



**STATE OF WEST VIRGINIA
BUREAU OF SENIOR SERVICES**

Jim Justice
Governor

1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0160
Telephone (304) 558-3317
FAX (304) 558-5609
www.wvseniorservices.gov

Robert E. Roswall
Commissioner

THIRD SIXTY DAY REPORT OF PATIENT CARE OMBUDSMAN

October 17, 2017

In re Passage Midland Meadows Operations, LLC

Case No. 17-30092

United States Bankruptcy Court for the Southern District of West Virginia

General Information

The Passage Midland Meadows operation in Ona, WV offers a spectrum of senior care. Midland Meadows is licensed by the West Virginia Office of Health Facility Licensure & Certification ("OHFLAC") as a large assisted living residence, *aka* Midland Place, (72 beds) with an Alzheimer's unit, *aka* The Meadow House, (38 beds). Currently, there are 65 assisted living residents and 29 Alzheimer's unit residents. The Midland Meadows campus includes 7 independent cottages. Cottage residents may eat certain meals and attend activities sponsored by Midland Meadows. Care at Midland Meadows is paid for by private funds; out-of-pocket or long-term care insurance. No residents receive care under a Veteran's Administration contract. Midland Meadows is not certified to receive Medicaid reimbursement because West Virginia Medicaid does not reimburse assisted living level of care.

Staffing

Both the assisted living and Alzheimer's units of Midland Meadows are fully staffed with no vacancies. Cottage residents do not receive direct services. The resident assistant (RA) position, a direct care position, continues to see regular turnover. Based on information and belief, this is not due to a shortage of operating funds or otherwise related to the bankruptcy but rather is the customary turnover for this position. Midland Meadows continues its longstanding pre-bankruptcy standing practice of conducting bi-weekly RA trainings. Interviews with both long-tenured and newly hired staff yielded no bankruptcy related concerns. Staff report that pay continues to be regular with no

concerns other than the conversion to paper checks from direct deposit. Staff report this as an inconvenience and anticipate a return to direct deposit by the end of the year. No residents reported staffing-related concerns.

Long-term Care Ombudsman Activity

The West Virginia Long-term Care Ombudsman Program received two complaints regarding Midland Meadows for this reporting period. One complaint was an allegation of physical abuse. This complaint was verified and resolved to the resident's satisfaction. Midland Meadows investigated the incident promptly and took steps to protect the resident and prevent further abuse/neglect. The second complaint is an allegation of financial exploitation. The alleged perpetrator is not a staff person. This investigation is on-going. This Ombudsman conducted two monitoring visits on September 18 and October 12, 2017. During these visits, we visited with as many residents who were willing and able to speak with us. No issues or problems were reported.

Regulatory Activity

The OHFLAC surveyed both the assisted living unit and the Alzheimer's unit on July 13, 2017 and found no deficiencies in either unit. The OHFLAC received no complaints regarding the care and services provided by Midland Meadows during this reporting period. The OHFLAC does not license or survey the cottages.

Abuse & Neglect

No allegations of physical abuse and/or neglect were reported during this reporting period. However, there were two allegations of financial neglect, *aka* financial exploitation, reported. (All allegations of abuse/neglect of a facility resident are required to be reported pursuant to W. Va. Code 9-6-9.) The alleged perpetrators are not staff.

Records and Supplies

Resident medical records are stored in central locations in their respective units. Confidentiality of records appears well maintained. Medical, linen, kitchen, and emergency supplies are well stocked. Various staff, including but not limited to, nurses, aides, maintenance and kitchen staff, were interviewed and all report having adequate supplies to perform their duties with no change post-filing. Two meal services were observed. Both meals appeared fresh, appetizing and of appropriate portions. Residents appeared to enjoy the dining experiences.

Patient Trust Accounts and Resident Property

Midland Meadows does not manage any patient trust accounts.

Vendor Relationships

Administration reports stable vendor relationships and adequate available petty cash. Resident activities, in and out of the facilities, continue without issues.

Miscellaneous

In general, the physical plant, facility van and property appear clean and well-maintained. Residents appear clean and cared for. The annual fall carnival occurred October 7, 2017. The event was successful and well attended by residents, families, and staff. Future plans include hosting a trick-or-treat for a local elementary and pre-school later in October and a Thanksgiving dinner in November.

HURRICANES IRMA & MARIA

The Passage Midland Meadows facility is one of three similar operations under the management of Passages Healthcare Properties, LLC, headquartered in Puerto Rico. Puerto Rico has been devastated by two recent hurricanes, Irma & Maria. While the corporate location has obviously been impacted, its business operations at Midland Meadows appear unaffected and have continued normally.

Respectfully submitted,



Suzanne E. Messenger,
Patient Care Ombudsman