

Selected Administrative Actions by the NYS Office of Medicaid Inspector General  
Action Taken Against Nursing Home Personnel 12/15/2011 and 12/15/2012.<sup>1</sup>

OMIG works to protect New York State citizens residing in long term care facilities through making sure that those responsible for their care do not engage in abusive and fraudulent activities. This is done through OMIG's ensuring that those who are enrolled as providers into the Medicaid program are properly vetted, investigating allegations of fraud and abuse within long term care facilities, and finally, excluding providers who have abused their positions as care givers. In addition to conducting their own investigations, the OMIG makes determinations to exclude based on other agency actions, including the State Education Department (SED), the Medicaid Fraud Control Unit (MFCU), and Health and Human Services (HHS). A single provider can receive multiple exclusions, based on different indictments and convictions. This involved process works to protect residents of Long Term Care Facilities, because it ensures that even if one conviction is overturned, the abusive provider is still banned from receiving Medicaid funds based on other convictions.

<b>Nursing Home</b>	<b>Defendant</b>	<b>Location</b>	<b>Narrative</b>	<b>OMIG Exclusions Based Upon:<sup>2</sup></b>
Beechwood Home	Shelly Trombetto, LPN	Getzville	Ms. Trombetto stole prescription narcotic pills from the nursing home's narcotic storage cabinet for her own use.	MFCU Conviction: 06/28/2012
Beechwood Homes	James Jones, CNA	Amherst	Mr. Jones allegedly struck an 87 year old resident suffering from Alzheimer's Disease causing the man to sustain a fractured left femur. The resident subsequently underwent surgery to repair this fracture.	MFCU Indictment 2/05/2012
Beechtree Care Center	Valerie Allen, CNA	Ithaca	Ms. Allen allegedly stole a credit card from a male resident, and then forged the name of the resident during shopping trips at various stores.	MFCU Indictment 2/05/2012
Beth Abraham Health Services Facility	Vicky Williams, CNA	Bronx	Ms. Williams falsified records related to hourly visual checks necessary for ensuring the safety of a wheelchair- dependent patient who, due to his mental and physical conditions, had a history of wandering off and falling. The resident's wheelchair was found at 7:45 am, and video surveillance showed the resident leaving the facility at 1:48 am. Ms. Williams had signed off on hourly checks between 3:00 and 7:00 am.	MFCU Conviction 4/16/2012 MFCU Indictment 4/17/2011
Blossom Nursing Home	Althenia Bethel, LPN	Rochester	On multiple occasions, Ms. Bethel signed out several doses of Oxycodone under the name of a patient, and then took them for her own personal use.	SED Consent Order <sup>3</sup> 3/19/2012

<sup>1</sup> In addition to these actions, all of the providers which were reported as having actions taken against them by the Medicaid Fraud Control Unit in previous newsletters have been excluded by OMIG. Please see our newsletter archives at [www.ltccc.org/newsletter](http://www.ltccc.org/newsletter) for their names.

Cold Spring Center for Nursing and Rehabilitation	Tara Lynn Jennings, LPN	Woodbury	On at least three occasions, Ms. Jennings withdrew Percocet for patients who had not been prescribed that drug. She took the drugs for her own use.	SED Consent Order 6/19/2012
Crown Center for Nursing and Rehabilitation	Jennie Damon, LPN	Cortland	Ms. Damon forcibly gave insulin to a resident who refused it and then made a false statement that she had never given insulin against the resident's will.	MFCU Conviction 06/13/12
Dr. William O. Benenson Rehabilitation Pavillion	Jessie Joiner, LPN	Flushing	Ms. Joiner did not assist an 85-year-old resident who had been knocked out of her wheelchair. Not only did she not seek medical attention for the resident, but she also failed to report the incident. The resident suffered a broken hip which later required surgery. Ms. Joiner also admitted to stealing more than 20 Percocet pills from another resident for her own personal use.	MFCU Conviction 6/13/2012  SED Licensure Action 6/06/2011  MFCU Indictment 7/11/2010
Evergreen Valley Nursing Home	Lindsay Colleen Farnsworth, LPN	Plattsburgh	Ms. Farnsworth practiced nursing while her ability to do so was impaired by the use of controlled substances, including opiates and propoxyphene.	SED Consent Order 6/18/2012
Glen Island Center for Nursing and Rehabilitation	Eufemia Fe Salomon-Flores, RN	New Rochelle	Between April 30, 2002 and March 8, 2010, Ms. Salomon-Flores inflated the PRI scores submitted on behalf of nursing home residents. This led to the nursing home being reimbursed at a higher rate than what they were entitled to. Ms. Salomon-Flores executed a confession of judgment for 2.2 million dollars. She also failed to report on her 2008 tax return \$307,000 worth of income she had received from Glen Island through bogus companies for which she had a tax liability of \$31,000. She had not paid those taxes.	MFCU Conviction 4/16/2012  MFCU Indictment 4/17/2011
Glen Island Center for Nursing and Rehabilitation	Marlon Legaspi, RN	New Rochelle	After MFCU requested the medical records of numerous residents, Ms. Legaspi allegedly tampered with physical evidence by adding orders to these records.	MFCU Indictment 12/19/2011
Glen Island Center for Nursing and Rehabilitation	Maria Salomon-Rosanes	New Rochelle	After MFCU requested records for Medicaid recipients, Ms. Salomon-Rosanes allegedly made false entries in the records.	MFCU Indictment 12/19/2011
Grace Plaza Rehabilitation and Nursing Center	Jackie Lynn Everett, LPN	Great Neck	Ms. Everett diverted narcotics that were meant for nursing home residents, taking them for her own use.	MFCU Conviction 6/13/2012  MFCU Indictment 3/14/2011
Guilderland Center Nursing Home	Leonard Clark, CNA	Albany	Allegedly, Mr. Clark grabbed a 95 year old woman's breast, leaving a sizeable bruise. Clark initially claimed he had given the elderly woman a bear hug to prevent her from falling,	MFCU Indictment 1/16/2012

