



# pennsylvania

DEPARTMENT OF HUMAN SERVICES

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**MAILING DATE:** MAR 07 2016

Mr. Mark W. Ohlendorf, President  
Mr. William K. Kofron, Executive Director  
Brookdale Living Communities, Inc.  
111 Westwood Place, Suite 400  
Brentwood, Tennessee 37027

RE: Brookdale Northampton  
65 Richboro-Newtown Road  
Richboro, Pennsylvania 18956  
License #: 127140

Dear Mr. Ohlendorf and Mr. Kofron:

On February 18, 2016, the Department of Human Services (Department) issued a notice of its intent to assess a fine for regulatory violations with 55 Pa.Code Ch. 2600 (relating to personal care homes) for the above personal care home.

Pursuant to 62 P.S. §§ 1085-1087 and 55 Pa.Code §§ 2600.261-268 (relating to enforcement), the Department hereby assesses a fine for the following uncorrected violations. Brookdale Northampton continues to advertise as an Assisted Living residence on <https://www.brookdale.com/locations/pennsylvania/>.

55 Pa.Code Chapter 2600 Section no.	Class of Violation	Census at Inspection	Fine Per resident X Per day	Calculated Fine = Per day	Initial Fine Assessment
18	III	82	\$3	\$246	<u>\$3,690</u>

Total Fine Assessment for period of February 19, 2016 through March 4, 2016 = \$3,690.

The enclosed Invoice for Personal Care Home Fine specifies the total amount of the fines for the period following the Department's notice of intent to assess a fine. The invoice is payable within 30 days from the mailing date of this letter. The fines will continue to accumulate and will be recalculated at the end of each month until all violations are fully corrected. You must notify the Department's Regional Human Services Licensing office in writing as soon as each violation is fully corrected and submit written documentation of each correction. Even if you pay the full amount of this invoice, fines will continue to accumulate for each violation until you have provided written notice of full correction and the Department has verified that the violations are fully corrected.

In accordance with §2600.268 (relating to notice of violations), the personal care home administrator shall immediately post this written notice in a conspicuous and public place in the home, if this notice includes a Class I violation.

If you disagree with the decision to assess a fine, you have the right to appeal through hearing before the Bureau of Hearings and Appeals, Department of Human Services in accordance with 1 Pa.Code Part II, Chs. 31-35 and 62 P.S. §1086(f). If you decide to appeal, a written request for an appeal with a check made payable to the "Commonwealth of Pennsylvania" for the total monthly fine amount or \$500, whichever is less, must be received within 30 days of the mailing date of this letter by:

Jacob Herzing, Enforcement Manager  
Bureau of Human Services Licensing  
Department of Human Services  
Room 631 Health and Welfare Building  
625 Forster Street  
Harrisburg, Pennsylvania 17120

This decision to assess a fine is final 31 days from the date of this letter, or if you decide to appeal, upon issuance of a decision by the Bureau of Hearings and Appeals.

If you have any questions regarding this invoice please contact Kevin Brumbach, Human Services Licensing, at 717-783-3670.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew J. Jones", with a long horizontal flourish extending to the right.

Matthew J. Jones  
Director

Enclosure

Personal Care Home Fine Invoice

# Personal Care Home Invoice

PA Department of Human Services Bureau of Human Services Licensing Room 631, Health and Welfare Building 625 Forster Street Harrisburg, Pennsylvania 17120 Phone: 717-783-3670 Fax: 717-783-5662		<b>Assessment #:</b> S00046  <b>Invoice Date:</b> MAR 07 2016			
<b>Bill To:</b>  Brookdale Living Communities, Inc. 111 Westwood Place, Suite 430 Brentwood, TN 37027					
Re: Brookdale Northampton 65 Richboro-Newtown Road Richboro, PA 18956					
<b>Contact Name</b>	Mark W. Ohlendorf & William K. Kofron	<b>License Number</b> 12714			
<b>Fine/Appeal</b>	<b>Description - 55 Pa.Code § 2600.</b>	<b>From:</b>	<b>To:</b>	<b>Fine Imposed</b>	<b>Line Total</b>
Class III	18	2/19/2016	3/4/2016	\$3,690.00	\$3,690.00
<b>Invoice Total</b>				<b>\$3,690.00</b>	

Please remit this portion with payment to ensure proper credit

Brookdale Living Communities, Inc.  
 111 Westwood Place, Suite 430  
 Brentwood, TN 37027

