

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

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

The patient care ombudsman observed Folts and Folts Adult Home on three separate occasions in the month of June, 2017. During these visits, the PCO followed up with previous oxygen related concerns from residents and staff members. The PCO investigated facility temperatures for resident comfort and wellbeing. The PCO also investigated shortage of staffing complaints coming in from residents and family members.

The PCO continues to observe staff members and residents struggling with the oxygen system in the facility. The PCO witness a staff member having trouble filling a resident's oxygen tank in the Rehabilitation Unit on the first floor of the facility. The PCO asked the staff member if the oxygen issues previously reported to PCO, have been addressed and resolved by the facility. The staff member stated they are constantly in-serviced on oxygen tanks in the facility, but it continues to be an issue that takes away from resident's care. Staff stated the time to fill an oxygen tank is three minutes and checking oxygen tanks for low levels is time consuming with this new system. Staff shared the system has only been in use for about half the year, and stated it was installed to save the facility money. Staff reported the oxygen tanks continue to frost, freeze, and condense. Some staff members reported feeling unsafe working with this oxygen system. The PCO observed the frosted over tank. Staff fears frostbite and burns from the new system. Residents also feel the oxygen system is not efficient in notifying nursing staff that they are low, or out of oxygen. Residents claim to run out of oxygen and that staff often has trouble refilling their tanks. The administration and maintenance team at Folts are aware of the staff and resident oxygen concerns and are attempting to resolve the issue. The PCO informed staff and residents of their right to contact the NYS Department of Health regarding the oxygen. The PCO reported the oxygen issues to the NYS Department of Health complaint hotline on June 6, 2017.

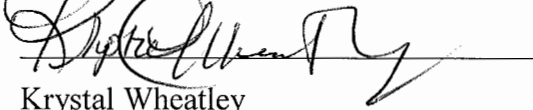
The PCO observed the facility on June 12, 2017 while the weather outdoors was over eighty-five degrees Fahrenheit. The PCO went to each unit on the skilled nursing facility side to read thermostat temperatures. Most areas throughout the facility felt to be a comfortable temperature. Through observation it was clear that many of the facility thermostats were

outdated, not accessible for reading, or functioning accordingly. The PCO read accessible thermostats throughout the facility. Most thermostats read between the regulatory standard at sixty-seven and seventy-two degrees. The chapel area on the second floor was very warm and poorly ventilated. This area did not have an accessible thermostat for reading to the PCO's knowledge. A staff member shared this area is not usually utilized by residents unless a resident council, or another event takes place. If the area is too hot for these events, the facility staff schedules events elsewhere. When the PCO asked residents about the temperature on each unit, some residents were frustrated that they were not able to adjust their own temperatures of their rooms. Residents claimed maintenance must be called by the nurses to adjust the room temperatures for them in the basement. Most residents that spoke to the PCO claimed staff honors their request to adjust room temperatures and informs maintenance immediately if they need a change in room temperature.

The PCO monitored the facility for appropriate staffing during these recent visits. It appeared there was adequate staffing present on the skilled nursing side of the facility and this previous issue has somewhat improved. However, residents continue to complain about shortages of staff during weekend and evening hours. The PCO asked residents if the staff present address their needs in a timely manner. Residents expressed they feel staff responds to their needs in an adequate amount of time, despite the complaints of being shorthanded. This chronic complaint made to the PCO by residents of Folts has been challenging to verify. The PCO often obtains staff schedules and other mechanisms to verify resident complaints. There is no regulatory staff to resident ratio in facility, and it appears the staff is addressing resident needs as they occur.

The PCO continues to observe very sparse staffing in the adult home sector. Although residents in this section have lower level of care needs, staffing and consistency in this section of the facility has been an ongoing concern for residents. On observation, the PCO witnessed the same nurse going back and forth to multiple floors in the facility. The nurse appeared to be very overwhelmed. The PCO asked the nurse if covering two floors was a regular occurrence. The staff member stated that it was very common for that side of the facility, but was afraid of retaliation for speaking out. Residents have been informed of their right to notify the NYS Department of Health if they continue to feel these staffing issues are effecting their quality of care.

Respectfully submitted this 28 day of June, 2017



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