DIVISION OF QUALITY ASSURANCE

BUREAU OF ASSISTED LIVING
MADISON/SOUTHERN REGIONAL OFFICE
Room 455
PO BOX 2969
MADISON WI 53701-2969

Telephone: 608-264-9888
Fax: 608-264-9889
TTY: 711 or 800-947-3529

Tony Evers
Governor

Kirsten L. Johnson
Secretary

State of Wisconsin
Department of Health Services

September 7, 2023

ELECTRONIC MAIL
SOD #705415

NOTICE and ORDER

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NOTICE OF LICENSE REVOCATION

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ORDER NOT TO ADMIT NEW OR ADDITIONAL RESIDENTS - EXTENDED

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Jeffrey Seegmiller
PO Box 262
Wittenberg, WI 54499

C/O Licensee: SPL Wisconsin LLC

Re: SV South Beloit Terrace (0017749)
2771 Iva Court
Beloit, WI 53511

Dear Jeffry Seegmiller:

This letter is a statutory NOTICE of VIOLATION and imposed ORDER on the licensee of SV South Beloit Terrace, located at 2771 Iva Court, Beloit, WI 53511, and sets forth appeal rights, if any. This regulatory action is taken by the Department of Health Services (Department) pursuant to Wis. Stat. § 50.03(5g), and Wis. Admin. Code ch. DHS 83.

NOTICE OF VIOLATION

On August 3, 2023, a complaint investigation and verification visit was concluded for SV South Beloit Terrace by the Division of Quality Assurance, Bureau of Assisted Living, to determine if the above-referenced facility was in substantial compliance with Wis. Stat. ch. 50 or Wis. Admin. Code ch. DHS 83, or both, which set forth requirements for the administration and operation of a community-based residential facility (CBRF). The Department is issuing

Statement of Deficiency (SOD) #705415 for violations of Wis. Stat. ch. 50 or Wis. Admin. Code ch. DHS 83, which establish the grounds for this action. SOD #705415 is enclosed.

NOTICE OF LICENSE REVOCATION

Based on the results of the Department's investigation, and pursuant to Wis. Stat. § 50.03(5g)(d), and (e), EFFECTIVE UPON RECEIPT OF THIS NOTICE, the Department of Health Services hereby REVOKES THE LICENSE of SV South Beloit Terrace.
This action is being taken under the following statutory provisions:
Wis. Stat. § 50.03(5g)(d)2., whereby the licensee or a person under the supervision of the licensee has substantially violated a provision of licensure applicable to a community-based residential facility under Wis. Stat. § 50.03(4) or an administrative rule promulgated under Wis. Stat. ch. 50, subchapter I; and Wis. Stat. § 50.03(5g)(d)3., whereby the licensee or a person under the supervision of the licensee has acted in relation to or has created a condition relating to the operation or maintenance of the community-based residential facility that directly threatens the health, safety or welfare of a resident of the community-based residential facility.

Within 3 days of receipt of this notice, return the Community Based Residential Facility license for SV South Beloit Terrace, 2771 Iva Court, Beloit, WI 53511, to Southern Regional Office, 1 West Wilson St., Room 455, PO Box 2969, Madison, WI 53701-2969.

RELOCATION PLAN REQUIRED

1. Pursuant to Wis. Stat. § 50.03(5g)(b)6., the licensee shall submit a Resident Relocation Plan to the Department in accordance with Wis. Stat. § 50.03(14) [Closing of a Facility]. In addition, discharge planning for residents will meet the requirements specified by Wis. Admin. Code ch. DHS 83. Refer to the following guidance and requirements:
Resident Relocation Manual:
https://www.dhs.wisconsin.gov/relocation/relocationmanual.pdf
Relocation Stress/Syndrome:
http://longtermcare.wi.gov/docview.asp?docid=21549&locid=123

Furthermore, within 10 days of receipt of this notice, the licensee will submit the following to Assisted Living Regional Director, Southern Regional Office at DHSDQABALSRO@dhs.wisconsin.gov:

- **The names of residents currently living in the CBRF;**
- **The names, addresses and telephone numbers of residents' legal guardians or an involved family member;**
- **The names, addresses, and telephone numbers for residents' case managers and funding agencies.**
- **A preliminary discharge plan that includes:**
  A timetable for planning and implementation of resident relocations;

Measures the facility will take to comply with this order and facilitate supportive, safe and orderly relocations for residents.

ORDER NOT TO ADMIT NEW OR ADDITIONAL RESIDENTS - EXTENDED

Based on the results of the Department's investigation, and pursuant to Wis. Stat. § 50.03(5g)(b)7., EFFECTIVE UPON RECEIPT OF THIS NOTICE and ORDER, the Department of Health Services hereby extends the order issued on April 14, 2023, with Statement of Deficiency (SOD) 705414 that SV South Beloit Terrace Not Admit any New or Additional Residents.

NOTICE OF FORFEITURE*

In addition to other sanctions enumerated in Wis. Stat. § 50.03(5g)(b)1. to 8., according Stat. § 50.03(5g)(c)1.b., the Department of Health Services may impose a forfeiture on a licensee or any other person who violates the applicable statutory provisions or administrative rules governing CBRFs. If imposed, the forfeiture amount may not be less than $10 or more than $1,000 per day for each violation.