			but later admitted it was much as the resident had claimed.	
Hill Haven Nursing Home	Lisa Smithe RN	Webster	Ms. Smithe practiced nursing while her ability was impaired by a mixture of prescription medications that rendered her incapable of performing her professional duties.	SED Consent Order <sup>3</sup> 3/11/2012
Mountain View Nursing and Rehabilitation Centre	Tabitha Hearn, LPN	New Paltz	On multiple occasions, and with fraudulent intent, Ms. Hearn withdrew Percocet for six patients and failed to administer the medication to the patients. Ms. Hearn also falsely wrote the name of another nurse on a Controlled Substance Administration Record for a patient, and then withdrew the Percocet intended for that patient.	SED Consent Order 7/2/2012
Northwoods Rehabilitation and Extended Care Facility	Alicia Smith, LPN	Troy	On multiple occasions, Ms. Smith falsely initialed in the Medication Administrations Records that she had administered medications when she had not done so.	HHS Exclusion 3/20/2012 SED Surrender Order 3/19/2012 MFCU Conviction 1/17/2012 MFCU Indictment 6/02/2010
Northwoods Rehabilitation and Extended Care Facility	Gail Klein, LPN	Troy	On multiple occasions Ms. Klein falsely documented applying medication to a disabled resident's bed sores, when in fact she had not, as captured on MFCU video surveillance of the resident's room. She also failed on multiple occasions to dispense medications or provide treatment to the same woman.	MFCU Conviction: 04/06/2012 MFCU Indictment: 06/02/2010
Northwoods Rehabilitation and Extended Care Facility	Opal Ingram, CNA	Schaghticoke	Ms. Ingram failed to provide care to a resident with multiple sclerosis. The resident's care plan called for her to be turned and positioned every two hours and checked for incontinence. MFCU video surveillance showed that while Ms. Ingram indicated in the flow sheets that she had provided such care, she actually had not on multiple occasions.	MFCU Conviction 2/20/2012 MFCU Indictment 6/02/2010
Penn Yan Manor	Gail Jensen, LPN	Penn Yan	Ms. Jensen worked as a nurse while her ability to practice was impaired by the ingestion of Xanax and Percocet. While on duty, she was observed falling asleep, stumbling, slurring her speech and not making eye contact.	SED Licensure Action 05/21/2012
Sunnyside Care Center	Chester Andrews, LPN	East Syracuse	Mr. Andrews allegedly signed out narcotics for a patient 24 times and instead of administering the medication, converted it for his own use.	MFCU Indictment 2/05/2012

Williamsville Suburban Nursing Home	Linda Banks, CNA	Williamsville	Ms. Banks physically transferred a resident alone, using a mechanical lift without the assistance of another person, in violation of the resident's care plan.	HHS Exclusion 1/19/2012 MFCU Conviction 2/23/2011
Williamsville Suburban Nursing Home	Leslie Thompson, LPN	Amherst	Ms. Thompson failed to perform range of motion (ROM) exercises with a resident. MFCU video surveillance revealed that no ROM was performed on the resident, even though Ms. Thompson falsely indicated she had performed the exercises with the resident by signing the ROM flow sheet.	HHS Exclusion 1/19/2012 MFCU Conviction 6/5/2011 MFCU Indictment 5/24/2010
Williamsville Suburban Nursing Home (10-X-2014)	Laquita Jones, CNA	Williamsville	Ms. Jones used a mechanical lift to physically transfer a patient without the assistance of another person, in violation of the resident's care plan.	MFCU Conviction 4/17/2012
Wingate of Ulster Nursing Home	Stephanie Kaufman, RN	Highland	While working at Wingate of Ulster Nursing Home, Ms. Kaufman allegedly stole 77 Oxycodone pills for her own personal use.	MFCU Indictment 4/17/2012 SED Consent Order 4/03/2011

<sup>2</sup>Exclusion means that no payments will be made to or on behalf of any person for the medical care, services or supplies furnished by or under the supervision of the defendant during a period of exclusion or in violation of any condition of participation in the program. Additionally, any person who is excluded from the program cannot be involved in any activity relating to furnishing medical care, services or supplies to recipients of Medicaid for which claims are submitted to the program, or relating to claiming or receiving payment for medical care, services or supplies during the period. OMIG may take a variety of exclusion actions against a provider based upon: indictments; convictions; consent orders or HHS exclusion.

<sup>3</sup>An agreement between the State Education Department Office of Professional Discipline, Board of Regents, Committee of the Professions and the licensee who admits guilt to at least one of the alleged acts of misconduct. The Consent Order provides the details of the misconduct and the assigned penalties.