| STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: | (X2) MULTIPLE CONSTRUCTION | (X3) DATE SURVEY COMPLETED |
|---|---|---|---|
| | 0019679 | A. BUILDING: _____ B. WING _____ | R-C 08/23/2024 |

| NAME OF PROVIDER OR SUPPLIER | STREET ADDRESS, CITY, STATE, ZIP CODE |
|---|---|
| LINDENHEIGHTS WAUKESHA | 427 N UNIVERSITY DR WAUKESHA, WI 53188 |

| (X4) ID PREFIX TAG | SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION) | ID PREFIX TAG | PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY) | (X5) COMPLETE DATE |
|---|---|---|---|---|
| {U 000} | INITIAL COMMENTS<br><br>On 08/22/2024, Surveyor conducted 1 verification visit and 1 complaint investigation at LindenHeights Waukesha.<br><br>One deficiency was identified.<br><br>The deficiency was a repeat violation. See Statement Of Deficiency (SOD) FDOI11 dated 04/26/2024.<br><br>Two of 3 deficiencies from SOD FDOI11 dated 04/26/2024, were corrected.<br><br>The complaint was unsubstantiated.<br><br>Under statutory provisions of Wis. Stat. ch. 50, a $200 revisit fee is being assessed.<br><br>Census: 57 | {U 000} | | |
| {U 172} | 89.27(1) SERVICE AGREEMENT<br><br>REQUIREMENT. A residential care apartment complex shall enter into a mutually agreed-upon written service agreement with each of its tenants consistent with the comprehensive assessment under s. DHS 89.26.<br><br>This Rule is not met as evidenced by:<br>Based on record review and interview, the provider did not enter into a mutually agreed-upon written service agreement with each of its tenants after a change of ownership (CHOW) was finalized on 12/01/2023.<br>Mutually agreed-upon written service agreements were not signed with 4 of 4 publicly funded tenants reviewed after the CHOW was finalized on 12/01/2023. | {U 172} | | |

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE

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| {U 172} | Continued From page 1<br><br>This is a repeat deficiency. See Statement Of Deficiency (SOD) FDOI11 dated 04/26/2024.<br><br>Findings include:<br><br>On 08/22/2024, Surveyor reviewed the Department's records. On 12/01/2023, the Department issued a Residential Care Apartment Complex certification for LindenHeights Waukesha after a CHOW from former licensee (LindenGrove, Inc) to current licensee (LindenGrove Communities LLC) was finalized.<br><br>On 08/22/2024, Surveyor reviewed admission dates and service agreements for Tenant 2, Tenant 3, Tenant 4, and Tenant 5.<br><br>Example 1 Tenant 2<br>Tenant 2 was admitted 10/07/2017.<br><br>The RESIDENCY AND SERVICES AGREEMENT signed and dated 09/07/2017 stated "THIS RESIDENCY AND SERVICES AGREEMENT ("Agreement") is made and entered into this 7th day of September, 2017 by and between LindenGrove Inc., a non [sic]-for-profit Wisconsin corporation, d/b/a Linden Heights (hereinafter "Facility") and [Tenant 2] ..."<br><br>Example 2 Tenant 3<br>Tenant 3 was admitted 07/30/2020.<br><br>Tenant 3's Residency And Services Agreement stated "THIS RESIDENCY AND SERVICES AGREEMENT ("Agreement") is made and entered into this 30 [sic] day of July, 2020 by and between LindenGrove, INC., a not-for-profit Wisconsin corporation, (hereinafter "Facility") and [Tenant 3] (hereinafter "Resident") for Resident's | {U 172} | | |

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| {U 172} | Continued From page 2<br>admission to the following LindenGrove assisted living apartment community: The Heights at LindenGrove Communities in Waukesha ..."<br><br>Example 3- Tenant 4<br>Tenant 4 was admitted 08/30/2021.<br><br>Tenant 4's Residency And Services Agreement stated "THIS RESIDENCY AND SERVICES AGREEMENT ("Agreement") is made and entered into this 30 [sic] day of August, 2021 by and between LindenGrove, INC., a not-for-profit Wisconsin corporation, (hereinafter "Facility") and [Tenant 4] (hereinafter "Resident") for Resident's admission to the following LindenGrove assisted living apartment community: The Heights at LindenGrove Communities in Waukesha ..."<br><br>Example 4- Tenant 5<br>Tenant 5 was admitted 10/09/2023.<br><br>Tenant 5's Residency And Services Agreement stated "THIS RESIDENCY AND SERVICES AGREEMENT ("Agreement") is made and entered into this 9 [sic] day of October, 2023 by and between LindenGrove, INC., a not-for-profit Wisconsin corporation, (hereinafter "Facility") and [Tenant 5] (hereinafter "Resident") for Resident's admission to the following LindenGrove assisted living apartment community: The Heights at LindenGrove Communities in Waukesha ..."<br><br>On 08/22/2024, Surveyor interviewed Admissions D who stated s/he signed admission agreements with new tenants. Admissions D stated after 12/2023 CHOW, new service agreements were signed only with private pay residents admitted prior to the CHOW. Admissions D stated after the CHOW no new service agreements were signed with publicly funded tenants admitted prior to the | {U 172} | | |

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| {U 172} | Continued From page 3<br>CHOW because their managed care organization's publicly funded rates had not changed.<br><br>Admissions D stated the provider's plan of correction for SOD FDOI11 (dated 04/26/2024 and issued 06/06/2024) was service agreements were to be audited to ensure each tenant had one on file but did not include signing new admission agreements with publicly funded tenants admitted prior to the CHOW. Admissions D verbalized agreement with Surveyor that service agreements contained important information for tenants other than just rates.<br><br>On 08/22/2024 at 2:54 PM, Surveyor discussed concern of new service agreements not signed with all tenants after the CHOW in 12/2023 with Executive Director E and Nurse Supervisor F. Executive Director E verbalized an agreement with Surveyor that service agreements under the former licensee were void after the CHOW and new service agreements should have been entered into between the new licensee and tenants. | {U 172} | | |