



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

January 9, 2019

CERTIFIED MAIL 7017 1070 00000 5535 1633
AND FASCIMILE

Michelle Weaver, Administrator
Aacres WA LLC (Snohomish County)
5709 W. Sunset Hwy, Suite 100
Spokane, WA 99224

Provider Name: Aacres WA LLC (Snohomish County)
Certification Number 2011-178

IMPOSITION OF CIVIL FINES

Dear Administrator:

On December 28, 2018, the Department of Social and Health Services (DSHS), Residential Care Services completed a complaint investigation at your Certified Community Residential Services and Support Program. This letter constitutes formal notice of civil fines for your Certified Community Residential Services and Support Program by the State of Washington, DSHS, pursuant to the Revised Code of Washington (RCW) 71A.12.300, Washington Administrative Code (WAC) 388-101-4175 and 388-101-4180.

The civil fine of **\$1,000.00** is based on the following violation of WAC as described in the attached Statement of Deficiencies (SOD) report dated December 28, 2018.

WAC 388-101D-0170 Physical and safety requirements. \$1,000.00

- The provider failed to ensure a client's home was free of safety hazards and had necessary repairs when an issue at the home was first identified. This failure resulted in actual harm to the client as they fell through their home's subflooring into the space below and experienced injury. This is a repeat deficiency previously cited on 5/18/18, 6/29/18, and 11/6/18.

NOTE: This is the violation which resulted in the fine; see the attached Statement of Deficiencies for further information including any additional violations.

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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 Chapter 71A.12)

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

Administrative Hearing (WAC 388-101-4260)

You may contest a decision made by the department by requesting a formal administrative hearing to challenge the deficiency 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.

Send your written request to:

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

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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 **\$1,000.00** payable to '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 me at (360) 725-2405.

Sincerely,



Loida Baniqued, RN
Headquarters Operations Office Chief
Residential Care Services

Enclosure

cc: Nicole Vreeland, Field Manager, RCS
Candace Goehring, Director, RCS
Michael Bradley, Assistant Attorney General
Stacie Siebrecht, Disability Rights of Washington
Betty Schweiterman, DD Ombuds
Evelyn Perez, Assistant Secretary, DDA
Lauren Bertagna, Deputy Regional Administrator, DDA
Office of Financial Recovery, Vendor Program Unit
HQ Central Files