

Tony Evers
Governor



Kirsten L. Johnson
Secretary

State of Wisconsin
Department of Health Services

DIVISION OF QUALITY ASSURANCE

BUREAU OF ASSISTED LIVING
SOUTHEASTERN REGIONAL OFFICE
819 N 6TH ST ROOM 609B
MILWAUKEE WI 53203-1606

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January 27, 2025

ELECTRONIC MAIL
SOD #8FZD11

NOTICE and ORDER
NOTICE OF VIOLATION
ORDER TO COMPLY WITH REQUIREMENTS
NOTICE OF SPECIAL ORDERS

Bernadette Jones
4500 N 85th Street
Milwaukee, WI 53225

C/O Licensee: Eminent Quality Care LLC

Re: Eminent Quality Care LLC, 0016635
4500 N 85th Street
Milwaukee, WI 53225

Dear Bernadette Jones:

This letter is a statutory NOTICE of VIOLATION and imposed ORDER on the licensee of Eminent Quality Care LLC, located at 4500 N 85th Street, Milwaukee, and sets forth appeal rights, if any. This regulatory action is taken by the Department of Health Services (Department) pursuant to Wis. Stat § 50.033(2), and Wis. Admin. Code § DHS 88.

NOTICE OF VIOLATION

On November 5, 2024, a complaint investigation and standard survey were concluded for Eminent Quality Care LLC 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 88, or both, which set forth requirements for the administration and operation of an adult family home (AFH). The Department is issuing Statement of Deficiency (SOD) #8FZD11 for violations of Wis. Stat. ch. 50 or Wis. Admin. Code ch. DHS 88, which establish the grounds for this action. SOD #8FZD11 is enclosed.

ORDER TO COMPLY WITH REQUIREMENTS

1. Pursuant to Wis. Admin. Code § DHS 88.03(6)(g)2.b., effective immediately, the licensee shall comply with the requirements specified by Wis. Admin. Code ch. DHS 88 that establishes the standards for the operation of the Adult Family Home in order to protect and promote the health, safety and welfare of the residents.

AS SOON AS PRACTICABLE AND WITHOUT DELAY, within 45 days of receipt of this notice, the licensee shall achieve and maintain substantial compliance with all requirements. All operational and resident records required as evidence of compliance with applicable rules will be available to department representatives upon request.

The Department may, without notice, conduct an inspection to verify the licensee's corrective action at any time after the date of compliance. Pursuant to Wis. Stat. § 50.033(3), the department may impose a \$200 inspection fee for an on-site inspection to review compliance of violations resulting in enforcement action.

ADDITIONALLY:

WITHIN 10 DAYS of receipt of this notice, the licensee may request an extension for the date of compliance. The request for an extension must be submitted to the Assisted Living Regional Director, Southeastern Regional Office, at DHSDQABALSERO@dhs.wisconsin.gov. The Regional Director will communicate to the licensee a decision on the date of compliance extension.

SPECIAL ORDERS

Based on the results of the Department's investigation, and pursuant to Wis. Stat. § 50.02(2)(am)2., **EFFECTIVE UPON RECEIPT OF THIS NOTICE and ORDER**, the Department of Health Services **HEREBY ORDERS** that **Eminent Quality Care LLC**:

1. Pursuant to Wis. Admin. Code § DHS 88.03(6)(g)2.e., the licensee shall develop and implement corrective measures to protect and promote each resident's right to live in a safe environment. The licensee shall ensure each required smoke detector is in place, operating properly, and tested at least monthly. Documentation of testing will identify the individual location and operational status of each required smoke detector.

WITHIN 45 DAYS of receipt of this notice, the licensee shall provide training to all managers, and each service provider with assigned responsibility for smoke detector testing, on the corrective actions taken to resolve the deficiency issued under Wis. Admin. Code § DHS 88.05(4)(b)2., as identified in Statement of Deficiency 8FZD11. Training will be documented in personnel records and will include the date/duration of training, the signature/qualifications of the instructor, and evidence of successful completion of the training.

2. Pursuant to Wis. Admin. Code §§ DHS 88.03(6)(g)2.b. and 2.e., effective immediately, the licensee shall protect and promote each resident's right to physical and emotional privacy in treatment, living arrangements, and in caring for personal needs. The licensee will develop and implement corrective measures to ensure electronic monitoring that transmits or records images or sounds of residents receiving care and treatment, engaged in activities of daily living, addressing personal needs, or visiting with guests, staff, or other residents will not be used in living areas (space used for daily activities such as dining, recreation, sleeping) or hallways that lead to resident rooms.

WITHIN 45 DAYS of receipt of this notice, the licensee's corrective measures will ensure the use of electronic video monitoring or filming equipment, in locations identified to infringe upon resident privacy rights, is discontinued and the equipment from those areas is removed to promote a homelike environment.

* * *

If you have questions about this letter, please contact MaryBeth Hoffman Assisted Living Regional Director, at (414)227-2005.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Brotheridge". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

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

Enclosure
KB/ram