

The Virgin Islands Consortium

Senators Castigate Anita Roberts, Human Services Commissioner, On Handling Of Sea View Patients' Removal

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ST. THOMAS -- Anita Roberts, who was recently appointed as commissioner of the Department of Human Services, and has yet to face the Senate for ratification, apologized on Thursday during a Committee on Health, Hospital and Human Services hearing at the Earl B. Ottley Legislative Hall, for the manner in which she executed the removal of patients from the Sea View Nursing Home facility; a situation that has caused much controversy and distress among the families of patients.

In fact, some senators questioned whether the patients had to be moved so suddenly at all.

Sea View lost Centers for Medicare and Medicaid Services certification earlier this year, with C.M.S. [citing multiple noncompliance issues](#). The decertification left the nursing home unable to meet funding requirements as C.M.S. funding accounted for 55 percent of the facility's budget, with the Government of the Virgin Islands making up the remaining 45 percent.

After losing accreditation, Sea View was severely wounded and wound up defaulting on its U.S. Department of Housing and Urban Development (H.U.D.), Office of Residential Care Facilities loan. H.U.D. then [wrote a letter](#) addressed to Ms. Roberts, which led to Ms. Roberts hurriedly moving patients from Sea View to other facilities in St. Thomas.

But some lawmakers contend that the letter called for a plan from the government to remove the patients from Sea View; and not for their immediate removal. This led to multiple questions as to why they were rushed out of the facility.

"I am sorry for any distress that I caused any family members. That was not my intention," Ms. Roberts said. The apology did not stop senators from castigating her for the manner in which the situation was handled.

"We know that Sea View has financial issues. We definitely know that. But the reason why this hearing was called, is a result as to how the Department of Human Services dealt with the patients," Senator Kurt Vialet said.

"What crime did these seniors commit?" Asked Senator Novelle Francis, referring to the manner in which they were bused out -- some without critical belongings -- [late in the day on Sept. 26](#), to other facilities, including the Roy Lester Schneider Hospital and Queen Louise Home for the Aged, the latter of which lacks the necessary tools to adequately care for patients, [according to Senator Tregenza Roach](#).

"No matter what is said here today, Dr. Roberts, I believe you made a mistake in interpreting the HUD letter, and you acted," Mr. Roach said. "I think what should have happened after that is that we say we made a mistake, and instead of digging our heels in, let's correct the mistake, which is, we took these residents, who have lived in a place [for an average of 10 years]. You took them up, no belongings, no medication; you deposited some of them at the emergency room where they stayed for three days in some cases, and you took others Queen Louise."

Senator Gittens shared the same sentiment, stating that what Ms. Roberts did was wrong.

Even so, Ms. Roberts maintained that the letter called for the immediate removal of the patients. Asked by Senator Janette Millin Young of the legality of the move, Ms. Roberts said she was advised by Attorney General Claude Walker -- after seeking his guidance -- that she had the authority, under local law, to make decisions "for the safety of patients." Mr. Walker said he did not explicitly told the commissioner to remove the patients; only that she had the authority to do so.

Sea View owner Dr. Alfred Heath blamed the problems his facility faces on a massive conspiracy "on the national level," to takeover Sea View. At one point, Mr. Gittens called for a two-minute recess out of concern that Dr. Heath was overheating and would collapse. Mr. Violet, chairman of the committee, gave a 1-minute recess instead.

Governor Kenneth Mapp on numerous occasions -- most recently a press conference at Government House in St. Croix on Monday, expressed his desire to purchase the facility on behalf of the government. Asked if he was willing to sell, Dr. Heath said for the right price, he would.

Mr. Violet offered that the government work on a plan to purchase the facility, shut down Queen Louise Home for the Aged, move all the patients stationed at that facility to Sea View, and place all the current Sea View employees under D.H.S. "That is the path I see," he said.

Mr. Roach shared the same sentiment: "It seems to me that at this point it is our solution. Because if I understand it correctly, if you put the seniors at Queen Louise, it is not CMS certified, so you're not going to get any reimbursements for their care, so it's going to be 100 percent local funding," he said. Herbert Grigg Home for the Aged in St. Croix is in the same situation as Queen Louise.

In the end, the senators concurred that monies needed to be secured for the purchase of Sea View, and an ultimate attempt to get the facility back into compliance with C.M.S.

Senators present for yesterday's hearing were, Mr. Violet, Nereida Rivera-O'Reilly, Mr. Gittens, Mr. Roach, Mr. Francis, Justin Harrigan, Marvin Blyden, Positive Nelson, Myron Jackson, Almando Liburd and Jean Forde.

Feature Image: Anita Roberts, D.H.S. Acting Commissioner. (Credit: V.I. Legislature)