



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
AGING AND LONG-TERM SUPPORT ADMINISTRATION
20425 72nd Avenue S, Suite 400, Kent, WA 98032

12/03/2025

MG at Kirkland, LLC
Merrill Gardens at Kirkland
14 Main St S
Kirkland, WA 98033

RE: Merrill Gardens at Kirkland # 2587

Dear Administrator:

This letter addresses deficiencies occurring in the report(s) for: Compliance Determination(s) 69526 (Completion Date 12/03/2025) and 66330 (Completion Date 10/20/2025).

The Department completed a follow-up inspection of your Assisted Living Facility on 12/03/2025 and found no deficiencies.

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

WAC 388-78A-2483 Tuberculosis One test. The assisted living facility is only required to have a staff person take one test if the staff person has any of the following:

(1) A documented history of a negative result from a previous two step skin test done no more than one to three weeks apart; or

WAC 388-78A-2484 Tuberculosis Two step skin testing. Unless the staff person meets the requirement for having no skin testing or only one test, the assisted living facility choosing to do skin testing, must ensure that each staff person has the following two-step skin testing:

(1) An initial skin test within three days of employment; and

WAC 388-78A-2466 Background checks Washington state name and date of birth background check Valid for two years National fingerprint background check Valid indefinitely.

(1) A Washington state name and date of birth background check is valid for two years from the initial date it is conducted. The assisted living facility must ensure:

(a) A new DSHS background authorization form is submitted to the department's background check central unit every two years for all administrators, caregivers, staff persons, volunteers and students; and

(b) There is a valid Washington state name and date of birth background check for all administrators, caregivers, staff persons, volunteers and students.

The Department staff who did the On Site verification:

Thomas Forkgen, ALF Licenser

Michelle Yip, ALF Licenser

If you have any questions, please contact me at (206)305-3489.

Sincerely,

A handwritten signature in cursive script that reads "Jim Sherman".

James Sherman, Field Manager

Region 2, Unit D

Residential Care Services



STATE OF WASHINGTON
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 AGING AND LONG-TERM SUPPORT ADMINISTRATION
 20425 72nd Avenue S, Suite 400, Kent, WA 98032

Statement of Deficiencies	License #: 2587	Compliance Determination # 66330
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You are required to be in compliance at all times with all licensing laws and regulations to maintain your Assisted Living Facility license.

The department completed data collection for the unannounced on-site full inspection on 10/08/2025 and 10/13/2025 of:
 Merrill Gardens at Kirkland
 14 Main St S
 Kirkland, WA 98033

The following sample was selected for review during the unannounced on-site visit: 5 of 24 current residents and 0 former residents.

The department staff that inspected the Assisted Living Facility:

Michelle Yip, ALF Licenser
 Thomas Forkgen, ALF Licenser

From:
 DSHS, Aging and Long-Term Support Administration
 Residential Care Services, Region 2 , Unit D
 20425 72nd Avenue S, Suite 400
 Kent, WA 98032

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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.

Jim Sherman
Residential Care Services

10-27-2025

Date

I understand that to maintain an Assisted Living Facility license, the facility must be in compliance with all the licensing laws and regulations at all times.

[Signature]
Administrator (or Representative)

11/3/2025
Date

WAC 388-78A-2483 Tuberculosis One test. The assisted living facility is only required to have a staff person take one test if the staff person has any of the following:

(1) A documented history of a negative result from a previous two step skin test done no more than one to three weeks apart; or

This requirement was not met as evidenced by:

Based on interview and record review, the facility failed to ensure that 2 of 3 sampled staff (Staff B and Staff C), with documented negative results from a previous two-step skin test, completed one Tuberculosis (TB) test within three days of hire. This failure placed all 24 residents at risk of contracting tuberculosis, a contagious respiratory illness.

Findings included...

NOTE: Washington Administrative Code (WAC) 388-78A-2480, Tuberculosis-Testing-Required, (1) The assisted living facility must develop and implement a system to ensure each staff person is screened for tuberculosis within three days of employment.

Review of the facility's document titled "In-House Tuberculosis Skin Testing", dated 01/09/2018, showed that the facility followed the Washington state TB testing requirements.

Review of the facility's undated Assisted Living Facility Resident Characteristic Roster showed that 24 residents received assisted living services.

