



ENFORCEMENT ACTIONS AGAINST NURSING HOMES¹

STATE ENFORCEMENT ACTIONS AGAINST NURSING HOMES: 9/16/04-12/15/04

The State Fined 29 Nursing Homes

NAME OF HOME	LOCATION	DATE OF SURVEY	AMOUNT
Adventist NH	Livingston	11/21/03	2,000
Betsy Ross Rehab Ctr.	Rome	11/14/02, 10/30/03	4,000
Carthage Area Hosp.	Carthage	07/30/04	2,000
Cedar Lodge NH	Center Moriches	07/28/03	2,000
Fieldston Lodge	Bronx	08/25/04	4,000
Goldcrest Care Ctr.	Bronx	10/27/03	2,000
Grace Manor HCF	Buffalo	02/27/03, 11/28/03	4,000
Groton Community Health	Groton	12/10/03	2,000
Highlands Living Ctr.	Pittsford	09/12/03	2,000
Hill Haven NH	Webster	03/19/04	2,000
Katherine Luther NH	Clinton	02/13/04	2,000
Martin Luther NH	Clinton	02/13/03	2,000
Masonic Home and HCF	Utica	03/30/04	2,000
Meadowbrook Care Ctr.	Freeport	10/30/03	2,000
Mercy Health & Rehab	Auburn	06/06/03	4,000
Morningside House	Bronx	04/07/03	2,000
Northwoods, Cortland	Cortland	06/26/03, 03/11/04	3,000
Orchard Manor Inc.	Medina	03/05/03	1,000
Orleans Cty NH	Albion	06/26/03	2,000
Orleans Cty NH	Albion	11/18/03	1,000
Our Lady of Consolation	W. Islip	08/08/03, 11/07/03	2,000
Our Lady of Consolation Geriatric Care Ctr.	W. Islip	02/10/04	1,000
Pearl & Everett Gilmour	Norwich	02/27/03	3,000
Riverview Manor NH	Owego	08/05/03, 01/30/04	6,000
Shorefront Jewish Geriatric Ctr.	Brooklyn	09/10/02	1,000
St. Teresa's NH	Middletown	08/28/03	2,000
Sullivan Cty. Adult Care Ctr.	Liberty	02/18/04	1,000
Tioga Nursing Facility	Waverly	05/22/03	3,000
Village Ctr. For Care	NYC	04/30/03	2,000
Waterview Hills Nursing Ctr.	Flushing	12/19/02	2,000
Wayne Health Care	Newark	02/11/04	1,000

¹ As reported by the Department by Health. This list will be posted on LTCCC's website every three months, two to three weeks after the end date listed above. If you want to know why a facility was cited and/or fined, you can get a copy of the Statement of Deficiencies (SOD) from the Department of Health. You will be charged \$.25 a page. Call Jim O'Meara, FOIL Officer - 518-474-8734 or e-mail - nhinfo@health.state.ny.us. Ask the Department to let you know how much it will cost to make sure that you can afford the amount. If you cannot, ask if you can look at the SOD in your regional office.

If the nursing home was found, at the time of the survey, to have given substandard quality of care (SQC) and/or to have put residents in immediate jeopardy (IJ), (the most serious level of deficiencies).

The State Took Other Actions at 9 Nursing Homes

NAME OF HOME	LOCATION	IJ, SQC or G	SURVEY DATE	ACTIONS ¹
Bayview NH	Is. Park	IJ/SQC	11/12/04	DOPNA, POC, In-Service, State Monitor
Franklin Cty NH	Malone	IJ/SQC	9/29/04	DOPNA, POC, In-Service, State Monitor
Lake Shore NH	Irving	IJ/SQC	12/9/04	DOPNA, POC, State Monitor
Morningside House	Bronx	IJ/SQC	10/29/04	DOPNA, POC, In-Service, State Monitor
Morris Park	Bronx	IJ/SQC	9/20/04	DOPNA, POC. In-Service, State Monitor
Ocean Promenade	Rockaway Park	IJ/SQC	9/13/04	DOPNA, POC, In Service, State Monitor
Riverhead NH	Riverhead	IJ/SQC	9/16/04	DOPNA, POC, In-Service, State Monitor
Sheridan Manor	Tonawanda	IJ/SQC	9/22/04	DOPNA, POC, In-Service, State Monitor
St. Patrick's Home	Bronx	IJ/SQC	9/14/04	DOPNA, POC, In-Service, State Monitor

¹**Denial of Payments for New Admissions (DoPNA):** Facility will not be paid for any new Medicaid or Medicare residents until correction; **Directed Plan Of Correction (POC):** 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; **State Monitoring:** State sends in a monitor to oversee correction; **Termination** means the facility can no longer receive reimbursement for Medicaid and Medicare residents from the Federal Government.

FEDERAL ENFORCEMENT ACTIONS AGAINST NURSING HOMES: 1/1/04-12/15/04

The Federal Government Imposed Civil Money Penalties (CMPs)¹ On Five Nursing Homes²

NAME OF HOME	LOCATION	IJ, SQC or G	AMOUNT
Bellhaven Center	Brookhaven	IJ, SQC	\$28,000
Episcopal Church Home	Rochester	IJ	\$42,000
Morris Park	Bronx	IJ	\$103,000
Northeast Center for Special Care	Lake Katrine	IJ	\$95,700
Patchogue Nursing Center	Patchogue	IJ	\$116,000

¹**Civil Money Penalties (CMPs) -** States can collect CMP funds from nursing homes that have failed to maintain compliance with Federal conditions of participation in Medicare and Medicaid programs. At this time, New York State does not collect such funds because we have only recently changed a law that would put us in violation of federal law. The federal law requires that if CMPs are collected they must be put into a special fund and used for the protection of the health or property of residents of nursing facilities. New York State had a law that requires all fines collected to be returned to the state's general fund. We expect NY to levy these in the future.

²These fines are not a final determination. Before a final determination of the amount of fine is made, a facility has the right to either request a hearing before an administrative judge, or to waive its right to a hearing for a 35% reduction in the CMP amount.

The Federal Government Made a Final Determination of CMPs for Three Homes

NAME OF HOME	LOCATION	DATE	AMOUNT
Bethel Nursing & Rehab	Croton on Hudson	11/30/04	\$10,000
Good Samaritan	Sayville	5/20/04	\$5000
RiverMede	Binghamton	10/1/04	\$230,750

In addition, CMS has imposed fines per day on Fieldston Lodge (Riverdale) and Ocean Promenade (Rockaway Park). The final fine tabulation will not be levied until they achieve substantial compliance. Look for this new feature in future issues of *The Monitor*.