



## NEWS RELEASE

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### **WISE & Healthy Aging's Long-Term Care Ombudsman Program Aids City Attorney in Securing Settlement for Victims of "Patient Dumping"**

#### ***L.A. City Attorney announces unprecedented settlement in case of skilled nursing facility that improperly discharged mentally-impaired and homeless patients***

**LOS ANGELES (Feb. 11, 2019)** – Los Angeles City Attorney, Mike Feuer, publicly thanked Molly Davies, [WISE & Healthy Aging](#) vice president for Elder Abuse Prevention and Ombudsman Services, for the role she and the Los Angeles-based agency played in bringing to justice a skilled nursing facility that was improperly and illegally discharging homeless and mentally-impaired residents.

Feuer announced Friday that his office had reached a \$600,000 settlement with Lakeview Terrace Skilled Nursing Facility in Westlake/MacArthur Park. A multi-year investigation of the facility had resulted in allegations of ["patient dumping"](#) and failure to meet quality of care standards that are required by law.

"This settlement is another step in assuring all patients, especially those contending with homelessness or mental health issues, receive the safe and lawful care they deserve – including when they're discharged," [Feuer said in a news release](#).

As part of the settlement, Lakeview Terrace will pay \$200,000 in civil penalties, disperse \$50,000 over two years to cover housing costs for residents who were unable to afford suitable residential placement at the time of discharge and retain an independent monitor, [Seelig + Cussigh HCO LLC](#), to oversee its operations for two years.

"This was the most egregious case of inhumane discharges I have seen," said Davies. "It is an unprecedented settlement, not due to the price tag, but rather to the requirement to hire an independent monitor, and the other terms in the settlement that look to ensure a greater level of accountability by the facility operator."

The investigation was initiated based on referrals the [WISE & Healthy Aging Long-Term Care Ombudsman Program](#) provided to Feuer's office dating back to January 2018. According to Davies, two members of her team played major roles in moving the case forward even when traditional channels did not initially yield results.

"Molly Davies' leadership, along with Ombudsmen staff Jessica Urquijo and Lizette Arzola who worked tirelessly in their efforts to improve resident care at this facility, shined a light on this very serious matter," said Grace Cheng Braun, president and CEO of WISE & Healthy Aging. "When traditional channels like referrals to the regulatory agency and meeting with executive level facility staff did not produce any sustained change, our team turned to the City Attorney's Office. Thankfully, City Attorney Feuer and his team took these concerns very seriously and dedicated the time and resources needed to achieve this outcome."

According to the news release, the facility is now required "to hire, train, and support a Director of Resident Care & Compliance and related staff, who will oversee the implementation of discharge planning policies and protocols for homeless residents, quality of resident care compliance, and ensure optimal post-discharge care and placement for each homeless resident. These discharges will also be tracked, monitored, and audited to ensure quality assurance and compliance."

Any funds not dispersed within two years will be donated to the Union Rescue Mission, Midnight Mission and the Integrated Recovery Network.

The City Attorney's news release also specified several conditions with which Lakeview Terrace must comply to immediately improve the experience of all its residents, including those who are homeless and mentally-impaired. Among other things, Lakeview Terrace must:

- "Offer homeless residents the best housing options available at the time of their discharge from the facility, and fund temporary housing for those who cannot afford it;
- Invite appropriate governmental agencies into the facility to assist homeless residents in securing all available post-discharge social services;
- Institute comprehensive training programs for staff to ensure all residents are given proper medical care while at the facility, and that homeless residents are properly assessed and cared for when discharged from the facility;
- Ensure that homeless residents who are transported from Lakeview Terrace to a residential placement center receive a "warm hand-off," instead of being dropped off on the street;
- Establish and maintain a whistleblower program that allows Lakeview Terrace employees, residents, and other individuals to anonymously report suspected violations and mistreatment of residents;
- Ensure that each resident receives at least 3.5 hours of direct nursing care service hours per patient, per day, consistent with the requirements of the California Health and Safety Code; and
- Comply with all federal, state, and local laws and regulations applicable to skilled nursing facilities."

According to the City Attorney's news release, Feuer has made ending patient dumping a major priority, "settling eight cases and securing more than \$4.45 million from hospitals and skilled nursing facilities alleged to have been involved in unlawful patient discharges."

"Patient dumping is prohibited by city ordinance throughout Los Angeles," said Cheng Braun, president and CEO of WISE & Healthy Aging. "I am hopeful that this settlement will bring about real and lasting change to this facility. Beyond that, I hope it will motivate other facilities to review their own practices and procedures and make any necessary changes in how they deliver care."

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#### **[About the WISE & Healthy Aging Long-Term Care Ombudsman Program](#)**

The representatives of the WISE & Healthy Aging Long-Term Care Ombudsman Program serve as advocates for the residents occupying the more than 76,000 beds in long-term care facilities in the city and county of Los Angeles. The program oversees ombudsman services in the city and county of Los Angeles as part of the California Long-Term Care Ombudsman Program. This program is authorized under the federal Older Americans Act and its California companion, the Older Californians Act. The goal of the Long-Term Care Ombudsman Program is to investigate and attempt to resolve complaints made by or on behalf of individual residents in long-term care facilities. These facilities include nursing homes; residential care facilities for the elderly (also known as assisted living or board and care facilities).

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**[SOURCE:](#)** *City of Los Angeles Attorney's Office News Release – Feb. 8, 2019*