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STAFF B

Review of the facility's undated employee roster showed the facility hired Staff B, Caregiver, on 04/09/2025. Review of Staff B's employee records showed documentation of the previous negative results of two-step skin tests. The records showed Staff B's initial step skin test was completed on 09/27/2024 and Staff B's second step skin test was completed on 10/17/2024, 174 days before being hired. The records showed no documentation that Staff B completed one TB test within three days of hire, as required.

STAFF C

Review of the facility's undated employee roster showed the facility hired Staff C, Universal Worker, on 04/18/2025. Review of Staff C's employee records showed documentation of the previous negative results of two-step skin tests. The records showed Staff C's initial step skin test was completed on 04/03/2025 and Staff C's second step skin test was completed on 04/09/2025, nine days before being hired. The records showed no documentation that Staff C completed one TB test within three days of hire, as required.

During an interview on 10/09/2025 at 2:05 PM, Staff P, General Manager/Administrator, stated that they were unfamiliar with the TB testing requirements. Staff P stated that Staff B and Staff C completed their two-step TB skin tests prior to their hire dates. Staff P stated they were unaware that Staff B and Staff C were required to complete a TB test when they were hired. Staff P stated that Staff B and Staff C did not complete a TB test after hire.

Plan/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, Merrill Gardens at Kirkland is or will be in compliance with this law and / or regulation on (Date) <u>11/30/2025</u>	
In addition, I will implement a system to monitor and ensure continued compliance with this requirement.	
 Administrator (or Representative)	Date <u>11/30/2025</u> 

WAC 388-78A-2484 Tuberculosis Two step skin testing. Unless the staff person meets the requirement for having no skin testing or only one test, the assisted living facility choosing to do skin testing, must ensure that each staff person has the following two-step skin testing:

- (1) An initial skin test within three days of employment; and

This requirement was not met as evidenced by:

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Based on interview and record review, the facility failed to ensure 1 of 3 sampled staff (Staff A) completed an initial skin test for Tuberculosis (TB), within three days of hire, as required. This failure placed all 24 Assisted Living residents at risk of potential exposure to tuberculosis, an infectious disease.

Findings included...

Review of the facility's document titled "In-House Tuberculosis Skin Testing", dated 01/09/2018, showed that the facility followed the Washington state TB testing requirements.

Review of the facility's undated Assisted Living Facility Resident Characteristic Roster showed that 24 residents received assisted living services.

Review of the facility's undated employee roster showed that the facility hired Staff A, Caregiver, on 02/24/2025. Review of Staff A's employee records showed on 03/03/2025, seven days after hire, the facility administered Staff A the first of the two-steps TB test with a negative result.

During an interview on 10/09/2025 at 2:05 PM, Staff P, General Manager/Administrator, stated that they were unaware Staff A completed their initial TB test late, after three days of employment.

Plan/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, Merrill Gardens at Kirkland is or will be in compliance with this law and / or regulation on (Date) 11/30/2025.

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


Administrator (or Representative)

Date

11/3/2025

WAC 388-78A-2466 Background checks Washington state name and date of birth background check Valid for two years National fingerprint background check Valid indefinitely.

(1) A Washington state name and date of birth background check is valid for two years from the initial date it is conducted. The assisted living facility must ensure:

(a) A new DSHS background authorization form is submitted to the department's background check central unit every two years for all administrators, caregivers, staff

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persons, volunteers and students; and

(b) There is a valid Washington state name and date of birth background check for all administrators, caregivers, staff persons, volunteers and students.

This requirement was not met as evidenced by:

Based on interview, and record review the facility failed to complete a Washington State name and date of birth background check (BGI) every two years for 12 of 12 sampled staff (Staff F, Staff G, Staff H, Staff I, Staff J, Staff K, Staff L, Staff M, Staff N, Staff O, Staff Q, and Staff R). This failure placed all 24 residents at risk of abuse, neglect, or exploitation from staff persons with unknown backgrounds.

Findings Included...

Review of the facility's document titled, "Background Disclosure and Authorization Form, dated 01/2021, showed that the facility may obtain " consumer reports" from a consumer reporting agency for employment purposes. The document showed a " consumer report" was a background screening report that may contain information regarding an employee's "criminal history, sex offender registry status, credit history, employment history..." The document showed an attachment of the Washington Administrative Code 388-78A-2466.

