



Enforcement Actions Against Nursing Homes

Civil Money Penalties¹ Against 20 Nursing Homes – 9/1/08 - 11/30/08²

Name Of Home	Location	Survey Date	Amount
Carthage Area Hospital SNF	Carthage	7/24/08	\$22,262.50 ^{3,4}
Champlain Valley Physicians Hospital SNF	Plattsburgh	8/20/08	\$6,500.00 ³
Daughters of Jacob Geriatric Center	Bronx	6/13/08	\$2,275.00 ³
Fieldston Lodge Care Center	Bronx	8/26/08	\$22,652.50 ³
Golden Gate Rehabilitation & Health Care Center	Staten Island	6/27/08	\$47,320.00 ³
Grace Manor Health Care Facility	Buffalo	1/18/06	\$8,400.00
Hempstead Park Nursing Home	Hempstead	4/11/08	\$1,300.00 ³
Heritage Commons Residential Health Care	Ticonderoga	6/27/08	\$52,390.00 ³
Julie Blair Nursing & Rehabilitation Center	Albany	6/30/08	\$27,137.50 ³
Loretto Utica Center	Utica	6/30/08	\$6,500.00 ³
Morris Park Nursing & Rehabilitation Center	Bronx	6/10/08	\$38,610.00 ³
Norwegian Christian Home & Health Center	Brooklyn	8/6/08	\$3,575.00 ³
St. Ann's Community (The Heritage)	Rochester	5/9/08	\$2,925.00 ³
St. Camillus Residential Health	Syracuse	7/31/08	\$3,900.00 ³
St. Joseph's Home	Ogdensburg	5/7/08	\$2,600.00 ³
Summit Park Nursing Care Center	Pomona	9/5/08	\$11,245.00 ³
Terrace Health Care Center	Bronx	5/27/08	\$40,917.50 ³
Vivian Teal Howard RHCF	Syracuse	3/3/08	\$7,000.00
Wartburg Lutheran Home	Brooklyn	5/8/08	\$5,200.00 ³
Wartburg Nursing Home	Brooklyn	5/8/08	\$5,200.00 ³

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

²As reported by CMS.

³Amount reflects a 35% reduction as the facility waived its right to a hearing as permitted under law.

⁴Reduced due to financial hardship.

NEW FEATURE: Selected Enforcement Actions of NYS Attorney General

Medicaid Fraud Control Unit¹ Took Action Against 5 Nursing Home Personnel – 9/15/08 - 12/15/08

Nursing Home	Location	Defendant	Sentence	Narrative
United Helpers Nursing Home	Ogdensburg	Borasky, Christine, CNA	10/27/2008: Five years probation with the first 90 days in home confinement	Defendant squeezed the hand of a resident so hard that defendant broke the 82 year-old resident's hand.
Seneca Health Care Center	West Seneca	Jackson, Sheletta, CNA	10/28/2008: One year conditional discharge with 50 hours of community service	Defendant failed to follow resident's care plan requiring a two-person assist. When the defendant alone transferred 99 year-old resident from wheelchair to toilet, resident fell and broke her leg. Defendant did not report the incident and did not obtain treatment for the resident.
Martin Luther Nursing Home	Clinton	Sanchez, Sarah, LPN	9/30/2008: Three years probation	For her own use, defendant diverted and stole morphine sulphate prescribed for two nursing home residents.
Daughters of Sarah Nursing Center	Albany	Wilson, Virginia, CNA	9/15/2008: One year conditional discharge	Defendant falsified safety check records by indicating she performed one-half hour safety checks of residents to which she was assigned. Surveillance footage showed Wilson never went near residents' rooms during her shift; one resident had fallen out of bed, sustained a head injury and did not receive timely treatment.
Gowanda Nursing Home	Gowanda	Austin, Cory, CNA	2/11/09: Three years probation, a condition of which is to undergo anger management counseling.	Austin took resident, who had become agitated and defiant when another staff member tried to give resident medications, to his room. Austin attacked and repeatedly pushed resident to the floor, yelled racial epithets, and pinned the resident to the bed with his knee in the patient's back.

