



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, WA 98504-5600

April 2, 2024

ELECTRONIC-FACSIMILE

Administrator
Garden Courte Alzheimer Community
626 Lilly Rd NE
Olympia, WA 98506

Assisted Living Facility License #1111
Licensee: Olympia Special Care LLC

IMPOSITION OF CIVIL FINES

Dear Administrator:

On March 20, 2024, the Department of Social and Health Services (DSHS), Residential Care Services completed a follow-up visit at your facility. This letter constitutes formal notice of civil fines on the license for your assisted living facility, also known as **Garden Courte Alzheimer Community**, located at **626 Lilly Rd NE, Olympia**, by the State of Washington, Department of Social and Health Services. These actions are taken under the authority granted pursuant to Laws of 1998, Chapter 272 and RCW 18.20.190.

The civil fines on the license are based on the following violation of the RCW and/or WAC as described in the attached Statement of Deficiencies (SOD) report dated March 20, 2024.

Civil Fines

WAC 388-78A-2040 (1)(2) Other requirements.

\$800.00

The licensee failed to ensure oxygen tank cylinders were stored safely and secured and the facility failed to ensure fire safe doors were not propped open in the facility. These failures placed 77 residents, staff and visitors' life and safety at risk in the event of a fire or natural disaster.

This is an uncorrected and recurring deficiency previously cited on January 11, 2024, and March 22, 2022.

WAC 388-78A-2130 (2) Service agreement planning. **\$300.00**

The licensee failed to complete a 30-day Service Plan Agreement (facility's version of Negotiated Service Agreement) for three newly admitted residents. This failure resulted in staff not having pertinent information for care services for all three residents placing them at risk for unmet care needs.

This is an uncorrected deficiency previously cited on January 11, 2024.

WAC 388-78A-2305 (1)(2) Food sanitation. **\$300.00**

The licensee failed to ensure proper storage and labeling of food and failed to ensure proper hand hygiene was performed with food preparation for one kitchen reviewed. These failures placed all 77 residents at risk for potential food borne illness and decreased quality of life.

This is an uncorrected deficiency previously cited on January 11, 2024 for subsections WAC 388-78A-2305 (1).

RCW 70.129.070 (1) Examination of survey or inspection results **\$200.00**
—Contact with client advocates.

The licensee failed to have the most recent survey or inspection results publicly posted and easily available for one inspection binder. This failure resulted in all 77 residents and visitors being without access to and being uninformed of the facility's inspections results.

This is an uncorrected deficiency previously cited on January 11, 2024.

WAC 388-78A-2484 (1)(2) Tuberculosis—Two step skin testing. **\$300.00**

The licensee failed to ensure three new staff members were screened for tuberculosis (TB, a communicable disease) with the required one or two step skin testing. This failure placed all 77 residents and staff at risk of TB infection.

This is an uncorrected deficiency previously cited on January 11, 2024.

WAC 388-78A-3090 (1)(a)(b) Maintenance and housekeeping. **\$400.00**

The licensee failed to ensure the facility was maintained in a safe, sanitary, and in good repair. These failures placed 77 residents at risk for a diminished quality of life due to unsafe, unsanitary, and unmaintained living conditions for all residents.

This is an uncorrected deficiency previously cited on January 11, 2024.

WAC 388-78A-2320 (1)(a)(b)(3)(c) Intermittent nursing services systems. \$400.00

The licensee failed to have Registered Nurse (RN) Delegation written consent for one new resident. The facility also failed to have documentation that new medication technicians were evaluated for the first four weeks for insulin administration for another resident. These failures placed all residents receiving RN delegated services at risk for receiving care and services by untrained staff.

This is an uncorrected deficiency previously cited on January 11, 2024.

WAC 388-78A-2140 (1)(a)(iii)(b)(c) Negotiated service agreement contents. \$400.00

The licensee failed to have the residents service plan agreement (facility's version of the negotiated service plan) updated with the most accurate information for two residents. This failure placed both residents at risk of unmet care needs and care staff uneducated and unable to provide the care and services that the residents required.

This is an uncorrected deficiency previously cited on January 11, 2024.

WAC 388-78A-2950 (6) Water supply. \$500.00

The licensee failed to maintain safe hot water temperatures on both units reviewed. This failure placed all 77 residents, visitors, and staff at risk of injury from unsafe water temperatures.

This is an uncorrected deficiency previously cited on January 11, 2024.

