

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

CERTIFICATE OF COMPLIANCE

This Certificate is hereby granted to **EVERGREEN ELDER CARE, INC.**

LEGAL ENTITY

To operate **THE VILLA ST. ELIZABETH**

NAME OF FACILITY OR AGENCY

Located at **1201 MUSEUM ROAD, READING, PA 19611**

(COMPLETE ADDRESS OF FACILITY OR AGENCY)

ADDRESS OF SATELLITE SITE

ADDRESS OF SATELLITE SITE

ADDRESS OF SATELLITE SITE

ADDRESS OF SATELLITE SITE

ADDRESS OF SATELLITE SITE

ADDRESS OF SATELLITE SITE

To provide **Personal Care Homes**

TYPE OF SERVICE(S) TO BE PROVIDED

The total number of persons which may be cared for at one time may not exceed **92**
or the maximum capacity permitted by the Certificate of Occupancy, whichever is smaller.

(MAXIMUM CAPACITY)

Restrictions: _____

This certificate is granted in accordance with the Public Welfare Code of 1967, P.L. 31, as amended, and Regulations

55 Pa.Code Chapter 2600: Personal Care Homes

(MANUAL NUMBER AND TITLE OF REGULATIONS)

and shall remain in effect from **November 5, 2010** until **May 5, 2011**,
unless sooner revoked for non-compliance with applicable laws and regulations.

No: 205763

Robert E. Robinson

ISSUING OFFICER

Kenneth O. Casey

DEPUTY SECRETARY

NOTE: This certificate is issued for the above site(s) only and is not transferable
and should be posted in a conspicuous place in the facility.

PW 628 - 4/02



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
PO BOX 2675
HARRISBURG, PENNSYLVANIA 17105-2675

ADULT RESIDENTIAL LICENSING

PHONE: (717) 783-3670
FAX: (717) 783-5662

CERTIFIED MAIL – RETURN RECEIPT
MAILING DATE:

NOV 19 2010

Ms. Jean R. Bready, President
Evergreen Elder Care, Inc.
The Villa St. Elizabeth
1201 Museum Road
Reading, Pennsylvania 19611

Dear Ms. Bready:

In accordance with the Stipulated Order issued by the Department of Public Welfare on November 5, 2010, enclosed is a THIRD PROVISIONAL license issued in accordance with 55 Pa.Code Ch. 2600 (relating to Personal Care Homes).

Sincerely,

A handwritten signature in black ink, appearing to read "K.T. Casey".

Kevin T. Casey
Deputy Secretary

Enclosures
Stipulated Order
License

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE,
Plaintiff

vs.

EVERGREEN ELDER CARE, INC.,
Defendant

: IN THE COURT OF COMMON PLEAS OF
: BERKS COUNTY, PENNSYLVANIA
:
: CIVIL ACTION - LAW
:
:
: NO. 10-19278
:

RECEIVED


NOV 12 2010

ORDER

Adult Residential Licensing

AND NOW, this 5th day of November, 2010, the attached
Stipulation is hereby APPROVED.

BY THE COURT:

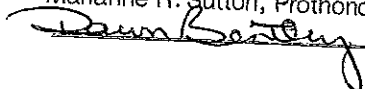


ALBERT A. STALLONE, J.

NOTICE IS HEREBY GIVEN OF THE ENTRY OF THIS
ORDER OR DECREE PURSUANT TO RULE P.C.P. 236
YOU ARE NOTIFIED THAT THIS ORDER/DOCUMENT
HAS BEEN FILED IN THE PROTHONOTARY'S OFFICE
OF BERKS COUNTY AND THIS IS AN EXTRACT FROM
THE RECORD OF SAID COURT CERTIFIED THIS

3 DAY OF November 20 10

Marianne R. Sutton, Prothonotary

 Deputy

RECEIVED
PROTHONOTARY'S OFFICE
2010 NOV -5 P 4:55
BERKS COUNTY, PA
MARIANNE R. SUTTON
PROTHONOTARY

COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT
OF PUBLIC WELFARE,

: IN THE COURT OF COMMON PLEAS
: OF BERKS COUNTY, PENNSYLVANIA

No. 10-19278

Plaintiff

v.

