

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

FOLTS HOME, *et al.*,

Debtors.

Case No. 17-60139

Chapter 11 (Main Case)

Case No. 17-60140

Jointly Administered

SECOND REPORT OF THE PATIENT CARE OMBUDSMAN
FOR FOLTS HOME AND FOLTS ADULT HOME

On April 17, 2017, the Patient Care Ombudsman visited the facility to observe and follow up with residents. The facility appeared to be clean and well-lit on the visit. There were no noticeable odors as last reported. Staff was present on both the skilled nursing side and adult home side.

At Claxton Manor, the PCO observed arts and crafts being done on the second floor. There were residents painting pictures. The residents told the PCO the facility provided them supplies to participate in their arts and crafts. The group appeared engaged and enjoying themselves.

A resident in the arts and crafts group wanted to speak to the PCO in private to discuss some concerns she was having with the facility. The resident shared the following concerns with the PCO:

- Resident to resident mistreatment: the resident claimed she felt the facility at Claxton was not doing enough to address the behaviors of another resident. She felt verbally abused by the other resident and shared this information with the facility. She felt the facility did not address the issue with the other resident.
- Medication availability: the resident shared that medications throughout the second floor at Claxton Manor continue to not be ordered in a timely manner. This is a reoccurring issue that was previously reported on the initial PCO report. The resident claimed she went two days without her Parkinson's medication. She stated she was aware of two other residents on the second floor who were also having medication difficulties. She claimed one resident did not receive her insulin and the result of this error caused a drastic spike in the resident's blood sugar. She claimed she observed this event first hand on the evening of Easter Sunday, April, 16, 2017. She also claimed another resident was not receiving her blood pressure medication due to a lack of order. The resident suggested the medication errors are due to the absence of RN administrator of

Claxton, Cindy Reese. She claimed nobody was there to replace the RN administrator on her leave.

The resident was given information to contact the NYS Department of Health in regards to medication complaint. The resident had the capacity to file these complaints on her own with the Department of Health. The resident was further consulted and educated on who to approach in the facility regarding resolution to the resident to resident conflict.

The PCO followed up with another resident in Claxton Manor that had similar medication issues stated in the previous PCO report. This resident also claimed there was a systemic issue with medications not always being available, or ordered on time. This resident claimed herself and other were facing these medication related issues on the second floor of Claxton Adult Home.

On April 19, 2017, the PCO informed John Van Dyke of the NYS Department of Health of reoccurring medication issues reported to the PCO from the residents above. John Van Dyke requested residents file the complaint through their formal complaint hotline. Residents were given the information by the PCO to do so.

On April 18, 2017, the PCO spoke with a resident on the second floor of the skilled nursing section. Overall the resident enjoys being a part of Folts, but had some complaints she wanted to bring forth. The resident claimed to have the following ongoing complaints:

- Theft of money and clothing items: Resident claims that facility tried to resolve theft issues by storing money in a lock box, but theft continues to occur. She stated she had twenty dollars stolen from her room the day before on April 17, 2017. She also claimed to have missing laundry and clothing. Staff feels the resident often misplaces items and monies and are aware of this ongoing issue.
- Missing dentures and lack of availability to see facility dentist: Resident claims getting a dental appointment to address issues is often difficult with a long waiting list. She claims that when dental issues arise the soonest she can be seen is two weeks, or more.

The resident was informed of her rights by the PCO to have access to timely care to address dental issues. She was educated on attending resident council meetings to address these concerns within the facility. PCO instructed the resident to speak with the social worker to further address issues. The PCO consulted the resident of her right to report to the NYS Department of Health if issues continue with no resolution from the facility. The resident did not feel these issues were due to the bankruptcy as she claimed these ongoing issues began in 2015 when she was first admitted.

On April 19, 2017, the PCO attended resident council for the skilled nursing side of Folts. The resident council president invited the PCO in to observe their meeting. The PCO observed an organized and resident focused council meeting. Staff was present in the meeting at the request of the council president. Resident attendance in the meeting was very low at about 6 residents. However, the needs and concerns of residents were addressed in the meeting. Staff was willing to help resolve ongoing resident related issues that were brought forward by the group.

