



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

March 5, 2024

CERTIFIED MAIL 9489 0090 0027 6383 3298 02

Licensee, Debra Jordan
Madison's Cottage
1506 N Mamer Rd
Spokane Valley, WA 99216

Adult Family Home License #**752950**

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

Dear Licensee:

On February 20, 2024, the Department of Social and Health Services (DSHS), Residential Care Services completed a follow-up investigation at your facility. This letter is formal notice of the imposition of continued and amended conditions on a license and stop placement order prohibiting admissions on the license of your adult family home, located at **1506 N Mamer Rd, Spokane Valley**, by the State of Washington, Department of Social and Health Services, pursuant to the Revised Code of Washington (RCW) 70.128.160 and 70.128.306; and Washington Administrative Code (WAC) 388-76-10940.

The continued and amended conditions on a license and stop placement order prohibiting admissions are based on the following violation 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 **February 20, 2024**.

Stop Placement Order Prohibiting Admissions

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

The licensee failed to have a written respiratory protection program (RPP) including training on use of a respirator and fit testing for N95 respirators for three staff. This failure placed residents at risk for exposure to communicable diseases.

This is an uncorrected deficiency previously cited on January 05, 2024, October 27, 2023, September 06, 2023, and July 05, 2023.

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The stop placement order prohibiting admissions to your adult family home is effective immediately upon notice to you by **verbal** delivery on **March 4, 2024**, 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 Tamara Tredo, Field Manager, at (509) 323-7321.

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.

Continued and Amended Conditions on License (*Amended Italicized*)

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

The licensee failed to have a written respiratory protection program (RPP) including training on use of a respirator and fit testing for N95 respirators for three staff. This failure placed residents at risk for exposure to communicable diseases.

This is an uncorrected deficiency previously cited on January 05, 2024, October 27, 2023, September 06, 2023, and July 05, 2023.

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

Continued and Amended Conditions on License (*Amended Italicized*)

The Adult Family Home (AFH) provider must hire, at their own expense, an AFH Consultant not currently or previously affiliated with the AFH, and familiar with AFH regulations by *March 11, 2024*, to assist the AFH in developing a Respiratory Protection Program for infection control.

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- **The AFH Consultant must:**
 - **Assist the AFH Provider in developing a written Respiratory Protection Program for infection control that includes fit-testing for N95 respirator masks.**
 - **The AFH Consultant must be available to the department to answer questions.**
 - **The AFH Consultant must ensure all systems are in place by *Thursday, March 21, 2024.***
- **The AFH Provider must provide the contact information for the AFH Consultant to the Field Manager upon hire.**
- **The AFH Provider must provide the AFH Consultant with a copy of the Statement of Deficiencies report dated *February 20, 2024.***
- **The AFH provider must post this Notice of Continued and Amended Conditions, with the license, in a visible location in a common use area of the AFH, accessible to residents and visitors.**

These amended conditions were put into effect by verbal notice on **January 9, 2024**, and in a letter dated January 10, 2024, and are continued and amended upon verbal notice to you **March 4, 2024**, and remain in effect until lifted by formal Department of Social and Health Services notice. As provided in RCW 70.128.160(b), WAC 388-76-10990(6), the effective date of the continued and amended conditions on your license will not be postponed pending an administrative hearing or informal dispute resolution review.

NOTE: This is the violation, which resulted in the continued and amended conditions on your license and stop placement order prohibiting admissions; 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:

Tamara Tredo, Field Manager
Region 1, Unit E
8517 E Trent Ave suite 102
Spokane Valley, WA 99212-2329
Phone: (509) 323-7321 / Fax: (509) 921-2426
rcsregion1email@dshs.wa.gov

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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 MAY:

Request an Informal Dispute Resolution (IDR) meeting within **10 working** days after you receive this letter. You **must** use an **IDR Request Form** for **each** citation or enforcement action you plan to dispute. You can find this **revised** form and guidelines on the IDR Adult Family Home web page at: <https://www.dshs.wa.gov/altsa/idr>.

Provider Process for Choosing a Panel or Traditional IDR:

You may only choose a **Panel IDR** if you are disputing **three or fewer** citations or enforcement actions. You may choose a **Traditional IDR** regardless of the number of citations or enforcement actions you intend to dispute. If you choose a **Panel IDR**, all documents supporting your dispute must be submitted within **20 working days** after you receive this letter. For **Panel IDRs**, the IDR program will not consider any documents submitted after the **20 working day deadline**. For **Traditional IDR** you should submit documents supporting your dispute at least **seven** days prior to the date of the IDR meeting.

Send your request and supporting documents to the address below or email to rcsidr@dshs.wa.gov:

Adult Family Home IDR Program
Residential Care Services
PO Box 45600
Olympia, WA 98504-5600

Formal Administrative Hearing

You may contest the continued and amended conditions and stop placement by requesting a formal administrative hearing to challenge the deficiency, which resulted in the continued and 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.

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

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Send your **written** request to:

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

NOTICE: State and federal law provide protections to defendants who are in military service, and to their dependents. Dependents of a service member are the service member's spouse, the service member's minor child, or and individual for whom the service member provided more than one-half of the individual's support for one hundred eight days immediately preceding an application for relief.

One protection provided is the protection against the entry of a default judgment in certain circumstances. This notice pertains only to a defendant who is a dependent of a member of the National Guard or a military reserve component under a call to active service, or a National Guard member under a call to service authorized by the governor of the state of Washington, for a period of more than thirty consecutive days. Other defendants in military service also have protections against default judgments not covered by this notice. If you are the dependent of a member of the national guard or a military reserve component under a call to active service, or a national guard member under a call to service authorized by the governor of the state of Washington, for a period of more than thirty consecutive days, you should notify the Department in writing of your status as such within twenty days of the receipt of this notice. If you fail to do so, then a court or an administrative tribunal may presume that you are not a dependent of an active duty member of the national guard or reserves, or a national guard member under a call to service authorized by the governor of the state of Washington, and proceed with the entry of an order of default and/or a default judgment without further proof of your status. Your response to the Department about your status does not constitute an appearance for jurisdictional purposes in any pending litigation nor a waiver of your rights.

If you have any questions, please contact Tamara Tredo, Field Manager, at (509) 323-7321.

Sincerely,



for Rathana Duong
Compliance Specialist
Residential Care Services

Enclosure

cc: Field Manager, Region 1, Unit E
RCS Regional Administrator, Region 1
HCS Regional Administrator, Region 1
DDA Regional Administrator, Region 1
WA LTC Ombuds
HQ Central Files
DRW
JB

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REQUEST FOR AN ON-SITE REVISIT WITHIN 15 WORKING DAYS

FACILITY: _____

ADDRESS: _____

DATE REQUEST FAXED: _____ **DATE MAILED:** _____

TO: _____, **Field Manager, Region** ____ **Unit** ____

I believe we have corrected the violations that led to my facility/home being placed in stop placement of new admissions. I am requesting an onsite revisit within 15 working days of receipt of this letter to verify that correction(s) is complete.

The following steps have been taken to ensure lasting correction.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

Licensee or Designee Signature

Date