

Department of Human Services
Bureau of Human Service Licensing

January 25, 2022

[REDACTED]
EVERGREEN ELDER CARE INC
1201 MUSEUM ROAD
READING,, PA, 19611

RE: THE VILLA ST. ELIZABETH
1201 MUSEUM ROAD
READING, PA, 19611
LICENSE/COC#: 20576

Dear [REDACTED]

As a result of the Pennsylvania Department of Human Services, Bureau of Human Service Licensing review on 07/07/2021 of the above facility, we have determined that your submitted plan of correction is fully implemented. Continued compliance must be maintained.

Sincerely,
Michele Moskalczyk
Human Services Licensing Supervisor

Enclosure
Licensing Inspection Summary (LIS)

cc: Pennsylvania Bureau of Human Service Licensing

Department of Human Services
Bureau of Human Service Licensing
LICENSING INSPECTION SUMMARY

Facility Information

Name: *THE VILLA ST. ELIZABETH* License #: 20576 License Expiration: 11/18/2021
Address: 1201 MUSEUM ROAD, READING, PA 19611
County: BERKS Region: NORTHEAST

Administrator

Name: [REDACTED] Phone: 6104781201 Email: [REDACTED]

Legal Entity

Name: *EVERGREEN ELDER CARE INC*
Address: 1201 MUSEUM ROAD, READING, PA, 19611
Phone: 6104781201 Email: [REDACTED]

Certificate(s) of Occupancy

Type: C-1 Date: 04/20/1992 Issued By: PA LI

Staffing Hours

Resident Support Staff: 0 Total Daily Staff: 51 Waking Staff: 38

Inspection Information

Type: *Partial* Notice: *Unannounced* BHA Docket #:
Reason: *Complaint* Exit Conference Date: 07/07/2021

Inspection Dates and Department Representative

07/07/2021 - On-Site: [REDACTED]

Resident Demographic Data as of Inspection Dates

General Information

License Capacity: 92 Residents Served: 51

Secured Dementia Care Unit

In Home: No	Area:	Capacity:	Residents Served:
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Hospice

Current Residents: 0

Number of Residents Who:

Receive Supplemental Security Income: 18	Are 60 Years of Age or Older: 46
Diagnosed with Mental Illness: 23	Diagnosed with Intellectual Disability: 3
Have Mobility Need: 0	Have Physical Disability: 0

Inspections / Reviews

07/07/2021 - Partial

Lead Inspector: [REDACTED] Follow-Up Type: POC Submission Follow-Up Date: 12/22/2021

Inspections / Reviews *(continued)*

01/24/2022 - POC Submission

Reviewer: [REDACTED]

Follow-Up Type: *Document Submission* Follow-Up Date: *01/31/2022*

01/25/2022 - Document Submission

Reviewer: [REDACTED]

Follow-Up Type: *Not Required*

25c9 - Termination

1. Requirements

2600.

25.c. At a minimum, the contract must specify the following:

- 9. The conditions under which the agreement may be terminated including home closure as specified in § 2600.228 (relating to notification of termination).

Description of Violation

The home contract of Resident 1 includes a section that states:

All residents are required to preserve and respect the rights of all other residents and staff. Respectful behavior is mandatory at all times. Any violations to this rule will lead to immediate eviction from the Villa.

Resident 1 was given an immediate eviction notice on [REDACTED] and moved from the home on [REDACTED] 1 due to letter [REDACTED] wrote that included use of racial slurs towards a staff member.

The contract home rules contradict PA Code 55 chapter 2600 regulations regarding need for a resident to receive a 30 day written eviction notice.

Plan of Correction

Directed

1. The management of the facility respectfully submits that NO VIOLATION occurred relative to this 2600.25.c.9 regulation. READ THE [REDACTED] NOTE PRESENTED TO THE VILLA AFRICAN-AMERICAN STAFF MEMBER BELOW:

"That [REDACTED] in the dining room has GOT TO GO !!

