



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

May 6, 2025

ELECTRONIC-FACSIMILE

Administrator
EVERGREEN COURT
900 124TH AVENUE NE
BELLEVUE, WA 98005

Assisted Living Facility License # **1502**
Licensee: DOWNTOWN ACTION TO SAVE HOUSING

IMPOSITION OF CIVIL FINES

Dear Administrator:

On April 23, 2025, the Department of Social and Health Services (DSHS), Residential Care Services completed a follow-up visit at your facility. This letter constitutes formal notice of civil fines on the license for your assisted living facility, also known as **EVERGREEN COURT**, located at **900 124TH AVENUE NE, BELLEVUE**, 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 on the license are based on the following violation of the RCW and/or WAC as described in the attached Statement of Deficiencies (SOD) report dated April 23, 2025.

Civil Fines

WAC 388-78A-2100 (2)(a)(b)(i)(ii) Ongoing assessments. **\$300.00**

The licensee failed to complete one resident's assessments that included the required full assessment components. This failure placed the resident at risk of harm from unidentified care needs.

This is an uncorrected deficiency previously cited for subsection (2)(a) and (2)(b)(i)(ii) on February 26, 2025.

WAC 388-78A-2150 (1)(2) Signing negotiated service agreement. **\$200.00**

The licensee failed to ensure one resident or their representative, and a facility representative signed their Service Plan Report (equivalent to the negotiated service agreement), at least annually. This failure placed the resident at risk of being uninformed about their assessed care and services and having unmet care needs.

This is an uncorrected deficiency previously cited for subsections (1) and (2) on February 26, 2025.

WAC 388-78A-2810 (1)(2)(3) Criteria for increasing licensed bed capacity. **\$400.00**

The licensee failed to notify and receive approval from the Department of Social and Health Services Construction Review Services (CRS) for the addition of three rooms and approval for occupancy to their licensed bed count. These failures placed three residents at risk of potential injury from residing in an apartment not approved for occupancy or for Medicaid contract services.

This is an uncorrected deficiency previously cited for subsections (1), (2), and (3) on February 26, 2025.

WAC 388-78A-3090 (1)(a)(2)(c)(iv) Maintenance and housekeeping. **\$300.00**

The licensee failed to provide ventilation fans in four rooms that operated to provide proper air flow and ventilation to the outside of the facility. This failure placed all 37 residents at risk of diminished quality of life from improper air circulation in the building.

This is an uncorrected deficiency previously cited for subsection (1)(a) and subsection (2)(c)(iv) on February 26, 2025.

WAC 388-78A-2130 (1)(b)9c(3)(a)(b)(4) Service agreement planning. **\$300.00**

The licensee failed to document in one resident's service agreements a plan to monitor and address interventions required to meet the current needs. This failure placed the resident at risk for unmet care needs and potential harm.

This is an uncorrected deficiency previously cited for subsection (1)(b)(c), (3)(a)(b) and (4) on February 26, 2025.

NOTE: These are the violations, which resulted in the fines; see the attached Statement of Deficiencies for any additional violations.

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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:

Laurie Anderson, Field Manager
Region 2, Unit D
20425 72nd Ave S suite 400
Kent, WA 98032-2388
Phone: (253)234-6020 / Fax: (253) 395-5071
rcsregion2email@dshs.wa.gov

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.

Please **email** your request(s) and supporting documentation to:

RCSIDR@dshs.wa.gov

OR

FAX to: 360-725-3225

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Formal Administrative Hearing

You may contest the civil fines 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

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 **\$1,500.00** payable to the 'Department of Social and Health Services', **and if you have or have had a Medicaid resident(s), please include your ProviderOne ID Number # on the check,** to:

DSHS Office of Financial Recovery
PO Box 9501
Olympia, WA 98507-9501
(360) 664-5919 / FAX: (360) 664-8401
OFRMMISVendor@dshs.wa.gov

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.

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NOTICE: State and federal law provide protections to defendants who are in military service, and to their dependents. Dependents of a service member are the service member's spouse, the service member's minor child, or and individual for whom the service member provided more than one-half of the individual's support for one hundred eight days immediately preceding an application for relief.

One protection provided is the protection against the entry of a default judgment in certain circumstances. This notice pertains only to a defendant who is a dependent of a member of the National Guard or a military reserve component under a call to active service, or a National Guard member under a call to service authorized by the governor of the state of Washington, for a period of more than thirty consecutive days. Other defendants in military service also have protections against default judgments not covered by this notice. If you are the dependent of a member of the national guard or a military reserve component under a call to active service, or a national guard member under a call to service authorized by the governor of the state of Washington, for a period of more than thirty consecutive days, you should notify the Department in writing of your status as such within twenty days of the receipt of this notice. If you fail to do so, then a court or an administrative tribunal may presume that you are not a dependent of an active duty member of the national guard or reserves, or a national guard member under a call to service authorized by the governor of the state of Washington, and proceed with the entry of an order of default and/or a default judgment without further proof of your status. Your response to the Department about your status does not constitute an appearance for jurisdictional purposes in any pending litigation nor a waiver of your rights.

If you have any questions, please contact Laurie Anderson, Field Manager, at (253) 234-6020.

Sincerely,



Matt Hauser
Compliance Specialist
Residential Care Services

Enclosure

cc: Field Manager, Region 2, Unit D
RCS Regional Administrator, Region 2
HCS Regional Administrator, Region 2
DDA Regional Administrator, Region 2
WA LTC Ombuds
Office of Financial Recovery, Vendor Program Unit
HQ Central Files
DRW
HP