



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
March 26, 2014

CERTIFIED MAIL 7008 1300 0000 7187 6530

Administrator
Highgate Senior Living
155 E. Kellogg Road
Bellingham WA 98226

Assisted Living Facility License #2097
Licensee: Highgate Bellingham LP

**STOP PLACEMENT ORDER PROHIBITING ADMISSIONS,
IMPOSITION OF CIVIL FINE AND
IMPOSITION OF CONDITIONS ON A LICENSE**

Dear Administrator:

On March 19, 2014, the Department of Social and Health Services (DSHS), Residential Care Services conducted an investigation at your facility. This letter constitutes formal notice of a stop placement order prohibiting admissions, the imposition of civil fines, and the imposition of conditions on the license for your assisted living facility, also known as **Highgate Senior Living**, located at **155 East Kellogg Road, Bellingham**, 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.

Stop Placement Order Prohibiting Admissions

The stop placement order prohibiting admissions was effective per notification to you on **March 25, 2014**, and certified mail receipt of this letter with the attached Statement of Deficiencies dated **March 19, 2014**.

WAC 388-78A-2120(1-3)(a)(b)(4) Monitoring residents' well-being.
WAC 388-78A-2640(1)(a)(3)(a)(b) Reporting significant changes in a resident's condition.

The licensee failed to ensure suspicious bruises on a resident were evaluated immediately by a qualified assessor and failed to ensure appropriate action was taken including immediate consultation with the resident's own physician and representative

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related to the first observation of suspicious bruises. This is a repeat violation of deficiencies cited on March 9, 2011.

WAC 388-78A-2600(1)(b)(2)(a) Policies and procedures.

WAC 388-78A-2630(1)(a)(b)(2) Reporting abuse and neglect.

The licensee failed to recognize and respond appropriately to physical signs of possible physical/sexual abuse for a resident. The licensee failed to implement their own policy and report substantial bruising of unknown origin found on a resident, to the proper authorities such as the police and the Department hotline. In addition, the facility failed to immediately begin an investigation to determine the circumstances of the bruising. This is a repeat violation of deficiencies cited on August 28, 2013.

The stop placement order prohibiting admissions will not be postponed pending an administrative hearing or informal dispute resolution process, as is required by RCW 18.20.190(4). 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 assisted living facility. 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 Lynne Dasher, Field Manager, at (360) 651-6863.

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 of 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.

Civil Fine and Conditions on the License

The civil fine and conditions on the license are based on the following violations of the RCW and/or WAC as described in the attached Statement of Deficiencies (SOD) report dated **March 19, 2014.**

WAC 388-78A-2640(1)(a)(3)(a)(b) Reporting significant changes in a resident's condition.

\$100.00

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The facility failed to ensure a resident was evaluated and take immediate action when a resident was observed with suspicious bruising.

WAC 388-78A-2600(1)(b)(2)(a) Policies and procedures.

\$100.00

The facility failed to ensure report to the police and the Department when a resident was observed to have suspicious bruising.

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

- *The licensee must hire, at their own expense, a consultant not associated with the facility and knowledgeable about Assisted Living Regulations to assist the provider to review and implement the system to protect residents from abuse, neglect and exploitation.*
- *The consultant will assist the licensee to review the facility policies and procedures regarding mandatory reporting.*
- *The consultant will assist the licensee to train all staff to identify and respond to abuse, neglect and exploitation.*
- *The consultant must be hired no later than March 31, 2014.*
- *The licensee must provide the consultant with a copy of the March 19, 2014 Statement of Deficiencies.*
- *The consultant will be available to the Department to answer questions at the Department's request.*
- *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 **March 26, 2014**, and remain in effect until lifted by formal Department of Social and Health Services notice.

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:

Lynne Dasher, Field Manager
District 2, Unit A
3906 172nd St NE
Arlington, WA 98223
Phone: (360) 651-6863 / 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 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 stop placement order, civil fine, and conditions on the license by requesting a formal administrative hearing to challenge the deficiencies which resulted in the enforcement actions. **All hearing requests must be in writing and include:**

- A copy of this letter; and
- A copy of the Statement of Deficiencies.

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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

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.

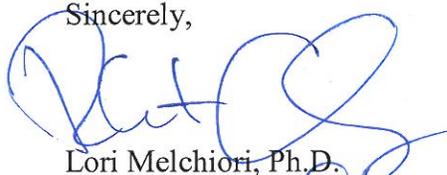
Mail a check for **\$200.00** payable to the 'Department of Social and Health Services' at:

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 Lynne Dasher, Field Manager, at (360) 651-6863.

Sincerely,



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

Enclosure

cc: Robert Ogolsky, Compliance Specialist
Field Manager, District 2, Unit A
RCS District Administrator, District 2
HCS District Administrator, District 2
DDD District Administrator, District 2
WA LTC Ombuds
Office of Financial Recovery, Vendor Program Unit
Judy Plesha, HCS
BAM

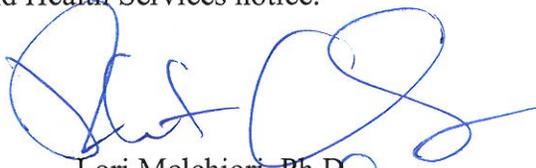
NOTICE OF CONDITIONS ON LICENSE

March 26, 2014

Based on the Statement of Deficiencies dated March 19, 2014, the Department of Social and Health Services imposes the following conditions on the license of *Highgate Senior Living, License #2097, located at 155 E. Kellogg Road, Bellingham, Washington.*

- *The licensee must hire, at their own expense, a consultant not associated with the facility and knowledgeable about Assisted Living Regulations to assist the provider to review and implement the system to protect residents from abuse, neglect and exploitation.*
- *The consultant will assist the licensee to review the facility policies and procedures regarding mandatory reporting.*
- *The consultant will assist the licensee to train all staff to identify and respond to abuse, neglect and exploitation.*
- *The consultant must be hired no later than March 31, 2014.*
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Lori Melchiori, Ph.D.
Assistant Director
Residential Care Services