

You are requested to confirm receipt of this information so 1<sup>st</sup> CHOICE Advisory Services, Inc. may be of help to you. This document in no way obligates you at any time to continue to receive assistance from 1<sup>st</sup> CHOICE Advisory Services, Inc. The referral services provided to you are at no cost to you, the consumer.

**About 1<sup>st</sup> CHOICE Advisory Services, Inc.**

1<sup>st</sup> CHOICE Advisory Service, Inc. [which will be referred to also as “the agency”] was established in 1993 as a senior housing & care referral service. The agency is registered as an S-Corp in the state of Washington. The agency's primary function is to identify and make senior housing and care information and resources available to consumers.

A consumer or client is defined as an older adult, their responsible party, or any individual, agency, or institution advocating for an older adult.

The agency gathers pertinent information about the older adult through its intake process which helps to identify needs, interests, and preferences of the older adult. Based on this input, the agency then provides housing and care options likely to be of interest to the older adult(s) and/or responsible party.

The agency collects information about senior housing and care providers [which will be referred to also as "provider(s)" or "senior living community(ies)"]. The primary benefit of accessing the assistance of the agency is to yield a more focused search during the selection process. To help the client avoid the need to research options and make dozens or even hundreds of phone calls to providers, the agency gives the client a targeted list of providers offering services the agency believes to be in alignment with those being sought.

1<sup>st</sup> CHOICE does not require or request the client to sign waivers of potential liability for losses of personal property or injury, or to sign waivers of any rights of the client established in state or federal law. It is, however, critical to note that the agency, through its processes and through this disclosure, have made a concerted effort to ensure the client is aware that the agency and its employees in no way make guarantees of services extended by providers.

The client is ultimately in charge of the selection process of a provider. Providers must verify the legal capacity of any representative of an older adult. 1<sup>st</sup> CHOICE provides information to any individual or entity serving in support of an older or vulnerable adult.

**Privacy Policy**

By acknowledging receipt of this document, you agree to the terms outlined on page 11.

**Client's ongoing communication with the provider**

Within the scope of senior housing and care referral services, 1<sup>st</sup> CHOICE does not serve as arbitrator or communicator between client and provider. During both the search process and after move-in, 1<sup>st</sup> CHOICE does not have the responsibility of ensuring communication or agreement between the client and provider.

**Medical professional's approval may be required prior to admission**

State law may require the older adult's physician become involved in defining medication management and the appropriate level of care prior to admission to a senior living community, or before arranging for in-home care services. Additionally, a professional nursing assessment and the completion of a care plan may be required (depending upon the laws for the state in which the senior living community is located). The agency does not offer medical advice. 1<sup>st</sup> CHOICE is a non-medical information service. At no point is 1<sup>st</sup> CHOICE staff able to ensure services or quality of services provided by a provider. 1<sup>st</sup> CHOICE staff are not trained in the numerous city, state, federal, and fire safety laws that regulate providers. 1<sup>st</sup> CHOICE staff have no exact knowledge of what services a provider may or may not offer as the management/owners of the senior living community are the only individuals who can communicate or provide such information. Because the services providers offer are based on current staffing levels as well as current resident needs, the admission and retention criteria of residents evolves and changes. The client and senior living community are fully responsible for reciprocal communications about admission and continued stay in a senior living community.

Any information provided by a staff member of 1<sup>st</sup> CHOICE or by the agency regarding healthcare designations of providers (i.e. Registered Nurse, Licensed Practical Nurse, Masters of Social Work, etc.) must be verified by the older adult or responsible party. The information 1<sup>st</sup> CHOICE obtains is not verified by the agency. To verify a healthcare license, visit the appropriate governmental agency website:

In Washington: [nursing.wa.gov](https://www.nursing.wa.gov)  
In Oregon: [oregon.gov/osbn](https://www.oregon.gov/osbn)  
In Idaho: [dopl.idaho.gov/bon](https://www.dopl.idaho.gov/bon)

The quality and competency of the care and services provided within a community or home are the jurisdiction and purview of the applicable state licensing agency. Vigilant and ongoing involvement of the family and/or a responsible party is strongly recommended in support of any vulnerable and/or older adult. With changes in ownership, management, and staffing as well as changes in residents, an older adult needs the continued support and advocacy of a legally responsible party.

