

The Virgin Islands Consortium

SeaView Nursing Home To Shutter As Part Of CMS Agreement

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ST. THOMAS -- The Kenneth Mapp administration has announced the results of negotiations between the Centers for Medicare and Medicaid and the Government of the Virgin Islands in relation to the SeaView Nursing Home and Rehab Center, part of which calls for the shuttering of the mired facility.

CMS terminated its provider agreement with the nursing home on June 30, but being the only private facility of its kind in the territory, the GVI scrambled to ensure that residents of SeaView continued to receive care.

“The commissioner of Human Services, as well as the commissioner of Health, the attorney general and the administration are working to ensure that the 31 persons in SeaView are in fact safe and provided for,” Mapp said at a press conference in Government House on June 30. “We have called for medical assessments of the individuals to determine their mobility or lack of mobility.”

Once given a five-star rating by CMS, Seaview was decertified by the same federal agency after a myriad of complaints filed 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 had “failed to maintain compliance with Medicare requirements.”

The report, seen [here](#), states, “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.”

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 the federal agency, however the latest review downgraded the facility to two out of five stars.

Acting Attorney General James Carroll, Commissioner Vivian Ebbesen-Fludd and others from administration and CMS Attorney David Rawson in the Boston Regional Office, worked closely and intensely with Survey & Certification officials in the CMS Central and Regional Offices to craft a timely and effective settlement agreement, according to a press release Government House issued on Friday.

The release further stated that on July 30, 2015, Dr. Alfred O. Heath, owner of Sea View Nursing Home, signed a settlement agreement with CMS in which the nursing home agrees to a number of important provisions, including:

- Submit a notice of facility closure;
- Withdraw its appeal;
- Fully cooperate with the USVI authorities to transition residents to an alternate provider;
- Provide adequate services and protections for nursing home residents until the transitions are made;
- Establish an escrow fund into which nursing home payments are deposited and will be disbursed from the escrow only under an agreement with the USVI Attorney General;
- Notify residents and inform them that the USVI authorities are actively working to ensure a transition and ensure continued care.

The agreement allows CMS to continue payments for the eligible nursing home residents admitted before June 30, according to the release. These payments may continue until the residents are transitioned to an alternate provider, or until January 30, 2016, whichever is first, Government House said.

Thomas Hamilton, director of the Survey and Certification Group within CMS, conveyed his appreciation to Mapp and his USVI team for stepping up to work closely with CMS to make these arrangements on behalf of the residents of SeaView.

"I would like to take this moment to thank Thomas Hamilton and Attorney Rawson from CMS for working with the team that we have assembled," Mapp said. "As I have stated all along, my priority has been to act in the best interest of the residents of Sea View Nursing Home."

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