



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Aging and Disability Services
Aging and Long-Term Support Administration
PO Box 45600, Olympia, WA 98504-5600

December 18, 2013

PERSONAL SERVICE AND CERTIFIED MAIL

7007 1490 0003 4201 6958

Gwendolyn Portes, Licensee
Like Home AFH
5335 18th Avenue South
Seattle WA 98108

Adult Family Home License #653500
Entity Representative: Gwendolyn Portes

**REVOCATION OF LICENSE AND STOP
PLACEMENT OF ADMISSIONS**

Dear Licensee:

On December 2, 2013, the Department of Social and Health Services (DSHS), Residential Care Services conducted an inspection/investigation at your facility. This letter constitutes formal notice of the revocation of the adult family home license and stop placement of admissions for your adult family home, also known as **Like Home AFH** located at **5335 18th Avenue South, Seattle**, by the State of Washington, Department of Social and Health Services. These actions are taken under the authority granted in Revised Code of Washington (RCW) 70.128.160, chapter 43.20A RCW, and Washington Administrative Code (WAC) 388-76-10940.

The department has determined that the licensee has demonstrated an inability to comply with regulations and has shown limited ability to safely operate the home, placing residents at risk. The stop placement of admissions is effective immediately on **December 18, 2013**.

The revocation of the adult family home license and stop placement of admissions for your adult family home is based on the following violations of the RCW and/or WAC as described in the attached Statement of Deficiencies (SOD) report dated **December 2, 2013**.

WAC 388-76-10015(1-3) License—Adult family home—Compliance required.

The licensee did not comply with all the laws and requirements established for adult family homes.

WAC 388-76-10130(10) Qualifications—Provider, entity representative and resident manager.

WAC 388-112-0250 What is CPR training?

WAC 388-112-0255 What is CPR/first-aid training?

The licensee failed to ensure that she maintained valid certification in CPR/First Aid as required.

WAC 388-76-10205 Medicaid or state funded residents.

WAC 388-76-10960(11) Remedies—Department may impose remedies.

The licensee submitted vouchers (state billing system, whereby a licensed provider attests the home provided contractually agreed upon care and services) for approximately 17 days of care for a resident who was in the hospital.

WAC 388-76-10225(2)(c)(f)(4) Reporting requirement.

The licensee did not inform a resident's case manager when the resident sustained a serious injury and admission to discharge from a hospital.

WAC 388-76-10315(1)(g) Resident record—Required.

The licensee did not have relevant and current records for three residents available for review in the home when requested.

WAC 388-76-10350(1)(4) Assessment—Updates required.

The licensee did not ensure that a resident who experienced a significant change in functioning had an up-to-date assessment addressing his changed needs.

WAC 388-76-10380(2) Negotiated care plan—Timing of reviews and revisions.

The licensee did not ensure that a resident's negotiated care plan was updated after a significant change to the resident's physical functioning occurred.

WAC 388-76-10400(2)(3)(a) Care and services.

The licensee did not ensure that necessary services occurred in a timely manner for a resident following a traffic accident. This is a repeat violation of deficiencies cited on April 28, 2008, June 5, 2009, September 18, 2009, and March 10, 2011.

WAC 388-76-10805(3) Automatic smoke detectors.

The licensee did not ensure that all smoke detectors were in working order.

The stop placement applies to all new admissions, re-admissions, and transfer of residents. You may not admit any new resident to your adult family home. In addition, you must contact your field manager for permission to allow any resident who was absent from the home due to a temporary

non-out-patient stay (not including out-patient treatment) at a hospital, nursing home or other treatment center to return during the stop placement. The department may impose sanctions or take other legal action if you fail to comply with the stop placement of admissions.

Appeal Rights:

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

Informal Dispute Resolution [RCW 70.128]

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 and/or enforcement actions.

Send your written request to:

Informal Dispute Resolution Program Manager
Residential Care Services
PO Box 45600
Olympia, Washington 98504-5600
Fax (360)725-3225

Formal Administrative Hearing

You may contest the revocation of license and stop placement order prohibiting admissions by requesting a formal administrative hearing to challenge the deficiencies which resulted in the revocation and stop placement. **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

If an appeal request is not received by day 28 at the Office of Administrative Hearings, your license to operate is no longer in effect. All residents must be moved out of your home by day 29.

A final revocation notice will be mailed to you when your license is no longer active.

Prior to, or instead of, requesting a hearing, you have the right under RCW 70.128.060 to voluntarily surrender your license in lieu of revocation. For additional information, please contact your Field Manager.

A provider who receives notification of the department's initiation of revocation may, in lieu of appealing the Department's action, surrender or relinquish the license as authorized by RCW 70.128.060(11). The Department shall not issue a new license to or contract with the provider, for the purposes of providing care to vulnerable adults or children, for a period of twenty years following the surrendering or relinquishment of the former license.

If you have any questions, please contact Delores Usea at (253) 234-6007.

Sincerely,



Lori Melchiori, Ph.D.
Assistant Director
Residential Care Services

Enclosure

cc: Bett Schlemmer, Compliance Specialist
Field Manager, District 2, Unit D
RCS District Administrator, District 2
HCS District Administrator, District 2
DDD District Administrator, District 2
WA LTC Ombuds
Office of Financial Recovery, Vendor Program Unit
Judy Plesha, HCS
BAM