[REDACTED] !

my Address:
1201 Museum Rd.
Reading 19611"

[REDACTED]

2. The Villa ownership recognized immediately that this [REDACTED] r note was not only an illegal act of discrimination, but also a direct threat to the health and welfare of the Villa staff member.

3. [REDACTED]

4. [REDACTED] or.

5. It must be noted that the [REDACTED] resident had no official diagnoses of mental illness or dementia. [REDACTED]

6. Upon consultation with local law enforcement and the Villa company attorney, it was deemed necessary to eliminate this [REDACTED] resident immediately from the Villa property. The need for this urgent action was underscored

25c9 - Termination (continued)

by the fact the resident's continued presence would be harmful to the [REDACTED]

7. The family of Resident 1 understood that the only options were to have [REDACTED] move out of the facility or have the violated staff person press criminal charges. The [REDACTED] actions of Resident 1 presented a harmful and unsafe environment that required an immediate resolution.

8. The protection and health of the Villa's elderly residents has and continues to be the primary priority of the ownership and administration of the Villa. The Villa support of its loyal staff is altruistic. For twenty-one years, the family owned Villa has established a highly respectable reputation of custom-tailored personal care for its Villa family.

9. The level of excellence and aptitude of the Villa ownership, management and staff is further highlighted by having no coronavirus cases throughout the pandemic.

Immediately and ongoing:

The home will use the Department's model contract for all newly-admitted residents, or will use a contract that contains all of the elements required by this Chapter at a minimum. The contract shall specify the conditions under which the agreement may be terminated including home closure as specified in 228b (relating to notification of termination). The administrator shall be responsible for ongoing compliance. 1-24-2022 MM

Update: 01/24/2022

Document Submission

Implemented

Reviewed and Confirmed 01/24/2022

228b - Discharge or Transfer

1. Requirements

2600.

228.b. If the home initiates a discharge or transfer of a resident, or if the legal entity chooses to close the home, the home shall provide a 30-day advance written notice to the resident, the resident's designated person and the referral agent citing the reasons for the discharge or transfer. This shall be stipulated in the resident-home contract. A 30-day advance written notice is not required if a delay in discharge or transfer would jeopardize the health, safety or well-being of the resident or others in the home, as certified by a physician or the Department. This may occur when the resident needs psychiatric or long-term care or is abused in the home, or the Department initiates closure of the home.

Description of Violation

Resident 1 was given an immediate eviction notice on [REDACTED] due to letter [REDACTED] wrote that included use of racial slurs towards a staff member. [REDACTED] moved from the home on [REDACTED] There was no waiver of the required 30 day written notice given by BHSL.

Plan of Correction

Accept

1. Regulation 2600.228b is important because issuing a 30-day notice allows a resident time to identify and relocate to a new home. It also allows the home sufficient time to render relocation assistance as required by § 2600.228(a).

228b - Discharge or Transfer (continued)

The ability to discharge a resident without a 30-day notice under specific circumstances protects other residents from harm.

2. This regulation is violated if a resident is not provided a 30-day notice of discharge per the protocol as directed by the 2600 regulations.

3. The root cause of the violation is when a resident, who is deemed to be a harm to themselves or other residents is discharged / evicted without a 30-day advance notice without the approval of the primary care physician or the Department of Human Services.

4. To fix the violation right away, the resident – home contracts will be revised to include the requirement of physician and/or DHS authorization in cases when the resident is possibly harmful to himself or others.

5. To ensure compliance in the future, the above-referenced changes will be incorporated in all new admission contracts and updated during the annual resident-family meetings with the Villa incumbent residents.

6. The Administrators are directly responsible for the on-going compliance of this regulation.

Update: 01/24/2022

Please send/Attach proof of compliance. (copy of contract). 1-24-2022 MM

Document Submission

Implemented

Reviewed and Confirmed 01/24/2022