

WAC 246-335-345 Statement of deficiencies, plan of correction, and enforcement action. To ensure compliance with chapters 246-335 WAC and 70.127 RCW, the department may:

(1) Issue a statement of deficiencies following a survey which identifies noncompliance with chapter 70.127 RCW and this chapter. The statement of deficiencies will include a brief statement of what is required to achieve compliance, the date by which the department requires compliance to be achieved, contact information for any technical assistance services provided by the department, and notice of the process and timeline for requesting an extension of time for good cause to achieve compliance.

(2) Require licensee to submit a written plan of correction within ten working days of receipt of the statement of deficiencies to address deficiencies that are determined to not be significant, broadly systemic, or recurring.

(a) Under this chapter, a "plan of correction" is a form developed by the department and completed by the licensee that describes:

(i) How each deficiency will be or was corrected;

(ii) What measures or monitors will be put in place to ensure the deficiencies do not recur;

(iii) Who is responsible for correcting each deficiency; and

(iv) When each deficiency will be or has been corrected.

(b) The licensee must complete all corrections within sixty days, unless the department authorizes a longer time frame for correction of some of the deficiencies. Implementation of the plan of correction is subject to verification by the department.

(3) Issue a directed plan of correction following a survey which identifies deficiencies that are determined to be significant, broadly systemic, and are not in the categories specified in RCW 70.127.180(3) for which a licensee may be subject to a formal enforcement action.

(a) The department may choose to issue a directed plan of correction if the department deems the plan of correction submitted by the licensee to be unacceptable because the actions proposed will not correct the deficiencies, will take too long, or fails to protect the public health, safety, and welfare;

(b) Implementation, progression, and completion of the directed plan of correction may be verified by the department.

(4) Deny, restrict, condition, modify, suspend, or revoke a license and assess civil monetary penalties as authorized in RCW 70.127.170 and 70.127.180(3).

(5) Summarily suspend or limit a license pending an enforcement action as authorized in RCW 34.05.479 if deficiencies are identified that pose an imminent risk of harm to clients or patients.

(6) The licensee shall sign and return the completed plan of correction or directed plan of correction to the department on or before the required date.

(7) Neither the requirement to submit a plan of correction nor a directed plan of correction is an agency action for which an adjudicative hearing must be afforded to the licensee.

(8) The failure to correct the deficiencies in the statement of deficiencies or the failure to comply with the plan of correction or directed plan of correction may be grounds for an action against the license or a civil monetary penalty under RCW 70.127.170 and 70.127.180(3).

(9) If the department initiates action to deny, restrict, condition, modify, suspend or revoke a license or to assess civil monetary penalties as authorized in RCW 70.127.170 and 70.127.180(3), the ap-

plicant or licensee will be afforded an adjudicative hearing opportunity under chapter 34.05 RCW, RCW 43.70.115, and chapter 246-10 WAC.

[Statutory Authority: RCW 70.127.120 and 43.70.250. WSR 18-06-093, § 246-335-345, filed 3/6/18, effective 4/6/18.]