



PROHEALTH CARE  
REGENCY SENIOR COMMUNITIES  
NEW BERLIN

November 2, 2021

Diane Roth on behalf of Elaine Benz  
12730 W. Cortez Dr.  
New Berlin, WI 53151

Dear Diane:

Elaine was reassessed on September 25, 2021, in regards to concerns with Regency's ability to properly provide care at the level of service she requires. It was determined during that reassessment that Elaine's care needs exceed the 28 hours per week we are legally able to provide and that her functional level and need for care posed a threat to her health and safety. We had set up a meeting with you and the physical therapist to discuss this reassessment and our concerns on October 12, 2021, however that meeting was canceled considering that Elaine had fallen and was in the hospital.

Elaine was again reassessed on October 27, 2021, as is our policy on residents returning to Regency following a hospitalization. The same concerns were noted in that Elaine's care needs exceed the 28 hours per week we are legally able to provide and that her functional level and need for care posed a threat to her health and safety.

Generally a 30 day advanced notice of termination of the resident's contract is required. However no notice is required in the event of an emergency, meaning an immediate documented threat to the health and safety of the resident or others. Elaine requires total lift support and two person transfers. She is incontinent and unable to verbalize those needs. Dementia related care needs cannot be safely met under the Regency assisted living licensure. Nursing staff have concern that a return to Regency does pose an immediate threat to her health and safety.

Elaine could only return to Regency, per statute DHS 89.29, only if she has adequate oversight, protection, and services from an outside care agency providing 24 hour per day care and that there is a service agreement and risk agreement in place that is signed by you as Power of Attorney that clearly defines the services that would be provided and the risks involved in her return to Regency. Regency would not be liable to coordinate caregivers with the outside agency; ensuring 24 hour per day caregivers is the responsibility of the resident/power of attorney.

Per DHS 89.35, you have the right to file a grievance. Complaints may be filed with the Department of Health Services by writing or phoning the Bureau of Quality Assurance, Division of Disability and Elder Services, P.O. Box 7851, Madison, WI 53707, (608) 266-0120.

Please contact me directly or Nancy Nguyen, RN, Director of Health Services, if needed.

Regards,

Mara Henningsen  
Campus Administrator  
Phone: 262-789-1699 ext. 116  
Direct: 262-330-5145  
mara.henningsen@phci.org