

## SUMMARY STATEMENT

*Grace at Fairview Lakes, LLC v. Idaho Department of Health and Welfare*  
Docket No. 49852-2022

The Idaho Supreme Court affirmed the district court's decision affirming a hearing officer's determination upholding the Idaho Department of Health and Welfare ("the Department") enforcement action against Grace at Fairview Lakes, LLC ("Grace").

The Department cited Grace, a residential assisted living and memory care facility, for failing to provide a safe living environment for residents and for inadequate training in relation to COVID-19 infection control measures. The Department issued Grace a provisional license and instituted a ban on new admissions until Grace corrected the deficiencies related to inadequate training. Grace filed an administrative appeal challenging the action, which was upheld by a hearing officer. Grace then filed a petition for judicial review in the district court. The district court affirmed the hearing officer's decision, and Grace appealed to the Idaho Supreme Court.

On appeal, Grace argued that the hearing officer's conclusion that Grace failed to provide a safe living environment for its residents and its decision upholding the Department's ban on new admissions were not supported by substantial evidence. The Idaho Supreme Court concluded that the record contained substantial evidence to support the hearing officer's decision. Specifically, the Court found that substantial evidence was presented establishing that Grace's failure to properly implement infectious disease controls identified in CDC guidance created an unsafe living environment. The Court also found that substantial evidence supported the hearing officer's conclusion that substantial evidence in the record established that Grace's training concerning infection control measures was inadequate, and this in turn provided the Department with the legal authority to implement a ban on new admissions until Grace became fully compliant with training requirements. The Court, therefore, affirmed the district court's decision denying Grace's petition for review.

\*\*\*This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.\*\*\*