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



Enforcement Actions Against Nursing Homes

State Fines Against 11 Nursing Homes –9/16/08 - 12/15/08¹

Name Of Home	Location	Date Of Survey	Amount ²
Crest Hall Care Center	Middle Island	1/25/08	\$2,000
Delaware Nursing & Rehabilitation Center	Buffalo	2/28/08	\$2,000
The Dutch Manor Nursing & Rehab Centre	Schenectady	12/14/07	\$5,000
Meadowbrook Healthcare	Plattsburgh	1/31/08	\$1,000
Mercy of Northern New York	Watertown	1/16/08	\$10,000
Mt. Loretto Nursing Home Inc.	Amsterdam	10/19/07	\$6,000
Oceanview Nursing & Rehab Center Inc.	Queens	3/20/08	\$2,000
St. Joseph Nursing Home Co of Utica	Utica	2/4/08	\$12,000
Schulman and Schachne Institute for Nursing & Rehabilitation	Brooklyn	2/5/08	\$4,000
Syracuse Home Association	Baldwinsville	12/27/06	\$3,000
Wyoming County Community Hospital SNF	Warsaw	2/27/08	\$2,000

¹As reported by the Department of Health (DOH).

²Under state law nursing homes can be fined up to \$2,000 per deficiency.

The State Took Other Action Against 19 Nursing Homes – 9/16/08 - 12/15/08¹

Name of Home	Location	Resident Impact ²	Survey Date	Actions ³
The Baptist Home at Brookmeade	Rhinebeck	IJ/SQC	9/26/08	CMP, State Monitor, DPOC, Inservice, DOPNA
Beechwood Homes	Getzville	GG	10/14/08	DPOC, DOPNA
Delaware Nursing and Rehabilitation Center	Buffalo	GG ⁴	10/27/08	CMP
Elderwood Health Care Center at Tioga	Waverly	IJ/SQC Cont'd Def	12/12/08	CMP, DOPNA
Ellis Residential and Rehabilitation Center	Schenectady	IJ/SQC	10/24/08	CMP, DPOC, Inservice, DOPNA
Grandell Rehab and Nursing Center	Long Beach	GG	10/20/08	DPOC, DOPNA
Julie Blair Nursing and Rehabilitation Center	Albany	GG	12/12/2008	DPOC, Inservice, DOPNA
Long Island State Veterans Home	Stonybrook	IJ/SQC	10/22/08	CMP, State Monitor, DPOC, Inservice, DOPNA
Mercy of Northern New York	Watertown	GG	10/24/08	DPOC, Inservice, DOPNA
Mercy of Northern New York	Watertown	IJ/SQC	10/28/08	CMP, DPOC, Inservice, DOPNA
Nathan Miller Center for Nursing Care	White Plains	IJ	11/24/08	CMP, State Monitor, DPOC, Inservice, DOPNA
Oceanview Nursing and Rehabilitation Center	Queens	IJ/SQC	11/24/08	CMP, DPOC, Inservice, DOPNA
Park Ridge Nursing Home	Rochester	IJ/SQC	11/25/08	CMP, State Monitor, DPOC, DOPNA
Resort Nursing Home	Queens	GG	12/15/08	DPOC, DOPNA
Rosewood Heights Health Center	Syracuse	GG	8/20/08	DPOC, Inservice, DOPNA
St. Ann's Home for the Aged	Rochester	GG	9/19/08	DPOC, DOPNA
Schulman & Schachne Institute for Nursing & Rehabilitation	Brooklyn	GG	12/5/08	DOPNA
Shore View Nursing Home	Brooklyn	GG	9/17/08	DPOC, Inservice, DOPNA
Sunrise Nursing Home	Oswego	IJ/SQC	12/11/08	CMP, DOPNA
Waterview Nursing Care Center	Queens	IJ/SQC, Cont'd Def	12/9/08	CMP, State Monitor, DPOC, Inservice, DOPNA

¹As reported by the Department of Health (DOH).

²Immediate jeopardy (IJ) and substandard quality of care (SQC): The most serious levels of deficiency causing harm; GG: Deficiencies that have caused isolated resident harm on two consecutive surveys; Continued Deficiency (Cont'd Def): Deficiencies that have continued at post survey inspection and/or new deficiencies found.

³Civil Money Penalty (CMP): State recommends to CMS; 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 (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; State Monitoring: state sends in a monitor to oversee correction; Termination means the facility can no longer receive reimbursement for Medicaid and Medicare residents.

⁴Non compliance: Deficiencies were found in survey to have been corrected prior to the survey team entering the facility.