



NEW YORK STATE LEGISLATURE

April 14, 2008

Honorable Richard F. Daines, M.D.
Commissioner of Health
New York State Department of Health
Corning Tower, Empire State Plaza
Albany, NY 12237

Dear Commissioner Daines:

We write as elected officials representing concerned constituents in Bronx County. We urge you to continue your close monitoring of quality of care and fiscal issues at Kingsbridge Heights Rehabilitation and Care Center.. The conditions in this home were the subject of a recent article in the New York Daily News (attached). As you also know, over 200 members of 1199 SEIU United Healthcare Workers East have been on strike against Kingsbridge Heights RCC since February 20, 2008. Many of these workers are our constituents, and they have raised patient care concerns with us individually and at a recent Town Meeting.

We know that you and your staff have been working diligently on this; we urge you to accord this situation priority because we believe there is imminent and immediate danger to the patients. We urge you to immediately appoint an experienced, competent Receiver to operate the home until very serious allegations regarding present and potential patient care issues are investigated and resolved.

Without getting into the middle of a labor-management dispute, we are obviously concerned that patients are being served by replacement healthcare workers who are not experienced with the particular patients in this nursing home. While this alone raises serious quality of care issues, there are several other serious financial matters under investigation by State authorities.

- It is our understanding that the Department of Health, Division of Health Care Financing was sufficiently concerned about misuse of Medicaid money that it asked Kingsbridge to provide it with documentation on five-year use of health care worker recruitment and retention funds. We await your findings.
- We have been told that the Attorney General is investigating two serious matters relating to this nursing home. We await his findings
- We have also been told that the Medicaid Inspector General is looking into allegations regarding the use of Medicaid funds from the present to as early as

1995. With Medicaid dollars in short supply for responsible health care institutions and the State economy and revenues contracting, we urgently await the results of this investigation.

- Furthermore, it is our understanding that the Appellate Division of New York State Supreme Court will imminently issue a decision on the eviction of the owner from the nursing home property. This could result in patients being rolled out of the home for mass transfer to other facilities. We cannot imagine anything that would jeopardize elder care more and terrify the families of patients.

If any combination of these allegations were true, this nursing home owner would never qualify for a Department of Health license if it were applying anew for one. Certainly, the painful history of nursing home corruption in our State, the possible eviction of the nursing home owner, the detriment to patient care of inexperienced staff, and the financial issues under investigation seem to cry out for the State to appoint a Receiver to stabilize the institution pending the outcome of the investigations

We urge your continued attention and day-to-day monitoring of this situation. Thank you for your consideration.

Sincerely,

Jeffrey Dinowitz, Chair
Assembly Committee on Aging

Ruben Diaz, Ranking Member
Senate Committee on Aging



Ruben Diaz, Jr



Carl Heastie

Jeff Klein

Michael Benedetto

Ruth Hassel-Thompson

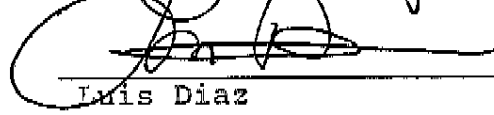
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