

September 24, 2014

Ms. Sarah Jane Alexander, Manager
Eagle Eye Farm
Po Box 247, 3014 Abbott Hill Road
West Burke, VT 05871-0247

RE: Follow-up Survey with Uncorrected Deficiencies

Dear Ms. Alexander:

On **September 15, 2014**, the Division of Licensing and Protection conducted a revisit to the survey of **June 6, 2014** to verify that your facility had achieved substantial compliance with the Licensing and Operating Regulations for Therapeutic Community Residences. Based upon our revisit, we found that substantial compliance has not been achieved. Although you have made some corrections, the facility failed to achieve substantial compliance, with 10 of 28 deficiencies originally cited on June 6, 2014 remaining uncorrected. There were also 3 new deficiencies identified. The revisit found the most serious deficiency in your facility to be a pattern of deficiencies that constitute a potential for more than minimal harm that is not immediate jeopardy. You must submit a plan of correction. Please write/type the Plan of Correction in the space provided to the right. A completion date for each plan of correction must be indicated in the far right hand column. Attach additional pages if necessary.

Please sign, date, and indicate your title on the bottom of the first page of the report and return this report to this office no later than **October 6, 2014**.

Plan of Correction (POC)

Your POC must contain the following:

- What action you will take to correct the deficiency;
- What measures will be put into place or what systemic changes you will make to assure that the deficient practice does not recur; and,
- How the corrective actions will be monitored so the deficient practice does not recur.

You may request an informal review of all or part of the contents of the notice at any time prior to **October 6, 2014** by calling Frances Keeler, State Survey Agency Director at (802) 871-3317. If



you are not satisfied with the outcome of the informal review with the Division, you may request a review by the Commissioner of Disabilities, Aging and Independent Living. To request a review with the Commissioner, call (802) 871-3350.

The Department is authorized to impose sanctions for failure to correct a deficiency and/or failure to provide proof of correction by the specified Correction Date. Depending on the nature of the violations, the following sanctions may be imposed: administrative penalties of up to \$10.00 per resident or \$100.00, whichever is greater, for each day the violation remains uncorrected; suspension, revocation or modification of an existing license; refusal to renew a license; suspension of admission or transfer of residents to an alternative placement; injunctive relief to enjoin any act or omission; and the appointment of a receiver for a facility. If you feel strict compliance with the law or regulations would impose a substantial hardship, you may apply to the Department for a variance as stated under Section III of the Licensing and Operating Regulations for Therapeutic Community Residences. You must do so prior to **October 6, 2014**.

Appeals

As noted above, you may seek an informal review from Frances Keeler, State Survey Agency Director, or a Commissioner's review of this decision. In addition, you have a right to request a fair hearing with the Human Services Board. Decisions by the Department of Disabilities, Aging and Independent Living can be appealed to the Human Services Board pursuant to 3 V.S.A. §3091. The request for a fair hearing before the Human Services Board must be made within thirty (30) days of your receipt of the notice of this decision, and can be made by writing to the the Human Services Board at 120 State Street, Montpelier, VT 05620-4301. You have a right to appear before the Board and to present witnesses and other evidence with regard to the case. You also have a right to be represented by an attorney at the Human Services Board fair hearing.

Please contact me at 871-3317 if you have any questions.

Sincerely,



Pamela M. Cota, RN
Licensing Chief