

Media Advisory: Latest Sanctions Against NYS Nursing Homes For Violations, Including Fraud, Resident Abuse & Neglect

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New York, May 15, 2015: The Long Term Care Community Coalition (LTCCC) collects information on nursing home enforcement actions across NY State, including sanctions for substandard care, resident abuse and fraud, on a quarterly basis. Today we are releasing the latest citations (approx. 12/15/14 – 3/31/15) - for nursing homes from Medford to Monroe - at www.nursinghome411.org/?articleid=10011.

Federal Sanctions

Federal Civil Money Penalties (CMPs) were levied against two NYS nursing homes. CMPs are imposed when there is a failure – generally a significant failure – to meet minimum standards for operating a nursing home in the U.S. This quarter, the two CMPs announced for NYS nursing homes are \$27,300 for Kaaterskill Care Skilled Nursing and Rehab in Catskill and \$126,587.50 for Medford Multicare in Medford.

State Health Department Sanctions

The NYS Department of Health (DOH) is chiefly responsible for ensuring nursing home safety and quality. It is required to do this through annual facility inspections and complaint investigations.

Unfortunately, LTCCC has not received NY State enforcement actions since 6/30/14 or federal remedies since 9/30/14. We continue to make requests to the Freedom of Information Law office for NY DOH and, as of May 14, 2015, continue to be told that our FOIL request is being processed. Therefore, we have no knowledge as to any actions taken to ensure that NYS residents are protected and that instances of abuse and neglect have been identified and addressed.

Medicaid Fraud: Criminal & Civil Cases

The NY State Medicaid Fraud Control Unit (MFCU) prosecutes cases of resident abuse and fraud, such as falsifying documents to say that care was provided when it was not. Cases reported in our [Summer 2015 newsletter](#) include:

1. **Blossom North Nursing & Rehab Center, Monroe.** Hidden camera used to identify two caregivers who failed to provide needed care for a resident who was a double, above-the-knee amputee. Due to this condition and other significant health issues, he was totally reliant on his caregivers for all activities of daily living.
2. **Hebrew Home for the Aged at Riverdale, Bronx.** Resident's daughter placed hidden camera in her 81 year old mother's room. The camera captured mistreatment and physical abuse, including inappropriate touching of the

resident's "private parts" on numerous occasions for no legitimate medical purpose.

3. **Greenfield Health & Rehab Center, Erie.** A caregiver photographed the fecal covered testicles of a resident and "shared" this picture via Snapchat. [Editor's note: Snapchat is a video messaging application for mobile phones. From it's listing via Google search, "Enjoy fast and fun mobile conversation! Snap a photo or a video, add a caption, and send it to a friend. They'll view it, laugh, and then the Snap disappears...."]
4. **NYS Veterans Home at Montrose, Westchester.** Two caregivers found to have failed to provide both necessary care and safety checks for an 85 year old veteran.

All NYS enforcement actions taken against nursing homes by the state and federal governments are reported quarterly by LTCCC in our newsletter and on our website. **Go to: www.nursinghome411.org/?articleid=10011, to see details on all the homes sanctioned, as well as previous sanctions and violations.**

Editor's Note: LTCCC recently conducted a study on oversight and enforcement in New York and nationally. We assessed the efficacy of the state agencies responsible for (1) protecting nursing home residents and (2) ensuring appropriate use of the billions of tax-payer dollars spent on nursing home care each year. Our NYS report, **Safeguarding Residents & Program Integrity in New York State Nursing Homes: An Assessment of Government Agency Performance**, presents a review of the latest data on nursing home enforcement actions in New York.

The full report, along with a companion national report reviewing all of the state Survey Agencies, is available on LTCCC's dedicated nursing home website at <http://www.nursinghome411.org/articles/?category=lawgovernment>. The website includes interactive charts showing key rates for each state as well as national averages. These charts can be used to gain insights into the strengths & weaknesses of quality oversight in any state.

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LTCCC is a nonprofit organization dedicated to protecting the rights and welfare of long term care consumers in all settings, including nursing homes, assisted living facilities and in their communities, by strengthening regulation, surveillance and enforcement. For more information on this and other long term care issues, visit our primary website: www.ltccc.org.

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