**Assessment #:** S00046

Re: Brookdale Northampton  
 65 Richboro-Newtown Road  
 Richboro, PA 18956

**Please make checks payable to:**  
**Commonwealth of Pennsylvania**

**Remit to:**  
**Bureau of Human Services Licensing**  
**Room 631, Health and Welfare Building**  
**625 Forster Street**  
**Harrisburg, PA 17120**  
**Attn: Kevin Brumbach**

Total Due \$3,690.00

**Payment Enclosed**

cc: file - Open Fines

LICENSING INSPECTION SUMMARY  
PERSONAL CARE HOMES - 55 Pa.Code §2600

Name of Facility / Type(s) of Service:  
Brookdale Northampton

Street Address:  
65 Richboro Newtown Road

City:  
Richboro, Pennsylvania

Zip Code:  
18954

License Number:  
12714

Type of Inspection: Document Review

Reason(s) for Inspection:  
Interim

Notice: No

On-site Inspection Dates and Department Representatives On-Site:

Off-Site Inspection Dates and Inspectors, if Applicable:  
January 29, 2016 - Jacob Herzing

*Jacob Herzing* 2/06/16

1. REGULATION: 55 Pa.Code § 2600.18

A home shall comply with applicable Federal, State and local laws, ordinances and regulations.

2. DESCRIPTION OF VIOLATION

Pursuant to Act 56 of 2007 and 62 P.S. § 1057.3(i), "no person, organization, or program shall use the term 'assisted living' in any name or written material" unless the person, organization, or program is an assisted living residence licensed in accordance with 55 Pa.Code Chapter 2800 (relating to assisted living residences).

Brookdale Northampton advertises assisted living services are provided via <https://www.brookdale.com>. Brookdale Northampton is not a licensed assisted living residence.

Regulation 2600.18

The home shall comply with applicable Federal, State and local laws, ordinances and regulations.

On February 22<sup>nd</sup>, 2016 the Director of Marketing Strategy for the Northeast Division, Brookdale Senior Living ("Brookdale") confirmed that the following actions were completed:

- All Pennsylvania Brookdale Senior Living community web pages were updated to use the term "Assistive Senior Living".
- All national and brand level digital advertising (pay-per-click, retargeting and associated web landing pages) have been corrected to use the term "Assistive Senior Living" in Pennsylvania;
- On February 12, 2016 the ad copy in all existing ads targeted to Pennsylvania from National and Brand campaigns were changed to "assistive senior living", with the exception of the Community campaigns which are initiated by the individual communities using a template.
- Marketing campaign materials have been updated to provide communities with a drop down customization option for "Assistive Senior Living" on all customizable marketing pieces
- As of February 22, 2016, all of the Facebook pages for Brookdale communities located in Pennsylvania have been changed to unpublished pages as we are continuing to establish the manner and timeline to correct the language on the Facebook pages, which includes the "Assisted Living" descriptor.
- All advertisement campaigns pertaining to Brookdale personal care homes in Pennsylvania have been updated to use the language "Assistive Senior Living".
- The communities have changed templates for the Pennsylvania communities on their web pages, which is a simple template selection in the interface they use to upload that information when specialized marketing materials are generated at the community level.

Training:

All Pennsylvania communities were trained on their specific community calendars posted on [www.brookdale.com](http://www.brookdale.com), and how to self-select the appropriate Brookdale calendar template and not the assisted living calendar template. A training session was held on February 25, 2016, by the District Director Operations for Executive Directors and or designees in each Pennsylvania community pertaining to management of their external marketing communications/ brochures and changing community templates for web and Facebook applications.

Monitoring:

Executive Director or designee will review and approve all external marketing materials to verify for policy compliance and make changes as indicated. This includes brochures as well as monitoring compliance with the web sites.

Training Evidence: Attendance sheet from training

Completion Date: February 27, 2016

Signature of Legal Entity Representative (Required on all pages)

Kevin Caruso Executive Director

Date 2/26/16

DEPARTMENT USE ONLY - FACILITIES MAY NOT WRITE BELOW THIS LINE!

Repeated Violation: Repeated Violation Dates:

The above plan of correction is approved as of 3/4/16 (Date)

The above plan of correction was approved by JH (Initials)

Plan of correction implementation status as of 3/7/16 (Date)

- Fully Implemented
- Partially Implemented - Adequate Progress
- Partially Implemented - Inadequate Progress
- Not Implemented

and dated) ain. If steps