submitted.

Attestation Statement

I hereby certify that I have reviewed this report and have taken or will take active measures to correct this deficiency. By taking this action, APPLE CREEK is or will be in compliance with this law and / or regulation on (Date) Completed 8/31-2023

In addition, I will implement a system to monitor and ensure continued compliance with this requirement.

 Provider (or Representative)	 Date
---	---

**WAC 388-76-10180 Background checks Employment Disqualifying information.
[Disqualifying negative actions.]**

(1) The adult family home must not employ, directly or by contract, a caregiver, entity representative, or resident manager if:

(a) The caregiver, entity representative or resident manager will have unsupervised access to vulnerable adults, as defined in RCW 43.43.830 ; and either:

(b) The caregiver, entity representative or resident manager has a disqualifying criminal conviction or pending charge for a disqualifying crime under chapter 388-113 WAC; or

This requirement was not met as evidenced by:

Based on interview and record review, the Adult Family Home (AFH) failed to re-submit a date of birth background check (BGI) after receiving BGI report of disqualifying information for 1 of 1 caregiving staff (Staff I). This failure placed residents at risk from a person disqualified from working with vulnerable adults.

Findings included . . .

Review of administrative records on 07/28/2023 for Staff I, Caregiver, showed date of hire as 01/06/2023 and BGI dated 02/14/2023. Additional records for Staff I showed initial date of hire November 2022 and BGI on 11/29/2022 with report of Disqualifying Information.

In an interview on 07/28/2023 at 10:55 AM, Staff A, Administrator, stated that Staff I had been hired in November and was not allowed to work until they had court dismissal record of charges. Staff A stated that Staff I brought a letter from an attorney reporting that their record was cleared. Staff I was re-hired 01/06/2023, was working unsupervised with residents, and then BGI submitted 02/14/2023.

In an interview on 08/04/2023 at 2:00 PM, Staff A stated that they did not realize that a new BGI needed to be submitted as they thought only the letter from the attorney was required to re-hire Staff I.

Attestation Statement

I hereby certify that I have reviewed this report and have taken or will take active measures to correct this deficiency. By taking this action, APPLE CREEK is or will be in compliance with this law and / or regulation on (Date) 8/31/2023.

In addition, I will implement a system to monitor and ensure continued compliance with this requirement.

Sueya Dawson

Provider (or Representative)

9-6-2023

Date

WAC 388-76-10192 Liability insurance required Coverage requirements.

(1) The liability insurance coverage required under WAC 388-76-10191 must include:

- (a) Losses or allegations or both caused by errors and omissions of the adult family home or its employees or volunteers;
- (b) Coverage for bodily injury, property damage, and contractual liability; and
- (c) Coverage for premises, operations, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract.

(2) Each of the required liability insurance policies must cover a minimum limit of:

- (a) Each occurrence at \$500,000; and
- (b) General aggregate at \$1,000,000.

(3) The liability insurance policies must indemnify, hold harmless, and provide insurance coverage for the State of Washington, the department, its elected and appointed officials, agents, and employees of the state for any and all claims, losses, liability, damages, or fines arising out of the acts or omissions of the adult family home licensee, its staff, contractors, and residents. The State of Washington, the department, its elected and appointed officials, agents, and employees must be listed as additional insureds on all insurance policies relating to the operation or premises of the adult family home.

(4) If the home serves residents whose care is paid for by medicaid, the medicaid contract may require a higher minimum insurance limit.

This requirement was not met as evidenced by:

Based on record review and interview, the Adult Family Home (AFH) did not have an insurance policy with professional liability coverage. This failure placed the residents at risk of not being covered in case of injury or property damage caused by an act or omission by the AFH staff.

Findings included . . .

Review of the AFH's insurance policy dated March 2023 for a one-year renewal term showed the professional liability coverage was excluded from the policy.

In an interview on 08/04/2023 at 1:45 PM, Staff A, Administrator, stated that they had talked with the insurance company and discovered that professional liability coverage was not renewed in March 2023 along with the general liability policy.

In an interview on 08/21/2022 at 3:51 PM, Staff A stated that they had not yet been able to procure professional liability insurance through their insurance broker.

Attestation Statement

I hereby certify that I have reviewed this report and have taken or will take active measures to correct this deficiency. By taking this action, APPLE CREEK is or will be in compliance with this law and / or regulation on (Date) completed 8/31/2023

In addition, I will implement a system to monitor and ensure continued compliance with this requirement.

Sueya Darn
Provider (or Representative)

8/6/2023
Date