



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • www.utc.wa.gov

December 27, 2018

RE: *In the Matter of the Penalty Assessment Against Cheney Care Foundation d/b/a Cheney Care Center in the Amount of \$15,100;*
In the Matter of the Investigation of Cheney Care Foundation d/b/a Cheney Care Center for Compliance with WAC 480-30-100 and 480-31-130,
Dockets TN-170808 & TN-170809 (*Consolidated*)

TO ALL PARTIES:

On May 17, 2017, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment (Penalty Assessment) against Cheney Care Foundation d/b/a Cheney Care Center (Cheney Care or Company) in the Amount of \$15,100 for violations of WAC 480-30-100 and 480-31-130.

On August 30, 2017, Cheney Care responded to the Penalty Assessment admitting the violations and requesting the commission make a decision based solely on the information provided.

On September 14, 2017, the Commission entered Order 01, Order of Consolidation; Order Upgrading Safety Rating; Order Imposing and Suspending Penalties. Order 01 assessed a reduced penalty of \$7,550, and suspended a \$5,000 portion of the penalty for a period of one year subject to the conditions that Cheney Care a) maintain a conditional safety rating for at least one year from the date of the order; b) not incur any repeat critical violations of WAC 480-31-100 or WAC 480-31-130 for one year from the date of the order; and c) pay the remaining \$2,550 penalty, or file an agreed payment plan with Commission staff (Staff), within 10 days of the effective date of the order.

On September 20, 2017, the Commission entered Order 02, Order Granting Payment Arrangement (Order 02), which allowed Cheney Care to pay the \$2,550 unsuspended portion of the penalty in 13 monthly installments, concluding on September 28, 2018.

On December 4, 2018, Staff filed a letter in this docket informing the Commission that Staff had conducted a follow-up safety investigation of Cheney Care in November 2018, during which it did not discover any repeat safety violations. Staff's letter further stated that Cheney

Care has paid the unsuspended portion of the penalty in accordance with the payment plan, and recommends that the remainder of the penalty be waived and the docket closed.

The Commission finds that Cheney Care has complied with the conditions of Order 01 and Order 02. The \$5,000 portion of the penalty that was suspended is now waived, and these dockets are closed.

MARK L. JOHNSON
Executive Director and Secretary