



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

August 11, 2014

CERTIFIED MAIL 7007 1490 0003 4302 5560

Administrator
Quail Hollow Memory Care Community
3131 Elliott Avenue #500
Seattle, WA 98121

Assisted Living Facility License #2090
Licensee: Emeritus Corporation

**IMPOSITION OF CIVIL FINE AND
IMPOSITION OF CONDITIONS ON A LICENSE**

Dear Administrator:

On August 6, 2014, the Department of Social and Health Services (DSHS), Residential Care Services completed an inspection/investigation at your facility. This letter constitutes formal notice of civil fines and the imposition of conditions on the license for your assisted living facility, also known as **Quail Hollow Memory Care Community**, located at **221 Torbett Street, Richland**, 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 fines and conditions on the license is based on the following violations of the RCW and/or WAC as described in the attached Statement of Deficiencies (SOD) report dated **August 6, 2014**.

CIVIL FINES

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

\$100.00

X 67 Days = \$6,700.00

RCW 70.129.120 – Restraints – Physical or chemical.

RCW 70.129.140(1)(2)(f) – Quality of life – Rights.

The licensee failed to promote dignity and maintain respect for one resident's right to refuse treatment of the facility's specialized secure memory care unit.

CONDITIONS ON LICENSE

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

RCW 70.129.120 – Restraints – Physical or chemical.

The licensee failed to ensure each resident's right to be free from chemical restraints in one resident.

RCW 70.129.140(1)(2)(f) – Quality of life – Rights.

The department has determined that the following conditions shall be placed on your assisted living facility license:

- *The Administrator must obtain and read RCW 70.129.140 Quality of life – Rights.*
- *The Administrator must schedule a meeting with the Field Manager to discuss Resident Rights by August 20, 2014.*
- *The licensee must post this Notice of Conditions, with the license, in a visible location in a common use area.*

These conditions are effective on August 11, 2014 and remain in effect until lifted by formal Department of Social and Health Services notice.

NOTE: These are the violations which resulted in the fines and conditions; 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.

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Return the signed and dated SOD to:

Elena Madrid, Field Manager
3611 River Road, Suite 200
Yakima, WA 98902
Telephone: (509) 225-2823
Fax: (509) 574-5597/(509) 454-7890

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 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.

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

Mail a check for **\$6,700.00** 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) 225-2823.

Sincerely,


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

Enclosure

cc: Linda Ronco, Compliance Specialist
Field Manager, District 1, Unit C
RCS District Administrator, District 1
HCS District Administrator, District 1
DDA District Administrator, District 1
WA LTC Ombuds
Office of Financial Recovery, Vendor Program Unit
Valentina Karnafel, HCS
NDL