# A-Med. Realty Group

"Industry Leaders in Medical Real Estate"

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## Nursing Homes Face Baby-Boomer Lawsuits]

Source: http://www.courthousenews.com

SANTA ANA, Calif. - Facing a slew of lawsuits alleging elder abuse, the owner of 35 nursing homes in the West has filed for bankruptcy protection.

California-based North American Health Care owns and operates 35 nursing homes in California and other Western states.

North American filed for bankruptcy protection this month in California's Central District Bankruptcy Court. At least 15 lawsuits alleging elder abuse or negligence have been filed against the chain since 2013, according to the Courthouse News database.

The New York Times reported this week that plaintiffs' attorneys have criticized the bankruptcy filing as a way to duck potential liability. The nursing chain, not surprisingly, attributes it to over-aggressive attorneys.

The company claims on its website that Medicare officials have rated all of its homes with five stars, and that U.S. News and World Report named all 35 among the "Best Nursing Homes" in the United States in 2013.

Nursing homes across the nation are criticized and sued repeatedly for allegations of less than acceptable care, according to the National Center on Elder Abuse.

The Center reported that 3.2 million Americans lived in nursing homes in 2008, and cited a 2000 study of 2,000 nursing home residents, 44 percent of whom said they had been abused and 95 percent of whom said that they had been neglected or had seen others neglected.

With most of the Baby Boomer generation at or near retirement age, law firms are becoming more aggressive in targeting nursing homes with lawsuits involving patient care, according to The Wall Street Journal.

Such lawsuits commonly accuse nursing home operators of reducing levels of care to boost profits. A 2013 lawsuit in Sacramento Superior Court accuses North American Health Care of doing precisely that.

Nursing home operators told The Wall Street Journal that such lawsuits serve to enrich law firms, and that many of them are frivolous.

## Featured Facilities

### Lancaster

6 Bed RCFE For Lease
ARG125554694 -- $3,000
$12,300 Monthly Income
2,447 SF Living Space
2,447 Sf Lot

### Ventura County

6 Bed RCFE
ARG125557642 -- $2,800
$11,300 Monthly Income
1,605 SF Living Space
6,621 SF Lot

### Central Orange County

6 Bed RCFE For Sale
ARG776978179 - $520,000
1,766 SF Living Space
6,753 SF Lot

### Los Angeles

6 Bed RCFE For Sale
ARG125561263-- $455,000
$12,250 Monthly Income
4 Bed+2Baths, 1,648 SF Living Space
8,067 SF Lot

### South Bay Area

6 Bed ICF-DDH For Lease
ARG141871900 --$3,500
$34,600 Monthly Income
1,375 SF Living Space
5,350 SF Lot

### Whittier

6 Bed RCFE For Sale
ARG125554682 -- $500,000
$22,500 Monthly Income
1,578 SF Living Space
7.376 SF Lot

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## Would state's new rules for developmentally disabled do more harm than good?

Source: http://www.njspotlight.com

The Plan would encourage more integrated housing, require more activities outside in community but advocates for disabled call rules impractical, too costly. Two key provisions of a state plan to better integrate people with intellectual or developmental disabilities into their communities are meeting fierce resistance from those who provide housing and other services to those disabled, who argue that they won't fit patients' needs and will be too costly.

The state wrote the draft plan in response to new federal Medicaid regulations for home and community-based services for people with such disabilities. Opponents are focused on provisions requiring programs that operate during the daytime to hold 75 percent of their activities outside of their facility and steering state funding for new housing toward developments where no more than 25 percent of the residents have disabilities.

The first rule seeks to make sure is that intellectually or developmentally disabled people are doing activities of their choice in the community that reflect their individual interests and goals, according to the draft plan.

"The facility should serve as a hub and central meeting location, while the majority of programming is offered out in the community in activities such as volunteering, pre-vocational training, recreation, etc.," according to the plan.

The state has been pushing to move many disabled people from large facilities to home- and community-based living, citing a U.S. Supreme Court case that requires that residents with disabilities live in what is described as the least restrictive, appropriate setting.

They say the disabled will benefit from being in community group homes and other in-state facilities, which can be less expensive than developmental centers and out-of-state facilities. The day programs frequently operate in facilities other than the smaller group homes where many people with developmental disabilities now live. While such facilities do offer community activities to those who are interested in and able to participate such as trips to shopping malls, bowling, and part-time jobs and volunteer work . Some disabled people are better served by activities based in the central facility, Baffuto said. "What we don't want is just artificially going out to meet a requirement and not have a meaningful, full program for an individual," said Baffuto, who later said that upsetting the daily routines of some disabled people "would have a dramatic impact on some folks' health and safety.

Read more:
http://www.njspotlight.com/stories/15/02/16/would-state-s-new-rules-for-developmentally-disabled-do-more-harm-than-good/

## Two California nursing homes cited for wage violations

Source: http://www.thehrspecialist.com/

The U.S. Department of Labor's Wage and Hour Division (WHD) has found two California nursing homes failed to pay their employees the federal minimum wage.

WHD concluded that San Bruno-based Christina's Care Home had not proper minimum wages and overtime to 15 employees. The company will pay the workers $62,215. Because this is not the first time the company has violated the law, it will pay a civil penalty of $4,620.

Damenik's Home operates three facilities in the San Francisco area. WHD found the firm paid 32 employees hourly rates as low as $5.77 per hour with no overtime when they worked more than 40 hours in a week. Damenik's will pay the workers $125,000 to settle the suit.

Note: WHD investigators have been targeting industries that have traditionally paid low wages, including nursing homes and the hospitality industry. Employers in those targeted industries should run internal wage-and-hour checks to ensure they are in compliance.

Read more:
http://www.businessmanagementdaily.com/41809/two-california-nursing-homes-cited-for-wage-violations
Link: http://www.businessmanagementdaily.com/


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