



Quarterly Enforcement Actions Against Nursing Homes

Selected Enforcement Actions By The NYS Attorney General

Medicaid Fraud Control Unit¹ Took Action Against 5 Nursing Home Personnel 9/16/10 - 12/15/10

Nursing Home	Location	Defendant	Narrative	Sentence
Absolut Center for Nursing & Rehabilitation	Endicott	Gulley, Yolanda, CNA	The defendant, knowing that the 83-year old resident was a two-person assist, attempted to reposition the resident without assistance, who fell out of the bed and suffered injuries to her head. Defendant denied knowing how the resident was injured.	12/13/2010: One-year conditional discharge.
Jewish Home of Central New York	Syracuse	Radford, Kelly, LPN	The defendant stole narcotics meant for residents and falsified records stating that the residents had received the medications.	10/8/2010: One-year conditional discharge.
Meadowbrook Care Center	Freeport	Williams, Carolyn, CNA	While the defendant attempted a Hoyer transfer without assistance and falsified the CNA accountability record to conceal that fact. The Hoyer fell upon the resident who received stitches to treat facial lacerations.	9/28/2010: One-year conditional discharge with special conditions of surrendering her CNA certificate and refrain from caring for any incompetent person whether due to age, physical disability, or mental disease or defect.
Medford Multicare Center	Medford	Ellis, Patricia, LPN	The defendant lifted resident who had fallen from the floor without seeking an RN to assess him for injuries and put him back to bed. Did not report incident or initiate requisite paperwork.	10/25/2010: Time Served (defendant served 7 days in jail), surrendered her license, and three years probation with the condition that during the period of probation, she must refrain from being employed taking care of any incompetent person whether the incompetence is due to age, physical disability, mental disease, or defect.
St. Camillus Residential Health Care Center	Syracuse	Pritchard, Stephanie, CNA	The defendant stole jewelry from resident, which her boyfriend, Thomas White, pawned.	10/12/2010: Five-years probation and restitution of \$3,150.

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

Federal Civil Money Penalties¹ Against 5 Nursing Homes: 9/1/10 – 11/31/10²

Name Of Home	Location	Survey Date	Amount
Countryside Care Center	Delhi	6/17/2010	\$17,437.50 ⁴
Cuba Memorial Hospital, Inc. SNF	Cuba	10/7/2010	\$17,615.00 ³
John J. Foley Skilled Nursing Facility	Yaphank	7/1/2010	\$3,250.00 ³
Marcus Garvey Nursing Home	Brooklyn	6/14/2010	\$40,428.70 ^{3,5}
Pleasant Valley	Argyle	8/11/2010	\$31,590.00 ³

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

²As 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.

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

⁴Amount reduced 25% due to financial hardship. Original fine was 25% higher.

⁵Includes interest at 10.875% for paying in installments.



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NY State Fined 30 Nursing Homes: 9/17/10 – 12/17/10¹

Name Of Home	Location	Date Of Survey	Amount ²
Atlantis Rehabilitation and Residential Health Care Facility	Brooklyn	10/22/2009	\$4,000.00
Bishop Charles Waldo Maclean Episcopal Nursing Home	Queens	12/17/2009	\$10,000.00
Blossom North Nursing and Rehabilitation Center	Rochester	10/28/2009	\$10,000.00
Central Park Rehabilitation and Nursing Center	Syracuse	5/26/2009	\$2,000.00
Lakeview Rehabilitation and Care Center (Crest Hall HRF)	Middle Island	6/5/2009	\$10,000.00
Elant at Brandywine, Inc	Briarcliff Manor	9/2/2009	\$4,000.00
Erie County Medical Center-SNF	Buffalo	4/4/2008	\$4,000.00
Erie County Medical Center-SNF	Buffalo	1/12/2009	\$10,000.00
The Hamptons Center for Rehabilitation and Nursing	Southampton	9/16/2009	\$4,000.00
Heritage Commons Residential Health Care	Ticonderoga	8/31/2009	\$10,000.00
Highland Healthcare Center	Wellsville	10/15/2009	\$2,000.00
Horizon Care Center	Queens	12/26/2008	\$14,000.00
Iroquois Nursing Home Inc	Jamesville	1/22/2009	\$12,000.00
Mohawk Valley Nursing Home Inc	Ilion	11/10/2009	\$2,000.00
NYS Veterans Home in NYC	Queens	6/29/2009	\$6,000.00
Parker Jewish Institute for Health Care & Rehab	Queens	10/16/2009	\$4,000.00
Petite Fleur Nursing Home	Sayville	3/13/2009	\$10,000.00
Regal Heights Rehabilitation and Health Care Center	Queens	4/2/2009	\$14,000.00
Rosewood Heights Health Center	Syracuse	12/8/2009	\$10,000.00
Samaritan Keep Nursing Home Inc	Watertown	10/29/2009	\$4,000.00
The Springs Nursing and Rehabilitation Centre	Troy	2/26/2009	\$10,000.00
Stonehedge Health and Rehab Center	Chittenango	10/22/2009	\$4,000.00
Sunharbor Manor	Roslyn Heights	11/23/2009	\$10,000.00
Sunrise Manor Center for Nursing and Rehabilitation	Bay Shore	5/8/2009	\$2,000.00
Sutton Park Center for Nursing and Rehabilitation	New Rochelle	10/7/2009	\$4,000.00
TLC Health Network Lake Shore Hosp Nursing Facility	Irving	7/17/2009	\$4,000.00
Union Plaza Care Center	Queens	9/25/2009	\$2,000.00
Wellsville Manor Care Center	Wellsville	8/6/2009	\$8,000.00
Westmount Health Facility	Queensbury	5/13/2009	\$8,000.00
Whittier Rehabilitation & Skilled Nursing Center	Ghent	5/19/2009 and 8/10/2009	\$14,000.00
Woodcrest Rehabilitation & Residential Health Care Center., LLC	Queens	7/17/2009	\$4,000.00

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

NY State Took Other Action Against 10 Nursing Homes 9/16/10 - 12/16/10¹

Name of Home	Location	Resident Impact ²	Survey Date	Actions ³
Absolut Ctr for Nursing & Rehab at Endicott	Endicott	IJ/SQC	11/5/2010	CMP, Monitor, DPOC, Inservice, DOPNA
Adirondack Tri County Nursing & Rehab Ctr Inc.	North Creek	IJ/SQC	10/6/2010	CMP, Monitor, DPOC, Inservice, DOPNA
Cuba Memorial Hospital Inc. SNF	Cuba	IJ/SQC	10/7/2010	CMP, Monitor, DPOC, DOPNA
Hempstead Park Nursing Home	Hempstead	IJ/SQC	9/28/2010	CMP, Monitor, DPOC, Inservice, DOPNA
Marcus Garvey Nursing Home Co Inc.	Brooklyn	IJ/SQC	11/30/2010	CMP, Monitor, DPOC, Inservice, DOPNA
Mercy of Northern N Y	Watertown	IJ	9/17/2010	CMP, Monitor, DPOC, Inservice, DOPNA
Nathan Littauer Hospital Nursing Home	Gloversville	GG	10/8/2010	DPOC, Inservice, DOPNA
Northwoods Rehab & Extended Care Facility	Cortland	GG	10/22/2010	DPOC, Inservice, DOPNA
The Pines @ Glens Falls Ctr for Nsg and Rehab	Glens Falls	GG	11/4/2010	DPOC, Inservice, DOPNA
St Francis Home of Williamsville	Williamsville	GG	10/28/2010	Monitor, Inservice, DOPNA

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

³Civil 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.