



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

December 21, 2015

CERTIFIED MAIL 7007 1490 0003 4197 1289

Licensee, Delores Dusterhoft
Dee's Nursing Care
PO Box 25
Stanwood, WA 98292

Adult Family Home License #750563

IMPOSITION OF CONDITIONS ON A LICENSE

Dear Licensee:

On November 30, 2015, 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 conditions on the license for your adult family home, located at **4421 122nd Place NE, Marysville**, 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 conditions are based on the following violations of the RCW and/or WAC determined by the department in your adult family home and described in the attached Statement of Deficiencies (SOD) report dated **November 30, 2015**.

WAC 388-76-10130(11) – Qualifications—Provider, entity representative and resident manager.

WAC 388-76-10145(2) – Qualifications—Licensed nurse as provider, entity representative or resident manager.

The licensee failed to ensure the Adult Family Home Provider, a Licensed Nurse, had a current CPR card as required.

WAC 388-76-10135(7) – Qualifications—Caregiver.

WAC 388-112-0260(1)(c)(i)(ii) – What are the CPR and first-aid training requirements?

The licensee failed to ensure all staff who worked in the Adult Family Home did not have expired CPR/First Aid cards.

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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.

The license failed to ensure one staff had a current background inquiry.

WAC 388-76-10181(1)(a)(b) – Background checks—Employment—Nondisqualifying information.

The licensee failed to ensure they did a suitability review for two staff who had non-disqualifying negative information on their background inquiry results.

This is a repeat deficiency from April 14, 2015.

WAC 388-76-10198(2)(a)(b)(c) – Adult family home—Personnel records.

The licensee failed to ensure staff records for three staff were readily accessible.

WAC 388-76-10200(5)(a)(b)(c)(d) – Adult family home—Staff-Availability—Contact information.

The licensee failed to ensure the Adult Family Home Provider was readily available to residents, their representatives or caregivers when she was out of town and out of cell phone range.

WAC 388-76-10220(2)(3) – Incident log.

The licensee failed to ensure they kept an incident log related to accidents, incidents and/or injuries to residents.

WAC 388-76-10250(1)(a)(b)(i)(ii)(iii) – Medical emergencies—Contacting emergency medical services—Required.

The licensee failed to ensure all staff had access to a written policy regarding medical emergencies and contacting emergency medical services, in order to implement it at the time of an emergency.

This is a repeat deficiency from April 14, 2015.

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

The licensee failed to ensure they kept records for three discharged residents, readily available to Department staff.

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

The licensee failed to ensure one resident received the care and services by two staff that actively supported her safety.

**WAC 388-76-10675(1)(2)(3) – Adult family home rules and policies related to abuse—
Required.**

The licensee failed to ensure written rules and policies related to abuse, were available to be implemented by caregivers.

This is a repeat deficiency from July 9, 2012.

WAC 388-76-10705(1)(a)(b)(2)(c) – Common use areas.

The licensee failed to ensure the common areas in the Adult Family Home were not used as bedrooms or sleeping areas.

WAC 388-76-10750(1)(3) – Safety and maintenance.

The licensee failed to ensure the carpet was kept clean in the living room area of the home.

NOTE: These are the violations which resulted in the conditions on the license; see the attached Statement of Deficiencies for any additional violations.

The department has determined that the following conditions shall be placed on your adult family home license:

- *The licensee, at the licensee's expense, must hire a consultant to assist the licensee develop and implement a system to ensure resident's safety. This will include but not limited to:*
 1. *Educate all staff about recognition, prevention and protection for abuse.*
 2. *Reporting and documenting any alleged or suspected neglect, abuse or exploitation consistent with all applicable laws.*
 3. *Ensuring all staff are trained.*
- *The licensee, at the licensee's expense, must hire a consultant to assist the licensee develop and implement a medical emergency policy, including but not limited to the identification of an emergency, and where and when to call for emergency assistance.*

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- *The consultant will assist the licensee develop a system to ensure all staff are qualified.*
- *The licensee will provide the consultant with a copy of the November 30, 2015 Statement of Deficiencies (SOD).*
- *The consultant must be hired by January 2, 2016.*
- *The consultant must be available to the department to answer questions.*
- *The licensee must post this Notice of Conditions of Operation, with the license, in a visible location in a common use area.*

The effective date of the conditions on your license is **December 21, 2015**. As provided in RCW 70.128.162(b), WAC 388-76-10990 (6), the effective date of the conditions on your license will not be postponed pending an administrative hearing or informal dispute resolution review.

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
Region 2, Unit B
3906 – 172nd Street NE, Suite 100
Arlington, WA 98223
Phone: (360) 651-6872 / 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).

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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 conditions by requesting a formal administrative hearing to challenge the deficiencies which resulted in the conditions. **All hearing requests must be in writing and include:**

- A copy of this letter; and
- A copy of the Statement of Deficiencies.
- If you are requesting an **expedited** hearing for a summary suspension, stop placement or conditions on your home within **60 days**, you must provide a statement stating that you wish to have an **expedited** review. **Note:** No other actions qualify for an expedited review hearing.

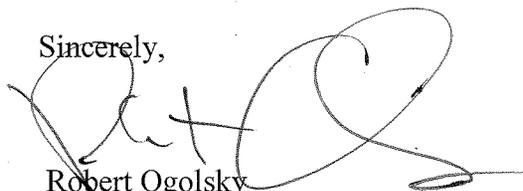
The written request must be received within twenty-eight (28) calendar days of receipt of this letter.

Send your **written** request to:

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

If you have any questions, please contact Kay Randall, Field Manager at (360) 651-6872.

Sincerely,



Robert Ogolsky
Compliance Specialist
Residential Care Services

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Enclosure

cc: Field Manager, Region 2, Unit B
RCS Regional Administrator, Region 2
HCS Regional Administrator, Region 2
DDA Regional Administrator, Region 2
WA LTC Ombuds
Office of Financial Recovery, Vendor Program Unit
HQ Central Files
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