

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
FACILITY LICENSING AND INVESTIGATIONS SECTION**

IN RE: Nelson Place, LLC  
d/b/a Nelson Place  
17 Nelson Avenue  
Norwalk CT 06851

Intended Licensee: Nelson Place, LLC

**PRE- LICENSURE CONSENT ORDER**

WHEREAS, the Nelson Place, LLC d/b/a Nelson Place (“Nelson”) is seeking an initial license to operate a Residential Care Home as defined in Conn. Gen. Stat. §19a-490; and,

WHEREAS, upon the execution of this Pre-Licensure Consent Order ("Order") and after meeting all statutory and regulatory requirements and all of the requirements of this Order, and after obtaining a Certificate of Need from the Department of Public Health (“Department”) and the Department of Social Services (“DSS”), and after purchasing the land and building located at 17 Nelson Avenue in Norwalk, Connecticut by July 15, 2021, Nelson Place, LLC (“Intended Licensee”) shall be issued a license to operate a Residential Care Home by the Department; and;

WHEREAS, the Department, the Owner, and the Intended Licensee have agreed that this Order shall become effective on the date the license is granted to Nelson; and,

NOW THEREFORE, the Facility Licensing and Investigations Section of the Department acting herein and through Donna Ortelle, R.N, M.S.N., its Section Chief, and the Intended Licensee, acting by and through Syed Reza, M.D., as Owner and General Partner of Nelson Place, LLC, hereby stipulate and agree as follows:

1. This Order shall remain in effect for a one (1) year period from the effective date of this Order.

2. The Intended Licensee agrees that any resident of Carlson Place Residential Care Home (“Carlson”) located at 17 Nelson Avenue in Norwalk, Connecticut who was a resident as of June 1, 2021, shall have the option to return to Nelson. Residents of Carlson as of June 1, 2021 shall be notified of the issuance of a license pursuant to this Order and shall be provided an opportunity to return. Said residents who chose to return shall be paid for at rates payable by the DSS in accordance with Conn. Gen. Stat. § 17b-340(h) and the applicable Regulations of Connecticut State Agencies. The Intended Licensee shall create and maintain documentation related to the requirements of this paragraph and shall furnish such documentation to the Department immediately upon request. The Intended Licensee agrees that violation of this paragraph shall constitute sufficient justification to seek revocation of the license.
3. The Intended Licensee agrees that all of the expenses incurred to meet the terms of this Order and any licensing requirements, including all costs associated with the purchase of the building and real property, renovation expenses and life safety code expenses, are the sole responsibility of the Intended Licensee. The Intended Licensee agrees that such expenses shall not be reimbursed in any way by the Department or DSS, and that such expenses shall not be included in any cost reports or other reporting to DSS.
4. The Intended Licensee shall ensure compliance with the following requirements:
  - a. The Intended Licensee, shall maintain records on file documenting that all new staff received an initial orientation prior to being allowed to work including but not limited to, safety and emergency procedures for staff and residents, resident rights, and policies and procedures of the Intended Licensee;
  - b. A continuing education for program staff shall be required for one (1) percent of the total annual hours worked (to a maximum of twelve (12) hours) per year. Such education shall include, but is not limited to, resident rights, behavioral management, personal care, nutrition, food safety, emergency procedures including fire safety, and health and safety in general;
  - c. The Intended Licensee shall develop and implement written policies and procedures that prohibit mistreatment, neglect, verbal, mental, sexual, and physical abuse of residents, misappropriation of resident property, and exploitation. Such policies and procedures shall include, but not be limited to the

following elements: Training, Prevention, Identification, Investigation, Protection, and Reporting/Response.

- d. Any staff who administer medication shall be certified in accordance with the Regulations of the Connecticut State Agencies section 19-13-D6(m). The Intended Licensee shall develop, implement, and enforce written policies and procedures for control and accountability, distribution, and assurance of quality of controlled drugs in accordance with state law and regulation;
5. The Intended Licensee agrees to make the following physical plant and/or life safety code improvements, and provide proof to the Department's satisfaction, that such improvements have been made, prior to licensure unless an alternate time period is specified below:
- a. Replace the entire roof of the main building with a new 30 year roof. With respect to the roof on the main building, the some or all of the old roof shall be removed if recommended by the licensed roofer, and pitch shall be added to ensure proper water runoff if recommended by the roofer. With respect to the house in front of the main building, the Intended Licensee shall have the roof inspected by a roofing contractor and shall make any repairs or replacement as needed, and if no repairs are needed, the Intended Licensee shall prove proof in the form of an opinion of a Connecticut licensed roofer, to the Department's satisfaction, that repairs or replacement is not needed.
  - b. Within one week of the last resident being temporarily relocated from Carlson or after the closing of the purchase of the building and land by the Intended Licensee, whichever is later, remove and discard all furniture, box springs, mattresses, sheets, towels, pillows, pillow cases, drapes and any other linen material or bedding.
  - c. Purchase all new furniture, box springs, mattresses, sheets, towels, pillows, pillow cases, drapes and any other linen material or bedding.
  - d. Room furnishings shall be provided in accordance with the following: the room furnishings for each resident room shall include a bed with a firm waterproof mattress, bedside stand, reading light, dresser, or bureau with mirror, one (1) comfortable chair, and wardrobe or closet having a minimum clear dimension of

