



Enforcement Actions Against Nursing Homes

Civil Money Penalties¹ Against 6 Nursing Homes: 6/1/09 – 8/31/09²

Name Of Home	Location	Survey Date	Amount
Beth Abraham Health Services	Bronx	4/27/09	\$21,150 ⁴
Medford Multicare Center for Living	Medford	4/1/09	\$35,300 ³
Mount Loretto Nursing Home, Inc.	Amsterdam	1/20/09	\$77,610
Rivington House-The Nicholas A Rango Health Care Facility	Manhattan	3/9/09	\$45,750 ³
St. Catherine Laboure Health Care Center	Buffalo	4/17/09	\$4,500
Van Allen Nursing Home	Little Falls	10/31/07	\$56,945 ⁴

¹ Civil Money Penalties (CMPs) – a federal sanction against nursing homes that fail to comply with quality care requirements.

² As reported by CMS. For more detailed information contact the FOIA Officer at CMS 212-616-2220. This list will be posted on LTCCCs website every three months.

³ Amount does not reflect a 35% reduction as the facility did not waive its right to a hearing as permitted under law.

⁴ Amount reduced due to financial hardship.

Selected Enforcement Actions of NYS Attorney General

Medicaid Fraud Control Unit¹ Took Action Against 5 Nursing Home Personnel – 6/16/09-9/15/09

Nursing Home	Location	Defendant	Sentence	Narrative
Adirondack Medical Center-Mercy Nursing Home	Franklin	Ette, John, Certified Nurses Aide	7/22/09: Time served (71 days) and completion of anger management program	Defendant struck an 88 year-old female resident in the face, grabbed her arm, and pushed her back into her wheelchair. The resident sustained bruising on her face and a fractured right clavicle.
Kirkhaven	Monroe	Jones, Monique, Certified Nurses Aide	7/8/09: Three years probation	While defendant was assisting an 88 year-old resident into bed, the resident became agitated. Defendant kicked the resident in the area of his rib cage.
Medford Multicare Center for Living	Suffolk	Stumpf, Nichole, Certified Nurses Aide	7/1/09: Conditional discharge	As revealed by the facility's hallway video recordings, defendant and co-defendant Leticia Virgil-Green (see below) transferred a 94 year-old resident from her bed to a wheelchair without using a hoier lift as required by the resident's care plan. The resident complained of pain and two days later an x-ray confirmed that she had a fractured femur. Both defendants provided false written accounts of the incident to the facility.
Medford Multicare Center for Living	Suffolk	Virgil-Green, Leticia, Certified Nurses Aide	7/1/09: Conditional discharge	See above.
Our Lady of Consolation Nursing and Rehabilitative Care Center	Suffolk	Lewis, Danielle, Certified Nurses Aide	8/13/09: Three years probation and restitution of \$3,470	A 77 year-old resident gave defendant a \$1,700 check for holiday gift cards she wanted to give to staff; defendant stole the money by depositing the check in defendant's bank account without purchasing any cards or returning the money. The investigation uncovered 10 additional checks the resident had written that defendant cashed for her own use.

¹The unit prosecutes cases of patient abuse in nursing homes.



Enforcement Actions Against Nursing Homes

State Fines Against 7 Nursing Homes: 6/19/09 – 9/15/09¹

Name Of Home	Location	Date Of Survey	Amount ²
Absolut Center for Nursing Endicott	Endicott	12/5/07	\$16,000
Golden Gate Rehabilitation and Health Care Center	Staten Island	6/27/08	\$20,000
Heritage Commons Residential Health Center	Ticonderoga	6/27/08	\$8,000
The Hurlbut	Rochester	6/20/08	\$2,000
NYS Veterans Home at Montrose	Montrose	11/20/07	\$8,000
Oneida Healthcare Center ECF	Oneida	7/8/08	\$2,000
Valley View Manor Nursing Home	Norwich	9/27/07	\$2,000

¹As reported by the Department of Health (DOH). For more detailed information call the DOH FOIL Officer at 518-474-8734 or e-mail – nhinfo@health.state.ny.us.

²Under state law nursing homes can be fined up to \$2,000 per deficiency. These fines may be increased to \$5,000 if the same violation is repeated within twelve months and the violations were a serious threat to health and safety. These fines may also be increased up to \$10,000 if the violation directly results in serious physical harm.

The State Took Other Action Against 16 Nursing Homes – 6/19/09 - 9/15/09¹

Name of Home	Location	Resident Impact ²	Survey Date	Actions ³
Adirondack Medical Center-Mercy	Tupper Lake	GG	8/20/09	DPOC, Inservice, DOPNA
Chase Memorial Nursing Home	New Berlin	IJ/SQC	7/29/09	CMP, Monitor, DPOC, Inservice, DOPNA
Countryside Care Center	Delhi	IJ/SQC	8/20/09	CMP, Monitor, DPOC, Inservice, DOPNA
Dumont Masonic Home	New Rochelle	IJ/SQC ⁴	7/16/09	CMP, DOPNA
Elant at Brandywine	Briarcliff Manor	IJ/SQC	9/2/09	CMP, Monitor, DOPNA
Elant at Newburgh	Newburgh	IJ/SQC	9/2/09	CMP, Monitor, DOPNA
Franklin County Nursing Home	Malone	IJ/SQC	6/26/09	CMP, Monitor, DPOC, Inservice, DOPNA
Horace Nye Home	Elizabethtown	GG	7/30/09	DPOC, Inservice, DOPNA
Jewish Home and Hospital	Bronx	IJ/SQC	6/23/09	CMP, Monitor, DPOC, Inservice, DOPNA
Northwoods Rehab ECC-Hilltop	Niskayuna	IJ/SQC	7/1/09	CMP, Monitor, DPOC, Inservice, DOPNA
Northwoods Rehab ECC-Troy	Troy	GG	6/16/09	Inservice, DPOC, DOPNA
Northwoods Rehab ECC-Troy	Troy	IJ/SQC	7/22/09	CMP, Monitor, DPOC, Inservice, DOPNA
NYS Veterans Home at Montrose	Montrose	IJ/SQC	8/27/09	CMP, Monitor, DPOC, Inservice, DOPNA
NYS Veterans Home St. Albans	Queens	IJ/SQC	6/29/09	CMP, Monitor, DPOC, Inservice, DOPNA
TLC Health Network Lake Shore Hospital NF	Irving	IJ/SQC ⁴	7/17/09	CMP, Monitor, DPOC, DOPNA
Wellsville Manor Care Center	Wellsville	IJ/SQC ⁴	8/6/09	CMP, DPOC, DOPNA
Whittier Rehab and Skilled Nursing Center	Ghent	GG	8/10/09	DPOC, Inservice, DOPNA

¹As reported by the Department of Health (DOH). For more detailed information call the DOH FOIL officer at 518-474-8734 or e-mail – nhinfo@health.state.ny.us.

²Immediate jeopardy (IJ), and substandard quality of care (SQC): The most serious level of deficiency causing harm; GG: Deficiencies that have caused isolated resident harm on two consecutive surveys.

³ Civil Money Penalty (CMP): State recommends to CMS; State Monitoring: state sends in a monitor to oversee correction; Directed Plan Of Correction (DPOC): A plan that is developed by the State or the Federal regional office to require a facility to take action within specified timeframes. In New York State the facility is directed to analyze the reasons for the deficiencies and identify steps to correct the problems and ways to measure whether its efforts are successful; In-Service Training: State directs in-service training for staff; the facility needs to go outside for help; Denial of Payments for New Admissions (DoPNA): Facility will not be paid for any new Medicaid or Medicare residents until correction.