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

September 10, 2014

CERTIFIED MAIL 7008 1300 0000 7187 6875

Licensee, Rosalyn Pandiangan
Lotus Care
23024 19th Avenue SE #B
Bothell, WA 98021

Adult Family Home License #**750372**

IMPOSITION OF CIVIL FINES

Dear Licensee:

On August 22, 2014, the Department of Social and Health Services (DSHS), Residential Care Services completed an inspection/investigation at your facility. This letter is formal notice of the imposition of civil fines for your adult family home, located at **23024 19th Avenue SE, Bothell**, by the State of Washington, Department of Social and Health Services, pursuant to the Revised Code of Washington (RCW) 70.128.160 and Washington Administrative Code (WAC) 388-76-10940.

The civil fines are based on the following violations of the RCW and/or WAC as described in the attached Statement of Deficiencies (SOD) report dated **August 22, 2014**.

CIVIL FINES

WAC 388-76-10105(4)(a)(i)(ii)(iii)(iv) – Application – Change of ownership.
$1,000.00

The licensee failed to have a system in place to ensure a change of ownership.

This is a repeat and uncorrected citation from June 4, 2014.

WAC 388-76-10165(1)(a)(b) – Background checks—Washington state name and date of birth background check--Valid for two years—National fingerprint background check—Valid indefinitely. **$1,000.00**

The licensee failed to have a system to ensure background checks were obtained as required.

This is a repeat and uncorrected citation from June 4, 2014.

WAC 388-76-10355(1)(2)(3)(4)(5)(6)(a)(b)(c)(d)(7)(a)(b)(c)(d)(8)(9)(10) – Negotiated care plan. **$1,000.00**

The licensee failed to ensure a negotiated care plan was developed as required.

This is a repeat and uncorrected citation from June 4, 2014.

WAC 388-76-10530(1)(2)(3) – Resident rights—Notice of services. **$100.00**

The licensee failed to ensure residents received a new notice of services as required.

This is a repeat and uncorrected citation from June 4, 2014.

WAC 388-76-10750(1)(2) – Safety and maintenance. **$500.00**

The licensee failed to ensure the outdoor space was safe, usable, and free of hazards.

This is a repeat and uncorrected citation from June 4, 2014.

WAC 388-112-0110(5) – What is specialty training and who is required to take specialty training? **$500.00**

The licensee failed to ensure staff completed required specialty training.

This is a repeat and uncorrected citation from June 4, 2014.

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:

Kay Randall, Field Manager
District 2, Unit G
3906 – 172nd Street NE, Suite 100
Arlington, WA 98223
Phone: (360) 651-6864 / Fax: (360) 651-6940

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.

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 civil fines by requesting a formal administrative hearing to challenge the deficiencies 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

Payment:

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

Mail a check for **$4,100.00** payable to the 'Department of Social and Health Services' at:

DSHS Office of Financial Recovery
PO Box 9501
Olympia, Washington 98507-9501

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 Kay Randall, Field Manager at (360) 651-6864.

Sincerely,

Bett Schlemmer, RN, MN, MPA
Interim Assistant Director
Residential Care Services

Enclosure

cc: Robert Ogolsky, Compliance Specialist
Field Manager, District 2, Unit G
RCS District Administrator, District 2
HCS District Administrator, District 2
DDA District Administrator, District 2
WA LTC Ombuds
Office of Financial Recovery, Vendor Program Unit
Valentina Karnafel, HCS
NDL