one foot-ten inches deep by one foot-eight inches wide (1'10" deep by 1'8" wide) with full length hanging space, clothes rod and shelf. A divider shall be provided in shared closets. An inventory of all resident room furnishings shall be conducted and an inventory list shall be maintained on site and checked monthly to ensure compliance with this requirement.

- e. Bathrooms shall be provided as follows: Each resident room shall contain a bathroom that has a sink, toilet, and shower except if residents in the current configuration share a suite or in situations where a floor shares a communal shower. Soap dishes in showers and bathrooms shall be recessed. Grab bars and accessories in resident toilet rooms, shower rooms, and bathrooms shall have sufficient strength and anchorage to sustain a load of two-hundred fifty (250) pounds for five (5) minutes.
- f. A janitor's closet shall include a floor receptor or service sink, storage space for housekeeping equipment and supplies, and shall be located within the dietary department.
- g. A laundry area shall be used exclusively for laundry and shall be remote from resident and food service areas, be self-contained, and shall not be accessible through any other room.
- h. A separate toilet room for each sex shall be provided for employees' use only. One (1) water closet and one (1) lavatory shall be provided for each twenty (20) employees of each sex.
- i. Where circumstances require, separate locker rooms for each sex shall be provided, with adequate segregated space for employees' clothing and personal effects. These lockers shall be installed in a completely divided area from the water closets and lavatories.
- j. Where circumstances require, a separate dining room shall be provided for employee use in the amount of fifteen (15) square feet per employee dining at one time. This dining room shall not be included in the space requirement for any other area nor shall serve any other purpose.

- k. Adequate off-street paved and lined parking stalls shall be provided at the ratio of one for each three residents. In addition, an exclusive area shall be provided for an unloading space for delivery trucks.
- l. Smoking areas shall be clearly designated.
- m. An asbestos survey shall be undertaken by a licensed contractor to determine location of asbestos within the facility and if it presents a hazard to residents, staff, and/or visitors. This will also allow proper measures to be taken when renovation/maintenance is conducted in the identified areas. A copy of the findings and recommendations shall be forwarded to the Department for review and implementation.
- n. All doors to resident toilet rooms, bathrooms and shower rooms shall be equipped with hardware that will permit access in any emergency. Single motion hardware shall be provided. All resident occupied rooms shall be provided with 1<sup>3</sup>/<sub>4</sub>" thick solid core door with <sup>3</sup>/<sub>4</sub> hour fire rating or metal door equivalent to a "C" label with metal frame and positive latching.
- o. Handrails shall be provided on both sides of all corridors used by residents. The handrails shall have ends rounded and returned to the walls, a clear distance of one and one-half inches (1<sup>1</sup>/<sub>2</sub>) between handrail and wall and a height of thirty-two inches to thirty-four inches (32" to 34") above the finished floor.
- p. A central storage room of not less than ten (10) square feet per resident bed (one hundred eighty (180) square feet for eighteen residents (18 resident beds) concentrated in one area shall be provided, including shelving. Storage should be located according to use and demand but not in residents' rooms.
- q. Water temperatures shall be maintained between 110 and 120 degrees.
- r. Replace the "call for aid" bell system in each resident room.
- s. Ensure that entire facility is protected by a fire sprinkler system. Any such work on a fire sprinkler system must be completed by a licensed State of Connecticut fire sprinkler contractor. The control panel for the fire sprinkler system must be connected to the emergency generator. This connection shall be made by a licensed State of Connecticut fire sprinkler contractor.