EVERGREEN ELDER CARE, INC.,

Defendant

BERKS COUNTY, PA
MARY PATTENSON SUTTORP
PROTHONOTARY

2010 NOV - 3 P 1:29

RECEIVED
PROTHONOTARY'S OFFICE

MOTION FOR APPROVAL OF STIPULATED ORDER

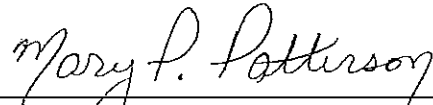
AND NOW comes the Commonwealth of Pennsylvania, Department of Public Welfare ("DPW" or the "Department"), by its attorney, Mary P. Patterson and the Office of General Counsel, and hereby moves this Honorable Court to approve the Stipulated Order agreed to by the parties herein. In support of this Motion, the Department avers as follows:

1. On August 24, 2010, DPW preliminarily revoked The Villa St. Elizabeth's provisional license.
2. The Villa St. Elizabeth filed an appeal of the preliminary revocation on September 2, 2010.
3. DPW found additional violations after August 24, 2010 and advised The Villa St. Elizabeth of those violations in writing.
4. On or about October 12, 2010, DPW filed a Complaint for Injunctive Relief under the Public Welfare Code.
5. The parties, desiring to resolve this matter, entered into a settlement agreement memorialized by a Stipulated Order attached hereto as Exhibit "A".
6. All necessary signatories have executed that Order.
7. The parties seek to have the Court approve the terms of the Stipulated Order.

WHEREFORE, Plaintiff , Commonwealth of Pennsylvania, Department of Public Welfare, respectfully requests that this Court approve the Stipulated Order entered into by the parties.

Respectfully submitted,

Date: 10-29-10



Mary P. Patterson, Senior Counsel
Department of Public Welfare
Office of General Counsel
Health and Welfare Building
3rd Floor West
Harrisburg, PA 17120
Phone: (717) 783-2800
Fax: (717) 772-0717
Attorney ID No. 47620

IN THE COURT OF COMMON PLEAS OF
BERKS COUNTY, PENNSYLVANIA
CIVIL ACTION LAW

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

V.

EVERGREEN ELDER CARE, INC.

10-19-2010
Albert A. Stallone, SJ

STIPULATION

And now this ~~day of October, 2010~~, it is hereby ordered that:

1. In accordance with 62 P.S. § 1057.1(b), Evergreen Elder Care, Inc. (Defendant) shall hire P.E.P.P. Unlimited, or another entity approved by the Department of Public Welfare (Department), as a Master to manage and operate the personal care home (home) located at The Villa St. Elizabeth located at 1201 Museum Road, Reading, Pennsylvania, 19611, no later than ten (10) days from the date of this Order. The Master shall be retained until the Defendant obtains and retains a Regular License issued by the Department for at least twelve (12) consecutive months, or until the closure or sale of the personal care home, whichever occurs first.
2. Under the management and operation by the Master, Defendant shall comply with 55 Pa.Code Ch. 2600 (relating to personal care homes).
3. Defendant shall meet conditions to obtain a Regular License within six (6) months of the date of this Stipulated Order.
4. The Master shall hire a new management team to operate the home to include the following full time positions: administrator, program/activities manager, maintenance manager, food service manager, business manager, and a healthcare and medications manager who is a Pennsylvania registered nurse.
5. Under the management and operation by the Master, Defendant shall submit weekly written reports to the Department to verify compliance with Ch. 2600.
6. The ban on admissions issued by the Department on August 24, 2010 remains in effect for a period of not less than thirty (30) days from the date of this Order. Not less than thirty (30) days from the date of this Order, the Department will lift the ban on admissions when it finds evidence of substantial compliance with Ch. 2600, as determined by the sole discretion of the Department.


7. The Department will issue a Third Provisional license for a six (6) month period, effective the date of this Stipulated Order.

8. This Stipulated Order settles the appeal pending in the Department's Bureau of Hearings and Appeals.

9. This Stipulated Order resolves all fine notices and all fine invoices for all regulatory violations cited by the Department as of the date of this Order. This Order does not preclude the Department from assessing new fines for regulatory violations that are cited by the Department after the date of this Order.

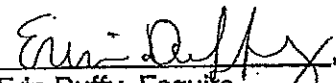
10. Nothing herein resolves any controversy between the parties other than the matters expressly included in the complaint to 62 P.S. § 1053 and 1057.1(b).

11. The Court shall retain jurisdiction relating to the appointment of the Master.


Ms. Jean R. Bready, President
Defendant

Date: 10/21/10

And:


Erin Duffy, Esquire
Counsel for Defendant


Date: 10-21-2010



Kevin Casey, Deputy Secretary
533 Health & Welfare Building
Harrisburg, PA 17120


Date: 10/26/10

And:


Mary Patterson, Esquire
Counsel for
Department of Public Welfare

Date: 10-25-10

By the Court:


Date: _____