



MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES LICENSING AND CERTIFICATION ASSISTED HOUSING

STATEMENT OF DEFICIENCIES & PLAN OF CORRECTION Case Investigation: 2025-AHP-40275	Date Completed: 3/5/2025
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Name of Facility: Winterberry Heights Administrator: Marck Stewart Level IV Residential Care Facility Total Capacity: 29 License Number: RCD38721	Address: 932 Ohio St Bangor, ME 04401
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Summary Statement of Deficiencies	Plan of Correction	Completion Date
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<p>Winterberry Heights, a Level IV Residential Care Facility, is not in substantial compliance with the Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level IV Residential Care Facilities and Infection Prevention and Control, Part of 10-144, Chapter 113.</p> <p>The following was not met:</p> <p>Section 3 Licensing</p> <p>3.4.3 Additional licensing requirements. Prior to the issuance of a license and prior to relicensure, the facility shall:</p> <p>3.4.3.2 Comply with all applicable laws and regulations promulgated thereunder, relating to fire safety, plumbing, water supply, sewage disposal and maintenance of sanitary conditions (Class I, II, III);</p> <p>This has not been met as evidenced by:</p> <p>Based on record review and interview, the facility did not utilize the Maine Background Check Center (MBCC) to obtain a comprehensive background check reports as required by 10-144 C.M.R., Ch. 60, Maine Background Check Center Rule established under 22 M.R.S., Ch 1691, Maine Background Check Center Act for a staff working with direct access to residents providing care (Staff #1).</p> <p>Finding:</p>	<p>Click or tap here to enter text. 39976</p>	<p>Click or tap here to enter text.</p>
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<p>On 2/10/2025, a completed MBCC was requested for Staff #1. On 2/18/2025 a State Bureau of Identification background check completed on 8/13/2024 was provided for review. The Director of Health Services confirmed Staff #1 had a date of hire of 12/13/2023 with no MBCC check completed for this employee.</p> <p>This finding was confirmed with the Director of Health Services via phone interview on 3/5/2025.</p> <p><u>The is a repeat deficiency from the 9/10/2024 Statement of Deficiencies.</u></p> <p><u>The facility failed to follow the 9/20/2024 submitted Plan of Correction ("POC") indicating they would complete MBCC checks for any missing records in personnel files. The POC indicated that the facility would have ongoing measures in place and would be in compliance with this regulation by 9/30/2024.</u></p>		