- t. The electrical distribution system; e.g., service, switchgear and distribution panels, etc. shall be inspected and serviced by a Connecticut licensed electrical contractor. An infrared scan shall also conduct to verify electrical integrity. All circuits shall be labeled.
- u. The facility has a diesel fueled emergency generator with an electrical connection to the building in compliance with NFPA 70 National Electrical Code. An evaluation of the prime mover and electrical generator shall be conducted by a licensed electrical contractor and the results shall be forwarded to the Department. The recommendations, if any, from the electrical contractor shall be implemented.
- v. Lighting and appliance panel boards shall be provided for the circuits on each floor. This requirement does not apply to emergency system circuits.
- w. All spaces occupied by people, machinery, and equipment within the building, and the approaches thereto, and parking lots shall have adequate electric lighting.
- x. Residents' bedrooms shall have general lighting. One lighting fixture for general lighting shall be exclusively wired to a switch at the entrance to each resident room. A reading light shall be provided for each resident. Residents' reading lights shall not be switched at the door. All switches for control of lighting in resident areas shall be of the quiet operating type.
- y. Each resident bedroom shall have duplex receptacles at least eighteen inches (18") above the floor as follows: One on each side of the head of each bed, for parallel beds. Only one duplex receptacle is required between beds, and one on at least one other wall.
- z. The roof gutter system shall be replaced and/or repaired.
- aa. A new driveway and parking lot with appropriate lines shall be installed. The drainage catch basins in the parking areas shall be properly designed, constructed, and maintained to eliminate a flooding condition.
- bb. All damaged and uneven asphalt and concrete sidewalks, curbing and ramps shall be repaired and/or replaced to minimize tripping hazards and shall have proper guards and rails to prevent falls as required by NFPA 101 Life Safety

- Code. There shall be egress lighting that is code compliant adequate to ensure safe egress to the public way in all lighting conditions.
- cc. All resident rooms and the entire interior of the facility shall be painted. The Intended Licensee shall fix all exterior peeling paint, repair all trim where needed, and paint exterior block walls.
  - dd. All windows in the entire facility shall be assessed by a licensed contractor and replaced or repaired as needed.
  - ee. A comprehensive operational and maintenance program designed to maintain the facility, equipment and grounds in a clean, safe and operative condition shall be developed and implemented. Copies of Policies, Procedures, and Logs shall be submitted to the Department for review.
  - ff. The intended licensee shall contract with a licensed exterminator to evaluate the entire property and facility and remedy any rodent or bug issues, and the intended licensee shall maintain an ongoing service as needed.
  - gg. Replace all old carpet floors with new flooring material.
  - hh. Replace all window shades.
  - ii. Upgrade all interior lighting.
  - jj. Trim all trees, shrubs, and upgrade landscaping.
  - kk. Repair or replace all exterior walkways where needed.
  - ll. All toilets shall be removed and replaced with new toilets.
  - mm. Sinks shall be repaired, cleaned or replaced as needed.
6. Any records maintained in accordance with any state law or regulation or as required by this Order shall be made available to the Department, upon request, for at least five (5) years.
  7. The Intended Licensee agrees that a commercial pest control service treated the entire facility for bed bugs on June 14, 15 and 16, 2021, and the Intended Licensee agrees to continue to use a commercial pest control service approved by the Department every two weeks during the renovation process. The commercial pest control service shall continue every two weeks until at least four (4) weeks after the License is issued unless the commercial pest control service recommends otherwise.
  8. Dietary services shall be provided to meet the resident's basic needs.

9. The Intended Licensee shall enter into a contract with an Environmental Consulting Firm (“ECF”) that has expertise in life safety code compliance in a residential care home setting. Said ECF shall be pre-approved by the Department prior to execution of the contract between the Intended Licensee and the ECF. The Intended Licensee has requested that Rob Boulanger be approved as the ECF, and upon its signature on this Order, the Department approves of him as the ECF.
10. The ECF shall, at a minimum, conduct at least one onsite reviews of the residential care home’s physical plant and compliance with applicable state and federal laws and regulations and this Order. The ECF team shall consist of professionals necessary to address the issues identified in this Order.
11. The ECF and the Intended Licensee shall enter into a written contract that includes the following requirements of this Order:
  - a. Timeframes for the initial evaluation;
  - b. The number of individuals with appropriate credentials for conducting the review;
  - and,
  - c. The timeframes for the analysis and development of recommendations.
12. The initial onsite review shall be scheduled within thirty (30) days of the execution of the contract with the ECF and shall include the following:
  - a. Evaluation of the Intended Licensee’s plan for compliance with this Order;
  - b. Review of the Facility’s generator evaluation with a focus on installation, maintenance and fuel supplies in accordance with state and federal standards and any recommendations as a result of the generator evaluation;
  - c. Review of the Facility’s fire detection and suppression systems evaluation and maintenance thereof;
  - d. Evaluation of the preventative maintenance program that includes, but is not limited to, respiratory equipment, electric beds, kitchen equipment, enteral feeding pumps, fire detection and suppression systems, and ancillary equipment;
  - and,
  - e. Emergency preparedness procedures to include, but not be limited to, fire response procedures.