**The service is provided free of charge**

So that referral services provided by the agency may be extended free-of-charge to its clients, the agency signs contracts with providers. The agency receives a referral fee (a calculation is based typically on a percentage of the fees paid in the first month of residency) from the provider selected by the client. The agency maintains a policy of charging the provider only when the provider is receiving direct compensation for housing and/or care from private funds or from long-term care insurance-based funds. The agency accepts no fees from the provider if any part of the monthly cost of housing is currently being paid to the provider by Medicaid/COPES or Medicare. In instances where a resident passes away or moves out prior to the completion of the contract with 1<sup>st</sup> CHOICE, a prorated fee is charged to the provider.

The agency endeavors to contract with all providers in the same manner so that options are presented in a way which best serves the client. The agency makes the details of specific payments from the provider to the agency accessible to the client upon written request. (See the end of this document for the various ways you can contact the 1<sup>st</sup> CHOICE main office.) The agency prides itself in its practice of full disclosure.

The agency provides information regarding provider options and is compensated by the provider (a client relationship to 1<sup>st</sup> CHOICE), yet the consumer (older adult or their responsible party) is also considered by the agency as a client. The older adult or their responsible party at no time pays any fee to the agency for referral support.

**Your commitment when accepting the assistance of 1<sup>st</sup> CHOICE**

To ensure that the agency is compensated for our efforts, clients are asked to allow the agency to make initial introductions to all providers. Clients are particularly cautioned from entering their name and contact information in senior housing and care web sites. Most of these web sites are national companies who seek to sell your name to many senior living communities. All family members should be informed that help has been sought from 1<sup>st</sup> CHOICE so that your name and contact information are appropriately protected from businesses who distribute such information randomly throughout the community.

**If you own a long-term care insurance policy**

1<sup>st</sup> CHOICE and its representatives do not hold licensing or training to interpret long-term care insurance contracts. We do, however, offer a complimentary service of reading long-term care policies to give the client insight as to the types of providers that may or may not be approved by the insurance company and to help the client better understand how the language appearing in the policy may or may not relate to the actual industry of senior housing and care

being offered at this time. 1<sup>st</sup> CHOICE and its representatives cannot be held responsible for any loss, harm or injury which may occur as a result of information (or lack of information) given to the client about the long-term care insurance policy. The insurance company is the only entity which can approve or deny a claim.

### **Disclosure of business and family-related connections**

1<sup>st</sup> CHOICE may pay fees or commissions to other agencies or businesses in return for information, services, or goods.

Due to laws within some states where the agency provides services, the agency must inform clients that family members, friends, and business associates of staff working at the agency may hold ownership in or work at senior housing, care communities, or healthcare settings. Danielle Ionesi, RN and Housing & Care Advisor employed by 1<sup>st</sup> CHOICE, holds ownership in an adult care home located at 17106 NE 172nd Pl, Woodinville, WA 98072. Michelle David, employed by 1<sup>st</sup> CHOICE in a support role, has a business interest in an adult care home located at 7009 Stanich Ave, Gig Harbor, WA 98335. Oregon state law prohibits Danielle Ionesi and Michelle David from referring to adult care homes they have a business interest or ownership in.

### **Provider Enforcement Status and Licensing**

1<sup>st</sup> CHOICE monitors the licensing and enforcement status of senior living communities as required by [RCW 18.330](#) (Washington) and [ORS 410](#) and [OAR 411-058](#) (Oregon). While we regularly review state regulatory websites, consumers should be aware of the following limitations regarding state-reported data:

- Historical Context: "Enforcement actions" (Washington) or "conditions on a license" (Oregon) often stem from past incidents that the provider may have already corrected to maintain their licensure.
- Infractions: Senior living communities are subject to any number of fines and penalties that are not considered a threat to their licensure, but point out areas that need to be resolved within a specific time frame. Because senior care providers are regulated and are also required to self-report matters (such as unwitnessed falls), and because residents and family members can report concerns, not all documentation existing for a care provider is necessarily considered potentially harmful to residents. As an additional example, a provider could receive a letter indicating that one of their staff members has an expired food handler's permit. This type of documentation should be viewed differently than a matter that has or could cause immediate harm to a resident.
- Reporting Delays: Neither Washington nor Oregon have consistently posted enforcement updates in a real-time or timely manner.

- **Incomplete Documentation:** In Washington specifically, state records may fail to document the final resolution of a matter, causing resolved issues to appear active.

Because state websites may not provide a real-time picture of current operations, the most accurate information is obtained directly from the provider. We strongly encourage consumers to request access to the provider's binder or folder of regulatory actions and inspections. This allows you to review the most recent unannounced inspections and any past infractions directly with the provider.