Review of the facility's undated Assisted Living Characteristics Roster showed that 24 residents received assisted living services.

STAFF F

Review of the facility's Employee Roster showed the facility hired Staff F on 07/07/2021 as a Dining Room Server. Review of Staff F's employee records showed their previous Washington state name and date of birth BGI expired on 07/02/2023. The records showed that on 10/09/2025, the facility completed a BGI during the Departments Licensing visit, 830 days after the previous BGI expired.

STAFF G

Review of the facility's Employee Roster showed the facility hired Staff G on 07/12/2023 as the Business Office Director. Review of Staff G's employee records showed their previous Washington state name and date of birth BGI expired on 06/30/2023. The records showed that on 10/10/2025 the facility completed a BGI during the Departments Licensing visit, 102 days after the previous BGI expired.

STAFF H

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Review of the facility's Employee Roster showed the facility hired Staff H on 07/20/2019 as the Maintenance Assistant. Review of Staff H's employee records showed their previous Washington state name and date of birth BGI expired on 0/02/2021, 1564 days after the previous BGI expired.

STAFF I

Review of the facility's Employee Roster showed the facility hired Staff I on 05/18/2023 as the Communications Relations Director. Review of Staff I's employee records showed their previous Washington state name and date of birth BGI expired on 05/11/2025. The records showed that the facility completed a BGI on 10/09/2025 during the Departments Licensing visit, 151 days after the previous BGI expired.

STAFF J

Review of the facility's Employee Roster showed the facility hired Staff J on 12/30/2008. Review of Staff J's employee records showed their previous Washington state name and date of birth BGI expired on 03/24/2022. The records showed that there was not a valid BGI 1319 days after the previous BGI expired.

STAFF K

Review of the facility's Employee Roster showed the facility hired Staff K on 12/26/2012 as a Cook. Review of Staff K's employee records showed their previous Washington state name and date of birth BGI expired on 11/23/2021. The records showed that there was not a valid BGI 1420 days after the previous BGI expired.

STAFF L

Review of the facility's Employee Roster showed the facility hired Staff L on 10/13/2014 as a cook. Review of Staff L's employee records showed their previous Washington state name and date of birth BGI expired on 01/20/2022. The records showed that there was not a valid BGI completed 1362 days after the previous BGI expired.

STAFF M

Review of the facility's Employee Roster showed the facility hired Staff M on 05/23/2016 as a Universal Worker. Review of Staff M's employee records showed their previous Washington state name and date of birth BGI expired on 01/21/2022. The records showed that there was not a valid BGI completed 1361 days after the previous BGI

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expired.

STAFF N

Review of the facility's Employee Roster showed the facility hired Staff N on 09/22/2021 as a prep cook. Review of Staff N's employee records showed their previous Washington state name and date of birth BGI expired on 09/21/2021. The records showed that there was not a valid BGI 1483 days after the previous BGI expired.

STAFF O

Review of the facility's Employee Roster showed the facility hired Staff O on 10/19/2022 as a Housekeeper. Review of Staff O's employee records showed their previous Washington state name and date of birth BGI expired on 10/17/2022. The records showed that there was not a valid BGI 1092 days after the previous BGI expired.

STAFF Q

Review of the facility's Employee Roster showed the facility hired Staff Q on 05/13/2016 as the Receptionist. Review of Staff Q's employee records showed their previous Washington state name and date of birth BGI expired on 01/20/2022. The records showed that the facility completed a BGI on 10/09/2025 during the Departments Licensing visit, 1358 days after the previous BGI expired.

STAFF R

Review of the facility's Employee Roster showed the facility hired Staff R on 07/15/2022 as a Caregiver. Review of Staff R's employee records showed their previous Washington state name and date of birth BGI expired on 07/15/2022. The records showed that the facility completed a BGI on 10/03/2025, 447 days after the previous BGI expired.

During an interview on 10/09/2025 at 3:00 PM, Staff G, Business Office Director, stated that they were responsible for completing the staff background checks and maintaining a valid BGI in the employee records for all employees. Staff G stated that they were not aware all staff were required to have a background check done every two years. Staff G stated they thought only the caregivers and administrators were required to have a background every two years. Staff G stated that they did not have current valid background check completed every two years.

During an interview on 10/09/2025 at 3:12 PM, Staff P, General Manager/Administrator, stated that they understood only the caregivers and the administrator were required to renew the Washington State name and date of birth background check every two years.