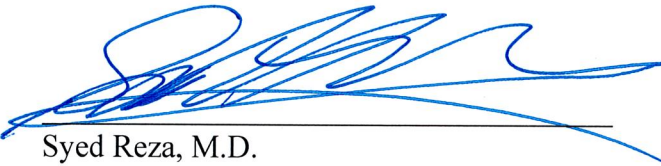
13. The ECF shall have thirty (30) days after the completion of the initial onsite review, to develop a report(s) which shall include, in addition to the responsibilities included in this Order, the Facility's progress in achieving same, and provide copies to the Intended Licensee and the Department. Neither party shall be provided with the opportunity to review the report prior to release nor shall both parties receive copies of the documents simultaneously. The report shall identify methods utilized for the analysis, areas reviewed and process, findings, and recommendations, if applicable. If the Intended Licensee, the ECF and the Department meet to discuss issues, the Intended Licensee shall have the right to present information related to the Intended Licensee's areas of disagreement. Neither party shall be provided with the opportunity to review the report prior to release.
14. The Department shall have the final determination to accept or reject any ECF recommendations should the parties not be able to reach a mutual agreement.
15. Upon approval by the Department of any recommendations by the ECF, the Intended Licensee shall provide the Department with a proposed timeframe for implementation of the ECF recommendations within thirty (30) days of receipt of the report(s). The timeframes shall be subject to approval by the Department and shall become operative upon the Department's approval. All recommendations shall be implemented in accordance with the Department's approved timeframe.
16. The ECF shall re-evaluate the Intended Licensee every three (3) months throughout the tenure of this Pre-Licensure Consent Order following the completion of the initial facility evaluation. The re-evaluation shall monitor implementation of the Intended Licensee physical plant inspection report. Upon conclusion of said reviews, the ECF shall provide the Department with a comprehensive report of said assessment. The ECF shall have fourteen (14) days after the completion of the re-evaluation, to develop a report(s) and simultaneously provide copies to the Intended Licensee, and the Department. Neither party shall be provided with the opportunity to review the report prior to release.
17. The Intended Licensee designates Syed Reza, M.D. as the individual to monitor the requirements of this Order.

18. All reports pertinent to this Order shall be sent to:

Karen Gworek, R.N.  
Supervising Nurse Consultant  
Facility Licensing and Investigations Section  
Department of Public Health  
410 Capitol Avenue, P.O. Box 340308, MS #12 HSR  
Hartford, CT 06134-0308


19. All parties agree that this Order is an Order of the Department with all of the rights and obligations pertaining thereto and attendant thereon. The Intended Licensee agrees that compliance with all the terms and conditions of this Order is part of the responsibility of the Intended Licensee's governing authority as set forth in Public Health Code section 19-13-D6 (c)(1) and/or (5). The Intended Licensee further agrees that failure to comply with any of the terms and conditions of this Order shall constitute grounds for disciplinary action pursuant to section 19a-494 of the Connecticut General Statutes. Nothing herein shall be construed as limiting the Department's other available legal remedies against the Intended Licensee for violations of the Order or of any other statutory or regulatory requirements, which may be sought in lieu of or in addition to the methods of relief listed above, or any other administrative and judicial relief provided by law.
20. The execution of this Order has no bearing on any criminal liability without the written consent of the Director of the MFCU or the Bureau Chief of the Department of Criminal Justice's Statewide Prosecution Bureau.
21. The Intended Licensee and Owner agree that this Order and the terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum including any right to review under the Uniform Administrative Procedure Act, Chapter 368a of the Statutes, Regulations that exist at the time the Order is executed or may become available in the future, provided that this stipulation shall not deprive the Intended Licensee and Owner of any other rights that it may have under the laws of the State of Connecticut or of the United States.
22. The Intended Licensee and its Owner and General Partner have consulted with their attorney prior to the execution of this Order.

WITNESS WHEREOF, the parties hereto have caused this Order to be executed by their respective officers and officials, which Order is to be effective as of the later of the two dates noted below. The undersigned signatories represent and warrant that they are authorized to execute this Order on behalf of the party they represent.

By:   
Syed Reza, M.D.  
Owner and General Partner  
Nelson Place, LLC

On this 22nd day of June, 2021, before me, personally appeared Syed Reza, M.D., as Owner and General Partner of the Nelson Place, LLC who acknowledged himself as Owner and General Partner of Nelson Place, LLC a limited liability corporation, and that he, as such Owner and General Partner of Nelson Place, LLC being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation as Owner and General Partner.

My Commission Expires: Notary Public \_\_\_\_\_

  
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Commissioner of the Superior Court

STATE OF CONNECTICUT,  
DEPARTMENT OF PUBLIC HEALTH

By: Donna Ortelle, RN, MSN  
Donna Ortelle, R.N., M.S.N., Section Chief  
Facility Licensing and Investigations Section

June 23, 2021