



**pennsylvania**  
DEPARTMENT OF HUMAN SERVICES

Sent via e-mail: [REDACTED]  
Mailing Date: March 25, 2019

Mr. Ray C. Miller, Jr.  
Owner/Administrator  
Berks Leisure Living Inc.  
1399 Fairview Drive  
Leesport, Pennsylvania 19533

RE: Berks Leisure Living  
License #: 205690

Dear Mr. Miller:

As a result of the Department's Bureau of Human Services Licensing inspection on February 15, 2019 of the above facility, the citations with 55 Pa. Code Ch. 2600 (relating to Personal Care Homes) specified on the enclosed violation report were found.

All citations specified on the enclosed violation report must be corrected by the dates specified on the violation report and continued compliance with 55 Pa.Code Ch. 2600 must be maintained.

Sincerely,

A handwritten signature in black ink that reads "M. Moskalczyk".

Michele Moskalczyk  
Human Services Licensing Supervisor

Enclosure  
Violation Report

**VIOLATION REPORT  
PERSONAL CARE HOMES - 55 Pa.Code Chapter 2600**

<b>PCH Name:</b> BERKS LEISURE LIVING		<b>License Number:</b> 20569
<b>Address:</b> 1399 FAIRVIEW DRIVE, LEESPORT, PA 19533		<b>County:</b> Berks
<b>Administrator:</b> Denise Kasaba		<b>Region:</b> NORTHEAST
<b>Legal Entity Name:</b> BERKS LEISURE LIVING INC		
<b>Legal Entity Address:</b> 1399 FAIRVIEW DRIVE, LEESPORT, PA 19533		
<b>Certificate(s) of Occupancy</b> C-2 LP 01/04/2000 L&I <span style="float: right;">Denise</span>		
<b>Staffing Hours</b> <b>Resident Support:</b> 0 <span style="margin-left: 150px;"><b>Total Daily Staff:</b> 48</span> <span style="float: right;"><b>Waking Staff:</b> 36</span>		
<b>Type of Inspection:</b> Partial <span style="margin-left: 150px;"><b>BHA Docket Number:</b></span> <span style="float: right;"><b>Notice:</b> Unannounced</span>		
<b>Reason(s) for Inspection(s)</b> Incident		
<b>On-Site Inspections Dates and Department Representatives On-Site</b> 02/15/2019: DeVries, Kristin; Mendez, Vanessa		
<b>Off-Site Inspection Dates and Inspectors, if Applicable</b>		
<b>Other Details</b> <b>Partial or Full Triggers:</b> <span style="margin-left: 200px;"><b>Random Indicators:</b></span>		
<b>Resident Demographic Data as of Inspection Dates</b>		
<b>Licensed Capacity:</b> 49 <b>Number of Residents Served:</b> 48 <b>Secured Dementia Care Unit in Home:</b> No <b>Area:</b> <b>Secured Dementia Unit Capacity, if Applicable:</b> <b>Number of Residents Served in Secured Dementia Care Unit, if applicable:</b> <b>Number of Current Hospice Residents:</b> 0 <b>Number of Hospice Residents in past year:</b> 0	<b>Number of Residents who:</b> <b>Receive Supplemental Security Income:</b> 11 <b>Are 60 Years of Age or Older:</b> 47 <b>Have Mental Illness:</b> 4 <b>Have an Intellectual Disability:</b> 2 <b>Have a Mobility Need:</b> 0 <b>Have a Physical Disability:</b> 0	

Violation Report: 20589 - 02/15/2019 - DeVries, Kristin  
 PCH Name: BERKS LEISURE LIVING

**1. REGULATION 55 Pa.Code §2600**

2600.42(b) - A resident may not be neglected, intimidated, physically or verbally abused, mistreated, subjected to corporal punishment or disciplined in any way.

**2a. DESCRIPTION OF VIOLATION**

On 2-5-19 at approximately 12:15PM, Resident #1 reached his hands out and grabbed Resident's #2's breasts without Resident #2's consent while both residents were sitting in the home's social room. When interviewed, resident #2 said that she did not consent to this sexual contact.

**3. PLAN OF CORRECTION (POC)** (Attach pages as necessary. Remember that you must sign and date any attached pages.)

Include steps to correct the violation 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.

1. Regulation 2600.42(b) is important because it protects the Resident from any form of abuse.
2. The regulation is a violation when the resident is subject to any form of abuse in above violation.
3. The root cause of the violation was as follows:  
Resident #2 did not consent to this contact.
4. The violation was reported to AREA on Aging. (a) verbal report to intake. Act-13 Report submitted as well as a reportable incident submitted to DHS. Families were notified of incident. Also verbal report was given to Bern Sup. Alice Dep).
5. To prevent this violation from reoccurring, the resident continued to be on 15 minute checks by staff on all three shifts. This will continue until facility is notified by DHS.
6. Ongoing Berks Leisure Living will continue to ensure the safety and welfare of all of their residents. As well as provide training to staff on non consensual behavior of a resident and the proper protocol to follow.

Repeat Violation: No

Date(s) of Previous Violation(s):

Signature of Legal Entity Representative  
 (Required on EVERY Page)

*Ray Calvin Miller Jr.*

Printed Name and Title of Legal Entity Representative  
 (Required on EVERY Page)

Ray Calvin Miller Jr. Admin

Date 3-12-19

**DEPARTMENT USE ONLY - HOMES MAY NOT WRITE BELOW THIS LINE!**

The above plan of correction is approved as of 3/14/19  
 (Date)

Plan of correction implementation status as of 3/14/19  
 (Date)

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

The above plan of correction was approved by *m*  
 (Initials)