



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

January 15, 2014

**CERTIFIED MAIL 7008 1300 0000 7187 8442**

Administrator  
Maplewood Gardens  
1100 North Superior  
Spokane WA 99202

Assisted Living Facility License #1806  
Licensee: KA-4 Associates, LLC

**IMPOSITION OF CIVIL FINE**

Dear Administrator:

On January 8, 2014, the Department of Social and Health Services (DSHS), Residential Care Services conducted an inspection/investigation at your facility. This letter constitutes formal notice of a civil fine for your assisted living facility, also known as **Maplewood Gardens**, located at **1100 North Superior, Spokane** by the State of Washington, Department of Social and Health Services. These actions are taken under the authority granted pursuant to Laws of 1998, Chapter 272 and RCW 18.20.190.

The civil fine is based on the following violations of the RCW and/or WAC as described in the attached Statement of Deficiencies (SOD) report dated **January 8, 2014**.

**WAC 388-78A-2120(2)(b)(3)(a)(b)(4) Monitoring residents' well-being.** **\$300.00**  
**\$100.00 x 3 residents**

**The licensee failed to identify, evaluate and/or take appropriate action for residents with changing conditions related to recurring falls, physician ordered laboratory tests, and weight gain/loss for three residents. This is a repeat violation of deficiencies cited on March 11, 2011, August 18, 2011, May 15, 2012, July 25, 2012, and February 14, 2013, June 25, 2013, and December 13, 2013.**

**WAC 388-78A-2160 Implementation of negotiated service agreement.** **\$200.00**  
**\$100.00 x 2 residents**

The licensee failed to implement the care and services per the negotiated service agreement for two residents. This is a repeat violation of deficiencies cited on September 10, 2013.

**WAC 388-78A-2210(2)(a) Medication services.** **\$1,000.00**  
**\$100.00 x 10 incidents**

The licensee failed to ensure three residents received their medications as physician ordered. This is a repeat violation of deficiencies cited on August 18, 2011, February 14, 2013, May 20, 2013, June 25, 2013, September 10, 2013, and December 13, 2013.

**WAC 388-78A-2320(1)(a) Intermittent nursing services systems.** **\$600.00**

The licensee failed to ensure a registered nurse was accountable and responsible to evaluate and supervise delegated tasks of nursing care provided by nursing assistants.

**WAC 388-78A-2350(1)(7)(b) Coordination of health care services.** **\$200.00**  
**\$100.00 x 2 residents**

The licensee failed to coordinate and provide services for two residents to ensure appointments were scheduled/attended and changes in care were implemented. This is a repeat violation of deficiencies cited on September 10, 2013 and December 13, 2013.

**WAC 388-78A-2474(1) Training and home care aide certification requirements.** **\$100.00**

The licensee failed to ensure two care staff completed the developmental disability specialty training. This is a repeat violation of deficiencies cited on July 25, 2012.

**WAC 388-78A-2474(2)(d) Training and home care aide certification requirements.** **\$100.00**

The licensee failed to have four staff obtain training in CPR and/or first aid within thirty days of hire.

**WAC 388-78A-02480(1) Tuberculosis—Testing—Required.** **\$100.00**

The licensee failed to ensure screening for tuberculosis was done within three days of hire for four staff. This is a repeat violation of deficiencies cited on July 25, 2012.

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**WAC 388-78A-2620(2)(a)(b) Pets.**

**\$100.00**

The licensee failed to ensure 19 pets had regular veterinary examinations to certify that they were free from disease and received current immunizations. This is a repeat violation of deficiencies cited on July 25, 2012.

**WAC 388-78A-2660(1) Resident rights.**

**RCW 70.129-140(1) Quality of life—rights.**

**\$100.00**

The licensee failed to ensure residents were treated in a manner that enhanced or maintained each resident's right for respect and dignity related to communication with administration related to a stop placement condition on the boarding home license, fear of closure of the facility, response to missing items, and feeling secure with their property. This is a repeat violation of deficiencies cited on May 15, 2012, and December 13, 2013.

**WAC 388-78A-2700(2)(c)(i)(ii)(iii) Safety measures and disaster preparedness. \$500.00**

**\$100.00 x 5 residents**

The licensee failed to investigate and document allegations of missing resident property for five residents. This is a repeat violation of deficiencies cited on May 15, 2012, October 4, 2012, and June 25, 2013.

*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:

Elena Madrid, Field Manager  
District 1, Unit A  
316 West Boone, Suite 170  
Spokane, WA 99201-2351  
Phone: (509) 323-7316 / Fax: (509) 329-3993

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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 18.20.195]

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

### Formal Administrative Hearing

You may contest the civil fine 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.**

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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 fine is due to the Office of Financial Recovery twenty-eight (28) calendar days after receipt of this letter.

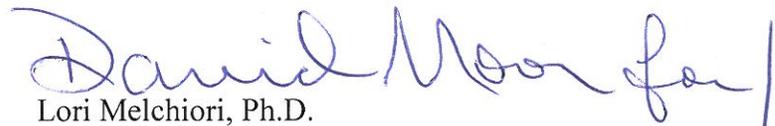
Mail a check for **\$3,300.00** payable to the 'Department of Social and Health Services' at:

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 Elena Madrid, Field Manager, at (509) 323-7316.

Sincerely,

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

Enclosure

cc: David Moon, Compliance Specialist  
Field Manager, District 1, Unit A  
RCS District Administrator, District 1  
HCS District Administrator, District 1  
DDD District Administrator, District 1  
WA LTC Ombuds  
Office of Financial Recovery, Vendor Program Unit  
Judy Plesha, HCS  
BAM