

The Virgin Islands Consortium

Abuse, Negligence And Cold Meals Among Complaints Leading To Decertification Of St.Thomas Nursing Home, Government Steps In

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Ernice Gilbert **June 06, 2015**



ST. THOMAS -- Once given a five-star rating by the Centers for Medicare and Medicaid Services (CMS), the Seaview Nursing and Rehab Facility is now facing decertification by the same federal agency, after a myriad of complaints by concerned citizens of late meals, negligence and even fights among residents.

The facility was notified by CMS Associate Regional Administrator William Roberson in early June that it would stop reimbursements for medicare and medicaid patients after June 30, because the nursing and rehab center" has failed to maintain compliance with

Medicare requirements."

The government, however, is trying to prevent the devastating occurrence of decertification from moving forward, and has requested of CMS more time to rectify the problems.

At a hearing on Friday in the Fritz Lawetz Legislative Conference Room, Sen. Kurt Vialet, chairman of the Committee on Health, Hospital & Human Services, asked Human Services Commissioner designee Vivian Ebbesen-Fludd about measures the government were taking to prevent decertification of the territory's only certified nursing home and rehab center.

The commissioner designee said the government may be forced to temporarily takeover Seaview to stave off decertification, and made known that herself, along with Governor Kenneth Mapp, other department officials and the facility's owner, Dr. Al Heath, have created a steering committee to decide a path forward.

For Ebbesen-Fludd, the most pressing concern is for the nursing and rehab center's residents to remain in the territory.

"There is a stipulation within [CMS] regulations that allows the state to operate the facility for an interim, which will allow us to extend the decertification process," said Ebbesen-Fludd. "Our biggest concern is [that] there is no [plan] to move those clients off-island."

She added: "We made it very clear to CMS that is not an option. Not primarily because of the cost, but [rather] the social issues and that it would not be in the best interests of our patients."

The commissioner designee said Human Services would do all in its power to keep Seaview operational. If CMS grants the temporary takeover, the facility has 90 days to correct the many errors cited in the CMS report, seen [here](#).

"Based on observation, review of facility complaints and investigations, and resident and staff interviews, it was determined that the facility failed to protect 1 of 14 residents from physical abuse inflicted by staff, and that caused a resident to sustain injury," reads the report.

The report also noted that, "based on observation, interview and record review, it was determined that the facility failed to maintain residents' appearance in a manner that promotes their dignity."

The above shows two of many inefficiencies cited in the CMS report. In 2009, Seaview received a five-star rating from CMS, however the latest review downgrades the facility to two out of five stars.

It's the second time in less than a year that one of the territory's medical facilities have experienced decertification by CMS. On September 19, 2014, [CMS pulled accreditation status](#) from the Juan F. Luis Hospital and Medical Center, with October 9 of the same year being the last day CMS would reimburse the hospital for patients on medicare and medicaid. However, after JFL officials made [deliberate moves to show compliance](#), along with government and delegate lobby, [CMS gave the facility more time to rectify its errors](#).

Currently, JFL is locked into a [Systems Improvement Agreement with CMS](#), which will end this summer when CMS officials tour the facility to determine if corrective measures were taken -- a determination that will inform CMS's final decision.

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