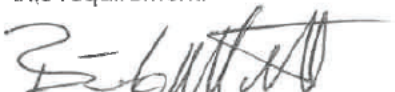
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Staff P stated the facility did not do every two-year background check on all staff as required

Plan/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, Merrill Gardens at Kirkland is or will be in compliance with this law and / or regulation on (Date) 11/30/2025.

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


Administrator (or Representative)

Date 11/3/2025



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
AGING AND LONG-TERM SUPPORT ADMINISTRATION
20425 72nd Avenue S, Suite 400, Kent, WA 98032

MG at Kirkland, LLC
Merrill Gardens at Kirkland
14 Main St S
Kirkland, WA 98033

RE: Merrill Gardens at Kirkland # 2587

Dear Administrator:

The Department completed a full inspection of your Assisted Living Facility on 10/20/2025 and found that your facility does not meet the Assisted Living Facility requirements.

The Department:

- Wrote the enclosed report; and
- May take licensing enforcement action based on many deficiency listed on the enclosed report; and
- May inspect your program to determine if you have corrected all deficiencies; and
- Expects all deficiencies to be corrected within the timeframe accepted by the department.

You Must:

- Begin the process of correcting the deficiency or deficiencies immediately;
- Contact the Field Manager for clarifications related to the Statement of Deficiencies (SOD);
- Within 10 calendar days after you receive this letter, complete and return the enclosed 'Plan/Attestation Statement';
 - o Sign and date the enclosed report;
 - o For each deficiency, indicate the date you have or will correct each deficiency;
 - o Return the Plan/Attestation Statement and report with signatures to:

James Sherman, Field Manager
Residential Care Services
Region 2, Unit D
Preferred methods:

Merrill Gardens at Kirkland # 2587

10/20/2025

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eFax: (253) 395-5071

Email: rcsregion2email@dshs.wa.gov

Optional method:

20425 72nd Avenue S, Suite 400

Kent, WA 98032

- Complete correction(s) within 45 days, or sooner if directed by the Department, after review of your proposed correction dates.
- Have your plan approved by the Department.

Consultation(s):

In addition, the Department provided consultation on the following deficiency or deficiencies not listed on the enclosed report.

WAC 388-78A-2474 Training and home care aide certification requirements. ✓

(2) The assisted living facility must ensure all assisted living facility administrators, or their designees, and caregivers hired on or after January 7, 2012 meet the long-term care worker training requirements of chapter 388-112A WAC, including but not limited to:

(d) Cardiopulmonary resuscitation and first aid; and

The Assisted Living Facility failed to ensure that one care staff (Staff A) completed first-aid training within thirty days of hire. On 10/10/2025, during the Department's full inspection, Staff A completed the first-aid training to meet the requirements.

This deficiency was corrected by the exit conference.

WAC 388-78A-3040 Laundry. ✓

(5) The assisted living facility must ventilate laundry rooms and areas to the outside of the assisted living facility, including areas or rooms where soiled laundry is held for processing by off site commercial laundry services.

Two laundry room ventilation systems did not operate correctly. The Maintenance Director determined the second-floor laundry room ventilation unit was dirty and clogged and third floor laundry room vent was dirty, which restricted air flow. During the on-site inspection, the facility staff cleaned all eight laundry ventilation systems which allowed the vents to correctly operate. This deficiency was corrected by the exit conference.

You Are Not:

- Required to submit a plan of correction for the consultation deficiency or deficiencies stated in this letter and not listed on the enclosed report.

Merrill Gardens at Kirkland # 2587

10/20/2025

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You May:

- Contact me for clarification of the deficiency or deficiencies found.

In Addition, You May:

- Request an **Informal Dispute Resolution (IDR)** review within 10 working days after you receive this letter. Your IDR request **must** include:
 - o What specific deficiency or deficiencies you disagree with;
 - o Why you disagree with each deficiency; and
 - o Whether you want an IDR to occur in-person, by telephone or as a paper review.
 - o You can make an IDR request and find directions on the IDR web page at:
<https://www.dshs.wa.gov/altsa/idr>

If You Have Any Questions:

- Please contact me at (206)305-3489.

Sincerely,

Jim Sherman

James Sherman, Field Manager
Region 2, Unit D
Residential Care Services

Enclosure