1<sup>st</sup> CHOICE supports the rigorous process of state oversight and complaint investigation. We believe providers should only remain licensed if they consistently resolve concerns and avoid unsafe business practices. When citations occur, providers must implement a state-approved plan of action for resolution. Therefore, much of the information available online reflects past events rather than current standing. We follow all mandated processes for checking regulatory websites, but we advise that these records should be supplemented by direct inquiry to the provider to best anticipate the quality of future care.

### **Infractions of senior living providers**

If you are considering a provider which offers care services, the provider is licensed by a specific state agency and is required to make inspection reports available to the consumer. Because providers are regulated, they are subject to inspections and follow-ups to complaints or self-reported issues. The agency conducts a search of the appropriate state infraction database a maximum of 30 days prior to making a referral for care services to a provider. Enforcement actions (WA) or a condition on a license (OR) found during this search will be included in the referral sent to the client, including the date the search was performed. Clients should inquire directly of the provider what, if any, infractions exist separately to ensure accurate and up to date information.

### **Clients are given access to the full spectrum of options and care**

Nearly all senior housing providers that a client would wish to consider are contracted with the agency. Approximately 20% of the licensed or existing providers do not meet the minimum expectations of the agency and are therefore never given as options to clients. A small percentage of the total provider network of senior living communities serving older adults has opted not to contract with the agency. Such providers tend to have lengthy waiting lists or have been in existence for decades and rarely have availability. The agency may opt to make known such providers to clients without receiving a referral fee. The agency does not generally contract with providers who specialize in care for young adults with developmental disabilities or young adults with mental health

concerns. 1<sup>st</sup> CHOICE focuses on serving older adults in our community.

The agency makes referrals to both skilled nursing as well as Medicare-certified in-home care, yet neither the agency nor its employees receive compensation from such referrals.

For some older adults, in-home care may be a short-term solution. It is common for people to request help from 1<sup>st</sup> CHOICE to transition from in-home care to a residential care option such as assisted living, memory care, or adult care home.

1<sup>st</sup> CHOICE maintains relationships with one or more in-home care agencies in each region we serve. Much like making a move to a senior living community, 1<sup>st</sup> CHOICE and its staff cannot speak to the quality of services provided by an individual in-home caregiver. It is the sole responsibility of the client to interview and contract for care services.

The agency may make additional referrals to clients for legal assistance, financial guidance, health care or therapies, real estate, moving services, or other community-based services. Neither the agency nor employees of the agency receive financial compensation for such referrals. Referrals to products or services require the due diligence of the consumer. The agency does not warrant or guarantee the quality or performance of any ancillary product or service. Further, the agency is held harmless for any loss, injury, or harm which may occur as the result of accessing ancillary products or services.

### **Frequency of the agency's visits to providers**

The agency tours providers upon initially contracting with the provider and intends to accompany clients on tours to providers. It is critical to note that a visit from the agency is not an inspection. The agency visits providers to determine if they meet minimum requirements of the agency. A visit by the agency is only a snapshot in time. The client must continue on-going review and communication with the provider and/or regulatory or advocacy organizations at their own discretion and in a manner which fosters quality communication and quality care.

### **Senior living community healthcare**

All individuals living in senior living communities or who are receiving care in their own home are considered to be at risk for infection, virus, and disease. As many contagions cannot be accurately diagnosed in their early stages, neither senior living communities nor 1<sup>st</sup> CHOICE staff can guarantee against contracting an infection, virus, or disease. Even in cases where a provider indicates their current or past experience with these types of health matters, we remind all older adults and their families that it is not at all feasible for providers to accurately and categorically state the actual existence or non-existence of

infection, virus, or disease within their current resident population. Furthermore, regardless of what a provider may state as being their intention regarding controls, it is outside the realm of possibility to project the possibility of a current or future existence of infection, virus, or disease. 1<sup>st</sup> CHOICE and its staff are held harmless from any injury or harm the spread of infection, virus, or disease may cause. Infections, viruses, and diseases can cause severe health problems and are known causes of possible death.

**1<sup>st</sup> CHOICE employees are mandatory reporters**

State law requires all employees of the agency to report suspected instances of abuse, neglect, abandonment, or financial fraud to the appropriate authorities. Clients must be aware that the request of a client to not disclose such matters to authorities is against the law and strictly prohibited by the agency.