The council president asked if residents had any questions, or concerns with the ongoing bankruptcy proceedings. A resident stated she felt safe during the bankruptcy and said the facility continued as usual. Another resident stated she had felt no difference during the bankruptcy proceedings. One resident praised Homelife for correcting a lot of the “mess” they were left in from the past. Residents had no complaints, or further questions regarding the bankruptcy proceedings.

Administrator, Donna Kelly, informed the group of the upcoming facility auction schedule for June. She assured the facility intended to stay open and functioning as normal. The residents appeared to easily accept this new information. Residents expressed their willingness to have a permanent owner and curiosity about who it may be. It appears the facility makes ongoing efforts to be honest and forthcoming with information regarding the bankruptcy proceedings.

On April 27, 2017, the PCO met with and observed various residents in Claxton Manor during dinner time. The PCO followed up with a resident regarding a prior medication related complaint. The PCO also addressed ongoing medical concerns with the resident council President of Folts skilled nursing during this visit.

The PCO consulted the resident that brought forth previous medication related issues in the adult home section. The PCO reminded the resident of her right to contact the Department of Health if she felt these medication issues continued. The resident was given further information on how to contact the Department of Health and guided to use specific details when speaking with them. The resident stated she would call the hotline herself as she felt timely medication availability continued to be a concern for herself and other residents despite previous staff efforts to resolve this.

The PCO observed the resident dining hall at Claxton Manor Adult Home. Many residents headed in groups toward the dining hall for their evening meal time. For residents that stayed behind, they stated they had alternative choices to go out to eat with a family member, or to order food off facility grounds. The PCO engaged in conversations with multiple residents in the dining hall. The PCO explained her role and presence in the facility. There were no dietary complaints or overall quality of care grievances made to the PCO during this visit. Residents appeared to be content with their meal. Staff was attentive in anticipating the dietary needs of residents in the hall. Staff was observed assisting in serving residents their meals. Residents and staff interacted with respect and dignity.

The PCO followed up with the resident council President of the Folts skilled nursing that has been facing various health related issues. The council president felt the facility was addressing her medical needs in a timely and concerned manner. She felt genuinely cared about in the facility during her difficult time.

On May 3, 2017, The PCO introduced herself and role to various residents throughout the skilled nursing side of the facility. The PCO observed residents and staff on this visit. The PCO spoke one on one with the Folts Skilled Nursing Social Worker.

During this visit staff appeared to address the needs of residents. Staff was also observed preparing to serve dinner in dining areas. Medication passes were being administered to the residents appropriately. The facility looked clean and well lit. There were very few odors.

The PCO spoke directly with a resident and family member during this observation. The PCO asked if there were any concerns they may be experiencing in the facility. The family member stated she visits regularly and felt care continued as usual. She expressed the family had no current issues with the facility. She expressed they were aware of the bankruptcy, but didn't know many details.

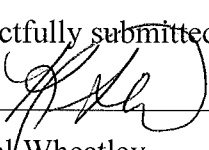
In the same interview the resident claimed she did not like being in the nursing home. The mental capacity of the resident appeared questionable. The PCO asked the resident why she didn't like being there. The resident stated she was bored in the facility. The PCO referred the resident to the activities calendar. The resident stated she doesn't participate in activities. The family member explained the resident often refuses to participate in activities and this may be the reason for her boredom. The PCO encouraged the resident to participate in future activities and informed her of her right to do so.

The PCO spoke with the head social worker regarding staff attitudes during the time of bankruptcy. The social worker stated staff resilience was apparent in the facility, as many staff members have faced difficulties and change in the past. She stated staff had interest in finding out what would happen to the facility in the future, but this didn't stop them from carrying out their duties. She expressed some anxiety in staff as there is no guarantee they will remain in their current positions if new ownership takes over. The social worker stated resident quality of care and life was a top priority of hers. She felt these things can be heavily impacted by ownership.

The social worker suggested she has seen no changes in resident care. She shared the administrator recently granted permission to hire a part time social worker to assist her and another social worker in the facility. Their department is currently functioning on 2 social workers for over 140 residents. She claimed the social work department needs assistance in the rehabilitation unit and could recently hire part time to help address this need. The social worker also expressed, despite the status of the facility, they continue to have many new resident admissions.

The head social worker genuinely seemed to care about the facility and the residents she served. She commended other departments, like activities, for their hard work and dedication.

Respectfully submitted this 10 day of May, 2017



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