WAC 388-78A-2381 (1)(2)(a)(iv) General design requirements for memory care. \$400.00

The licensee failed to allow residents access to their rooms without staff assistance for both units reviewed. This failure placed all 77 residents at risk of decreased quality of life and independence of not having free will to go in their room at any given time.

This is an uncorrected deficiency previously cited on January 11, 2024.

WAC 388-78A-2474 (2)(a)(e)(3) Training and home care aide certification requirements.

\$300.00

The licensee failed to ensure three new staff members completed their facility orientation training. The facility also failed to have one staff complete the Department of Health and Social Services (DSHS) 5-hour Orientation and Safety. These failures placed 77 residents at risk for staff being unaware of the facility's expectations and not having the required education and training.

This is an uncorrected deficiency previously cited on January 11, 2024, for subsections WAC 388-78A-2474 (2)(a)(3).

WAC 388-78A-3100 (1)(2)(4) Safe storage of supplies and equipment.

\$300.00

The licensee failed to secure potentially hazardous supplies accessible to memory care residents for two locations within the facility. This failure placed 77 residents at risk for ingesting potentially toxic materials.

This is an uncorrected deficiency previously cited on January 11, 2024.

NOTE: These are the violations, which resulted in the fines; see the attached Statement of Deficiencies for any additional violations.

Attestation (Plan of Correction):

Return the enclosed SOD within 10 calendar days with the following:

- The date you have or will have each deficiency corrected;
- A signature and date attesting that you are taking actions to correct and maintain correction for each cited deficiency.

Return the signed and dated SOD to:

Cory Cisneros, Field Manager
Region 3, Unit E
6639 Capitol Blvd SW Point Plaza West
Tumwater, WA 98501
Phone: (253) 254-3190 / Fax: (360) 664-8451
rcsregion3email@dshs.wa.gov

Appeal Rights:

You have two appeal rights: Informal Dispute Resolution (IDR) and an Administrative Hearing. Each has a different request timeline.

Administrator
Garden Courte Alzheimer Community
License #1111
April 2, 2024
Page 5

Informal Dispute Resolution [RCW 18.20.195]

You have an opportunity to challenge the deficiencies and/or enforcement actions through the state's IDR process. **All IDR requests must be in writing and include:**

- The deficiencies you are disputing; and
- The method of review you prefer (face-to-face, telephone conference or documentation review).

The written request must be received by the 10th working day from receipt of this letter.

During the IDR process, you will have the opportunity to present written and/or oral evidence to dispute the deficiencies.

Send your **written** request to:

Informal Dispute Resolution Program Manager
Residential Care Services
PO Box 45600
Olympia, Washington 98504-5600

Formal Administrative Hearing

You may contest the civil fines by requesting a formal administrative hearing to challenge the deficiency, which resulted in the civil fines. **All hearing requests must be in writing and include:**

- A copy of this letter; and
- A copy of the Statement of Deficiencies.

The written request must be received within twenty-eight (28) calendar days of receipt of this letter.

Send your **written** request to:

Office of Administrative Hearings
PO Box 42489
Olympia, Washington 98504-2489

Administrator
Garden Courte Alzheimer Community
License #1111
April 2, 2024
Page 6

Payment:

If you do not request a formal administrative hearing, the civil fines are due to the Office of Financial Recovery twenty-eight (28) calendar days after receipt of this letter.

Mail a check for **\$4,600.00** payable to the 'Department of Social and Health Services', **and if you have or have had a Medicaid resident(s), please include your ProviderOne ID Number # on the check**, to:

DSHS Office of Financial Recovery
PO Box 9501
Olympia, WA 98507-9501
(360) 664-5919 / FAX: (360) 664-8401
OFRMMISVendor@dshs.wa.gov

If the Office of Financial Recovery has not received your payment within twenty-eight (28) days after receipt of this letter, interest will begin to accrue immediately on the balance, at the rate of one percent per month. If you do not submit a hearing request or make payment within twenty-eight (28) days, the balance due will be recovered.

If you have any questions, please contact Cory Cisneros, Field Manager, at (253) 254-3190.

Sincerely,



Matt Hauser
Compliance Specialist
Residential Care Services

Enclosure

cc: Field Manager, Region 3, Unit E
RCS Regional Administrator, Region 3
HCS Regional Administrator, Region 3
DDA Regional Administrator, Region 3
WA LTC Ombuds
Office of Financial Recovery, Vendor Program Unit
HQ Central Files
DRW
JB