**1<sup>st</sup> CHOICE involves the older adult(s) as a standard business practice**

To the maximum extent possible, the agency involves the older adult in the process of searching for housing or care options. If the client is not the older adult, and they feel that the older adult may suffer unnecessary stress due to involvement in the search or feel the older adult may not be able to comprehend the situation, the client is encouraged to communicate their concerns with the agency immediately. The agency endeavors to treat each older adult with the respect and dignity they deserve while remaining committed to the rights of older adults to be involved in these important decisions.

**If you choose to end your relationship with 1<sup>st</sup> CHOICE**

If at any time a client wishes to end a relationship with the agency and stop receiving help from the agency, the client may do one of the following (please include the name of the senior, your name, and a contact phone number):

- Send an email to: [info@choiceadvisory.com](mailto:info@choiceadvisory.com)
- Call 1<sup>st</sup> CHOICE (toll-free) at: 800-361-0138, 7 days/week 8:30am-8:30pm
- Send a fax (toll-free) to: 800-206-6910

You may end your relationship without cause, and certainly (as there is no charge for our referral service), you may do so without penalty or recourse.

**To file a complaint against 1<sup>st</sup> CHOICE:**

The owners of 1<sup>st</sup> CHOICE are highly involved in the operation of the agency. If you receive services differently than what is explained in this document, or if you wish to share any aspect of the service you received, you are encouraged to call the owners of the agency: Les Ostermeier or Clint Slater. Les or Clint can be reached at 800-361-0138, or email at [les@choiceadvisory.com](mailto:les@choiceadvisory.com) and [clint@choiceadvisory.com](mailto:clint@choiceadvisory.com). They are interested in hearing your concerns as well as your ideas for broadening and improving our services.

If you feel 1<sup>st</sup> CHOICE has not complied with state laws protecting older or

vulnerable adults, you may contact the Attorney General's office in the state where you received services.

Attorney General's Office in the state of Washington:

- 360-753-6200 (Monday - Friday, 10am to 3pm)
- 800-551-4636 (For In-State callers only)
- 800-833-6388 (For the hearing-impaired callers)
- 206-464-6684 (For Out-of-State callers)
- Mail: Office of the Attorney General, 1125 Washington Street SE, PO Box 40100, Olympia, WA 98504

Attorney General's Office in the state of Oregon:

- 503-378-4400 (General number)
- 503-229-5576 (From within Portland)
- 877-877-9392 (toll-free from elsewhere in Oregon)
- Mail: Oregon State Dept of Justice, Office of the Attorney General,
- 1162 Court St NE, Salem, OR 97301-4096

Attorney General's Office in the state of Idaho:

- 208-334-2400
- Mail: PO Box 83720, Boise, ID 83720-0010

### **Additional licensing/regulation of senior housing & care referral agencies**

State governments in both Washington and Oregon have established specific laws regarding the operation and/or processes followed by senior housing and care referral agents. In Washington the law is [RCW 18.330](#) and in Oregon [ORS 410](#) and [OAR 411-058](#). Because the names and codes associated with these laws may change, consumers can search for the laws on the internet, or contact 1<sup>st</sup> CHOICE by email. 1<sup>st</sup> CHOICE can also print and send the law to you via US mail upon request.

Oregon law requires 1<sup>st</sup> CHOICE to be registered with the state and the following additional wording is required by the state of Oregon:

*The names of the assisted living and care providers referred to you are required to be contracted with 1<sup>st</sup> CHOICE. The contracts 1<sup>st</sup> CHOICE holds are in perpetuity, yet a provider may elect to cancel their agreement at any time. Consumers accessing the help of 1<sup>st</sup> CHOICE are under no obligation to select a provider presented to them by 1<sup>st</sup> CHOICE and consumers may elect to stop working with 1<sup>st</sup> CHOICE by notifying us.*

The state of Washington maintains websites where any infractions found during a state visit/assessment of a provider's home may appear:

<https://fortress.wa.gov/dshs/adsaapps/Lookup/BHAdvLookup.aspx>

and

<https://fortress.wa.gov/dshs/adsaapps/lookup/AFHAdvLookup.aspx>

The state of Oregon also maintains a database of providers and infractions:

<https://ltclicensing.oregon.gov>

and

<https://www.oregon.gov/odhs/licensing/apd/pages/updates.aspx>

## **General Information for Oregon Consumers**

### **Long-Term Care Referral Agent Disclosure and Advisory Form**

#### **Agent Business Information**

Agent's Business: 1<sup>st</sup> CHOICE Advisory Services, Inc.