The Department has determined that you violated state statutes or administrative code provisions, or both, as identified in the enclosed SOD #705415. Therefore, pursuant to Wis. Stat. § 50.03(5g)(c), **IT IS HEREBY ORDERED** that a total **FORFEITURE OF $7550.00 IS IMPOSED** for the following violations described in SOD #705415. Some of the forfeitures may accrue daily until compliance is achieved and verified for that cited violation.

TAG	DHS CODE	AMOUNT($)
N196	83.14(2)(i)	$1000.00
N220	83.17(2)(a)	$450.00
N352	83.32(3)(h)	$1250.00
N388	83.35(3)(c)	$450.00
N415	83.37(2)(d)	$900.00
N452	83.38(1)(a)	$1400.00
N431	83.38(1)(g)	$1100.00
N441	83.39(3)	$200.00
N447	83.41(1)(c)	$400.00
N481	83.43(1)	$400.00

Total Forfeiture Due: $7550.00

* According to Art. X, §2 of the Wisconsin Constitution and Wis. Stat. § 50.03(5g)(c)1.c., all forfeitures collected by the Department are deposited in the State's School Fund.

You must pay the Total Forfeiture amount within ten (10) days of receipt of this NOTICE and ORDER.

REDUCED FORFEITURE OPTION

If you choose not to appeal the forfeiture, any of the violations in SOD #705415, **AND** any Orders contained in this NOTICE and ORDER, then the Department will reduce the total forfeiture due by 35%.

This 35% reduced forfeiture option also applies to any accruing forfeiture. Final calculation of any accruing forfeiture due will be based on a verified date of compliance.

At this time, the reduced forfeiture amount due to the Department within ten (10) days of receipt of this NOTICE and ORDER is $4907.50.

Please make the forfeiture payment payable to "*DHS 639*" and send it to:

ENFORCEMENT SPECIALIST
DHS / DQA / BAL
PO BOX 2969
MADISON, WI 53701-2969

NOTICE OF RIGHT TO APPEAL

According to Wis. Stat. §§ 50.03(5g)(b) and (f), you may request an administrative hearing of the Department's action. To notify the Department of your request for a hearing, your written request **must be filed with (served upon) the Division of Hearings and Appeals (DHA) within ten (10) days after receipt of this NOTICE**. Please note that according to Wis. Admin. Code § HA 1.03(3)(a), materials **mailed** to DHA are **considered filed on the date of the postmark**. Send your request for a hearing to:

CBRF APPEAL
DHA
P.O. BOX 7875
MADISON, WI 53707-7875

Include in your written request for a hearing **ALL** of the following:

- ✓ The name and address of the facility;
- ✓ What you are appealing (attach a copy of this NOTICE to your appeal);
- ✓ The effective date of the action;
- ✓ A concise statement of the reasons for objecting to the action;
- ✓ What type of relief you are seeking; and

- ✓ The name, address and telephone number of any person who may be expected to appear on behalf of the facility

YOUR APPEAL MAY BE DENIED OR DISMISSED IF THE REQUEST IS INCOMPLETE OR NOT FILED WITH DHA WITHIN THE 10-DAY APPEAL TIME.

Please note that according to Wis. Stat. § 50.03(5g)(c)1.c., if you file an appeal, then payment of any forfeiture is due within 10 days after you receive the final decision in the case after exhaustion of administrative review.

NOTICE OF REVISIT FEE

According to Wis. Stat. § 50.03(5g)(cm), if the Department imposes a sanction on, or takes other enforcement action against a community-based residential facility for violation of this subchapter or rules promulgated under it, and the Department subsequently conducts an onsite inspection to review the facility's action to correct the violation(s), the Department may impose a $200 inspection fee on the community-based residential facility.

On August 3, 2023, a verification visit was concluded at SV South Beloit Terrace by the Division of Quality Assurance, Bureau of Assisted Living, to determine if the violation(s) contained in Statement of Deficiency (SOD) #705414 were corrected. **Therefore, an inspection fee of $200 is being assessed.**

Please send a check or money order in the amount of $200 made payable to "Division of Quality Assurance" and send it to:

Division of Quality Assurance
Bureau of Assisted Living
Southern Regional Office
Room 455
PO Box 2969
Madison, WI 53701-2969

The revisit fee is due within ten (10) days of receipt of this Notice. Failure to submit this revisit fee will result in the issuance of a subsequent statement of deficiency with additional enforcement sanctions against SV South Beloit Terrace. There are no appeal rights for revisit fees.

POSTING OF NOTICES

According to Wis. Admin. Code DHS §§ 83.13(3)(a) and 83.14(2)(h), each facility shall immediately upon receipt post next to its CBRF license, and in a public area that is visually and physically available, any citation/statement of deficiency, notice of revocation, notice of non-renewal, and any other notice of enforcement action. Citations and statements of deficiency shall

remain posted for ninety (90) days following receipt. Notices of revocation, non-renewal, and other notices of enforcement action shall remain posted until a final determination is made.

Therefore, the license shall immediately post this Notice and Order letter and it shall remain posted until a final determination is made.

* * *

If you have questions about this letter, please contact Hillary Holman, Assisted Living Regional Director, at (608) 266-8339.

Sincerely,

Kenneth Brotheridge, Assisted Living Director
Bureau of Assisted Living
Division of Quality Assurance

Enclosure
KB/MSE

cc: Ombudsman, Rock County
Aging/Disability Resource Center, Rock County
Rock County Human Services
Waiver Agencies
Division of Medicaid Services
Disability Rights Wisconsin