



pennsylvania
DEPARTMENT OF HUMAN SERVICES

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

MAILING DATE: MAR 07 2016

Mr. Mark W. Ohlendorf, Officer
Mr. David Maciukiewicz, Executive Director
CCRC – Brandywine LLC
6737 West Washington Street, Suite 230
Milwaukee, Wisconsin 53214

RE: The Gardens at Freedom Village
25 Freedom Boulevard
West Brandywine, Pennsylvania 19320
License #: 126000

Dear Mr. Ohlendorf and Mr. Maciukiewicz:

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. The Gardens at Freedom Village 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	49	\$3	\$147	<u>\$2,205</u>

Total Fine Assessment for period of February 19, 2016 through March 4, 2016 = \$2,205.

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.

Mr. Ohlendorf and Mr. Maciukiewicz 2

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,



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		Assessment #: C00046 Invoice Date: MAR 07 2016			
Bill To: CCRC - Brandywine LLC 6737 West Washington Street, Suite 230 Milwaukee, WI 53214		Re: The Gardens at Freedom Village 25 Freedom Boulevard West Brandywine, PA 19320			
Contact Name Mark W. Ohlendorf & David Maciukiewicz		License Number 12600			
Fine/Appeal	Description - 55 Pa.Code § 2600.	From:	To:	Fine Imposed	Line Total
Class III	18	2/19/2016	3/4/2016	\$2,205.00	\$2,205.00
				Invoice Total	\$2,205.00

Please remit this portion with payment to ensure proper credit

CCRC - Brandywine LLC
 6737 West Washington Street, Suite 230
 Milwaukee, WI 53214

Assessment #: C00046

Re: The Gardens at Freedom Village
 25 Freedom Boulevard
 West Brandywine, PA 19320

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 \$2,205.00

Payment Enclosed

cc: file - Open Fines

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

Name of Facility / Type(s) of Service:
The Gardens at Freedom Village

Street Address:
25 Freedom Boulevard

City:
West Brandywine, Pennsylvania

Zip Code:
19320

License Number:
12600

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

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).

The Gardens at Freedom Village advertises assisted living services are provided via <https://www.brookdale.com>. The Gardens at Freedom Village is not a licensed assisted living residence.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that each attached page must be signed and dated) Include steps to describe the violation(s) described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

Regulation 2600.18

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

On February 22nd, 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;

Printed Name and Title of Legal Entity Representative (Required on all pages)

DAVID J. MACILKIEWICZ, ADMINISTRATOR

Signature of Legal Entity Representative (Required on all pages)

David J. Macilkiewicz, ADMINISTRATOR

Date

02/26/2016

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)

Plan of correction implementation status as of 3/4/16
(Date)

Fully Implemented

Partially Implemented -- Adequate Progress

Partially Implemented -- Inadequate Progress

Not Implemented

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

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- 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".

Printed Name and Title of Legal Entity Representative (Required on all pages)

DAVID J. KARCIUKIEWICZ, ADMINISTRATOR

Signature of Legal Entity Representative (Required on all pages)

David Karciukiewicz, ADMINISTRATOR

Date

02/26/2016

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(Date)

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- 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, 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.

Printed Name and Title of Legal Entity Representative (Required on all pages)

DAVID MARCIUKIEWICZ, ADMINISTRATOR

Signature of Legal Entity Representative (Required on all pages)

David Marciukiewicz ADMINISTRATOR

Date

02/26/2016

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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

Printed Name and Title of Legal Entity Representative (Required on all pages)

DAVID J. MACIUKIEWICZ, ADMINISTRATOR

Signature of Legal Entity Representative (Required on all pages)

David Maciukiewicz, Administrator

Date

02/26/2016

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