Telephone: 800-361-0138

Address: 5703 NE 133<sup>rd</sup> St, Vancouver, WA 98686

Email: bestcare@choiceadvisory.com

This advisory provides a list of disclosures which Long-Term Care Referral Agents must provide to clients and offers additional information for consumers seeking assistance finding long-term care options.

#### **Mandated Disclosures**

Oregon law requires a Long-Term Care Referral Agent to make the following disclosures to a client:

- 1) **Description of the referral.** The types of facilities being referred to the client, may include the following:

<input checked="" type="checkbox"/> Adult Foster Home	<input checked="" type="checkbox"/> Medicaid Contracted
<input checked="" type="checkbox"/> Assisted Living Facility	<input checked="" type="checkbox"/> Independent Living
<input checked="" type="checkbox"/> Residential Care Facility	<input checked="" type="checkbox"/> Memory Care
<input checked="" type="checkbox"/> Intermediate Care Facility	<input checked="" type="checkbox"/> Other: Skilled Nursing, In-home Care, Home Health Care
  
- 2) **Limitations on referrals.** The client will be referred only to facilities with which the Referral Agent has a business-to-business contract:  Yes  No
  
- 3) **Referral fees.** Any fees paid to the Referral Agent for services will be paid by the admitting home/facility:  Yes  No
  
- 4) This Referral Agent's right to a referral fee expires if the client does not move into a referred facility within a specified period from the time of the referral:

Yes  No

- a. If **Yes**, what is the range of the expiration periods specified in this Referral Agent's business-to-business facility agreements?
  - i. It is at the discretion of the senior living provider.
- 5) **Privacy Policy.** This Referral Agent's privacy policy is included in this document.
- 6) **Facility Complaint History.** The Oregon Department of Human Services (ODHS) website listing complaints concerning facilities/care communities is found at: <https://ltclicensing.oregon.gov>

### **Additional Information**

The following additional information beyond the mandatory disclosures is provided to assist the consumer in understanding Oregon laws regarding referrals.

#### **A Referral Agent Must:**

- Discontinue providing services to a client who notified the Referral Agent in writing that the client no longer wishes to use the services of the Referral Agent. If the Referral Agent has received compensation from the facility for a referral that has been made, the client may notify the Referral Agent in writing that he/she wish to use the services of another Referral Agent in the future for referral to another facility in a subsequent move. The client's written notice shall identify the name of the facility and the move-in date of the original referral made by the Referral Agent.
- Provide the required disclosures to the client in writing in a conspicuous and clear manner. The disclosure may be made orally first if the agent makes an audio recording with the consent of the client and thereafter provides the client a written disclosure.

#### **A Referral Agent May Not:**

- Provide a referral to a long-term care facility/home for compensation unless registered with ODHS.
- Refer a client to a facility in which the Referral Agent or an immediate family member has an ownership interest.
- Contact a client or authorized representative who has requested in writing that the Referral Agent stop contacting them.
- Share a client's placement information with or sell a client's placement information to a facility or marketing affiliate without obtaining affirmative consent from the client or his/her authorized representative for each instance of sharing or selling such information.

**Authorization granted to 1<sup>st</sup> CHOICE & permission to release information**

I give the staff and representatives of 1<sup>st</sup> CHOICE Advisory Services, Inc. permission to access information regarding the older adult(s) named below. I also give permission to the providers working with 1<sup>st</sup> CHOICE (physicians, clinicians, ARNPs, licensed assessors, senior living communities, providers, and/or paraprofessionals as well as regulatory or vulnerable adult advocacy organizations) to access this information as it relates to the client's interest in arranging for in-home care or relocating to a senior living community.

Pursuant to the requirements of the Health Insurance Portability and Accountability Act (HIPAA), the purpose of this disclosure, at this time, is for both non-medical and for medical purposes. Further, there is the potential for the protected health information to be re-disclosed by the recipient and thus, no longer is protected under this Privacy Rule. I understand that this consent may be revoked in writing at any time with the exception and to the extent that disclosure of information may have already occurred prior to the receipt of revocation.

I understand that senior living providers, clinicians, hospitals, social workers, nurse assessors and representatives at 1<sup>st</sup> CHOICE will be utilizing email, telephone, fax, and in-person meetings to discuss specific housing and care needs and that personal health care information will be shared between entities and individuals.

**Authorization to Share Placement Information**

I have read, understand, and consent to this agreement and I authorize the agency to share my information as outlined in this document.

\_\_\_\_\_  
Receiving Individual – (electronic) Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Receiving Individual – Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name(s) of older adult(s) – please print

\_\_\_\_\_  
Name(s) of older adult(s) – please print