



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

August 17, 2015

**CERTIFIED MAIL 7008 1300 0000 7188 3620**

Licensee, Maria Aquino  
Open Arms Senior Home  
3237 SW 325<sup>th</sup> Street  
Federal Way, WA 98023

Adult Family Home License #751771

**IMPOSITION OF AMENDED CONDITIONS ON A LICENSE AND  
STOP PLACEMENT ORDER PROHIBITING ADMISSIONS**

Dear Licensee:

On July 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 a license and stop placement order prohibiting admissions on the license of your adult family home, located at **3237 SW 325<sup>th</sup> Street, Federal Way**, 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 on a license and stop placement order prohibiting admissions 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 **July 30, 2015**.

**Stop Placement Order Prohibiting Admissions**

**WAC 388-76-10020(1) – License—Ability to provide care and services.**

**The licensee failed to ensure an understanding of her duties and responsibilities for four residents.**

**This is a repeat deficiency from April 23, 2015.**

**WAC 388-76-10135(4) – Qualifications—Caregiver.**

**The licensee failed to ensure one staff completed basic training requirements and Home Care Aide (HCA) certification.**

**This is a repeat deficiency from April 23, 2015**

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**WAC 388-112-0075(3)(6) – Who is required to complete basic training, and when, unless exempt as described in WAC 388-112-0076?**

The licensee failed to ensure one staff completed basic training requirements and Home Care Aide (HCA) certification.

This is a repeat deficiency from April 23, 2015.

**WAC 388-112-0106(1) – Who is required to obtain certification as a home care aide, and when?**

The licensee failed to ensure one staff completed basic training requirements and Home Care Aide (HCA) certification.

This is a repeat deficiency from April 23, 2015.

**WAC 388-76-10198(2)(b)(c)(3)(4) – Adult family home—Personnel records.**

The licensee failed to ensure two staff records were readily accessible to Department staff.

This is a repeat deficiency from April 1, 2014 and April 23, 2015.

**WAC 388-76-10285(1)(2) – Tuberculosis—Two step skin testing.**

The licensee failed to ensure Tuberculosis (TB) testing requirements were met for three staff.

This is a repeat deficiency from April 23, 2015.

**WAC 388-76-10355(1) – Negotiated care plan.**

The licensee failed to ensure one resident's negotiated care plan (NCP) contained required information.

This is a repeat deficiency from April 23, 2015.

**WAC 388-76-10375(1) – Negotiated care plan—Signatures—Required.**

The licensee failed to ensure two residents' negotiated care plan (NCP) was updated at least every twelve months.

This is a repeat deficiency from April 1, 2014 and April 23, 2015.

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**WAC 388-76-10380(4) – Negotiated care plan—Timing of reviews and revisions.**

**The licensee failed to ensure two residents' negotiated care plan (NCP) was updated at least every twelve months.**

**This is a repeat deficiency from April 1, 2014 and April 23, 2015.**

**WAC 388-76-10400(4) – Care and services.**

**The licensee failed to ensure one staff was nurse delegated prior to performing tasks for one resident.**

**This is a repeat deficiency from April 23, 2015.**

**WAC 388-76-10430(2)(c)(d) – Medication system.**

**The licensee failed to ensure one resident received medication as ordered by the physician.**

**This is a repeat deficiency from June 13, 2013, April 1, 2014 and April 23, 2015.**

**WAC 388-76-10960(14)(a)(b) – Remedies—Department may impose remedies.**

**The licensee failed to ensure compliance with the conditions imposed on the license effective May 11, 2015 for four residents.**

**WAC 388-76-101632(1) – Background checks—National fingerprint background check.**

**The licensee failed to ensure a national fingerprint background check/inquiry (BGC) for one staff.**

The stop placement order prohibiting admissions to your adult family home is effective immediately upon notice to you by **verbal** notification on **August 17, 2015** and certified mail receipt of this letter and the attached Statement of Deficiencies report. The stop placement order prohibiting admissions will not be postponed pending an administrative hearing or informal dispute resolution process, as is required by RCW 70.128.160(5). The stop placement applies to all new admissions, re-admissions, and transfer of residents.

During the stop placement, you may not admit any new resident to your adult family home. In addition, you may not 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 unless you obtain advance approval from the department. You may request such approval by contacting David Simm, Field Manager at (253) 234-6007.

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Because it may not be possible to reach the Field Manager on a weekend or holiday, any pre-approval requests should be made as soon as possible during the business week. Such exceptions are made at the sole discretion of the department on a case-by-case basis. The department may impose sanctions or take other legal action if you fail to comply with the stop placement order prohibiting admissions.

The department will terminate the stop placement order prohibiting admissions when the violations necessitating the stop placement have been corrected and you exhibit the capacity to maintain adequate care and service.

### **Conditions on License**

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

- *At the licensee's own expense, the licensee must obtain the services of consultant to assist in developing a system and train the licensee/provider on implementing, monitoring and sustaining that staff meets training, background, and other employee related qualifications.*
- *The consultant must begin no later than August 24, 2015.*
- *The Adult Family Home must provide the consultant with a copy of the July 30, 2015 Statement of Deficiencies (SOD) and Notice of Conditions.*
- *The consultant must be retained until the consultant determines the licensee/provider understands and demonstrates an ability to follow the established system.*
- *The consultant must notify the department when she/he determines the licensee/provider has demonstrated the ability to follow the developed system.*
- *The licensee must post this Notice of Conditions of Operation, with the license, in a visible location in a common use area.*

These **amended** conditions are effective on **August 17, 2015** via **verbal** notification and remain in effect until lifted by formal Department of Social and Health Services notice.

***NOTE: These are the violations which resulted in the amended conditions on your license and stop placement order prohibiting admissions; see the attached Statement of Deficiencies for any additional violations.***

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**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:

David Simm, Field Manager  
Region 2, Unit F  
20425 – 72<sup>nd</sup> Avenue South, Suite 400  
Kent, WA 98032-2388  
Phone: (253) 234-6007 / Fax: (253) 395-5071

**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 10<sup>th</sup> 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

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Formal Administrative Hearing

You may contest the **amended** conditions and stop placement by requesting a formal administrative hearing to challenge the deficiencies which resulted in the **amended** conditions, 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.
- If you are requesting an **expedited** hearing for a summary suspension, stop placement or **amended** 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.

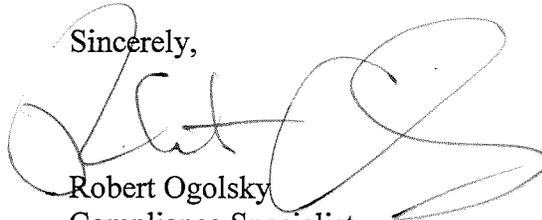
**The written request must be received within twenty-eight (28) calendar days of receipt of this letter.**

Send your **written** request to:

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

If you have any questions, please contact David Simm, Field Manager at (253) 234-6007.

Sincerely,



Robert Ogolsky  
Compliance Specialist  
Residential Care Services

Enclosure

cc: Field Manager, Region 2, Unit F  
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  
Valentina Karnafel, HCS  
HQ Central Files  
ndl