

I acknowledge receipt of this form and understand my licensing appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:

DATE: 08/16/2021

This report must be available at Child Care and Group Home facilities for public review for 3 years.

LIC809 (FAS) - (06/04)

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STATE OF CALIFORNIA - HEALTH AND HUMAN SERVICES AGENCY

CALIFORNIA DEPARTMENT OF SOCIAL
SERVICES
COMMUNITY CARE LICENSING DIVISION
CCLD Regional Office, 2525 NATOMAS PARK DR.
STE.270
SACRAMENTO, CA 95833

FACILITY EVALUATION REPORT (Cont)

FACILITY NAME: PACIFICA SENIOR LIVING MODESTO

FACILITY NUMBER: 507004251

VISIT DATE: 08/16/2021

NARRATIVE

- 1 The facility administrator also stated during an interview, "that since both residents have dementia law
2 enforcement would not be able to do anything." However, internal facility policy 7.46, a sexual assault is
3 considered a crime and must be reported to local law enforcement.
4
- 5 Facility narrative notes and end of shift notes dated June 10, 2020, June 12, 2020, and June 13, 2020
6 state that days prior to the sexual assault R2 was agitated and violent. In addition, prior to the June 14,
7 2020 sexual assault, R2 was found on two separate occasions pulling off R1's blankets. It was learned
8 R2 was redirected, however there was no safety plan in place preventing R2 from entering R1's room.
9
- 10 Based on observations, interviews, and record reviews, the licensee did not provide care and
11 supervision to R1 and R2. The lack of care and supervision resulted in R1 sustaining a sexual assault
12 by R2. Moreover, the facility did not ensure to follow reporting requirements as 7.46 "physical assault
13 and/or sexual assault are considered crimes and must be reported to the local law enforcement agency."
14 Additionally, 87211 (a) (b) Reporting Requirements: any suspected physical abuse that results in serious
15 bodily injury of an elder or dependent adult shall be reported to the local ombudsman, the corresponding
16 licensing agency, and the local law enforcement agency within two (2) hours as required by Welfare and
17 Institutions Code Section 15630(b)(1). As a result, the licensee neglected to protect R1 from R2.
18
- 19 The Department has concluded an analysis and has determined that a civil penalty is warranted for
20 serious bodily injury. The Welfare and Institutions Code section 15610.63 defines physical abuse as
21 Rape PC 261 and PC 286. The licensee failed to protect the personal rights of the resident in care. R1's
22 rights were violated when R1 was sexually assaulted at the facility by R2. Today, August 16, 2021, the
23 Department will be issuing a civil penalty per Health and Safety Code § 1569.49, in the amount of
24 \$10,000.
25
26
27
28
- 29 A copy of the LIC 421D was given to and originals were signed.
- 30
- 31 Exit interview conducted. A copy of the report issued. Appeal Rights provided. signature on this report
32 acknowledges receipt of the Appeal Rights, found on page two of LIC 421D.

SUPERVISOR'S NAME: Stephenie Doub

TELEPHONE: (916) 263-2131

LICENSING EVALUATOR NAME: Albert Johnson

TELEPHONE: (916) 217-1390

LICENSING EVALUATOR SIGNATURE:

DATE: 08/16/2021

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