



The Dignity Digest

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*May require registration before accessing article.

Spotlight

Nursing home owners drained cash while residents deteriorated, state filings suggest

NPR Shots

January 31, 2023

<https://tinyurl.com/NHOwnersDrainedCash>

New York state records show nearly half the state's 600-plus nursing homes hired real estate, management and staffing companies run or controlled by their owners, frequently paying them well above the cost of services. Meanwhile, in the pandemic's height, the federal government was giving the facilities hundreds of millions in fiscal relief. After the nursing home where Leann Sample worked was bought by private investors, it started falling apart. Literally.

Part of a ceiling collapsed on a nurse, the air conditioning conked out regularly, and a toilet once burst on Sample while she was helping a resident in the bathroom, she recalled in a court deposition.

"It's a disgusting place," Sample, a nurse aide, testified in 2021.

The decrepit conditions Sample described weren't due to a lack of money. Over seven years, The Villages of Orleans Health & Rehabilitation Center, located in western New York near Lake Ontario, paid nearly \$16 million in rent to its landlord — a company that was owned by the same investors who owned the nursing home, court records show. From those coffers, the owners paid themselves and family members nearly \$10 million, while residents injured themselves falling, developed bedsores, missed medications, and stewed in their urine and feces because of a shortage of aides, New York authorities allege.

At the height of the pandemic, lavish payments flowed into real estate, management, and staffing companies financially linked to nursing home owners throughout New York, which requires facilities to file the nation's most detailed financial reports. Nearly half the state's 600-plus nursing homes hired companies run or controlled by their owners, frequently paying them well above the cost of services, a KHN analysis found, while the federal government was giving the facilities hundreds of millions in fiscal relief.

In 2020, these affiliated corporations collectively amassed profits of \$269 million, yielding average margins of 27%, while the nursing homes that hired them were strained by staff shortages, harrowing injuries, and mounting deaths from COVID-19, state records reveal.

"Even during the worst year of New York's pandemic, when homes were desperately short of staffing and their residents were dying by the thousands, some owners managed to come out millions of dollars ahead," said [Bill Hammond](#), a senior fellow at the Empire Center for Public Policy, a think tank in Albany, New York.

Some nursing home owners moved money from their facilities through corporate arrangements that are widespread, and legal, in every state. Nationally, nearly 9,000 for-profit nursing homes — the majority — outsource crucial services such as nursing staff, management, and medical supplies to affiliated corporations, known as "related parties," that their owners own, invest in or control, federal records show. Many nursing homes don't even own their buildings — they rent the space from a related company. Homes pay related parties more than \$12 billion a year, but federal regulators do not make them reveal how much they charge above the cost of services, and how much money ends up in owners' bank accounts.

In some instances, draining nursing home coffers through related parties may amount to fraud. Along with The Villages' investors, a handful of other New York owners are facing lawsuits from Attorney General Letitia James that claim they pocketed millions from their enterprises that the authorities say should have been used for patient care.

Deciphering these financial practices is timely because the Centers for Medicare & Medicaid Services is weighing what kind of [stringent staffing levels it may mandate](#) — potentially the biggest change to the industry in decades. A proposal due this spring is sure to spark debate about what nursing homes can additionally afford to spend versus what changes would require greater government support.

Federal Medicaid [experts warned](#) in January that transactions with affiliated companies that share the same owner as the nursing home or are controlled by the same people "may artificially inflate" the true cost of nursing home care in reports that facilities file to the government. And the U.S. Department of Health and Human Services' [inspector general is investigating](#) whether homes properly report related-party costs.

'A dog would get better care'

Beth Martino, a spokesperson for the American Health Care Association, said there is no evidence that related companies charge more than independent contractors do for the same services. "The real story is that nursing homes are struggling right now — to recruit and retain caregivers and to keep their doors open," Martino said.

Lawyers for The Villages and its investors have asked the judge in the case for a delay until April to respond to [the allegations of fraud and resident neglect in the lawsuit](#) that the attorney general filed last November. One of the lawyers, Cornelius Murray, [said in court papers](#) that many allegations of short-staffing occurred during the pandemic when workers were out sick and the facility was required to accept any patient who had COVID-19. The attorneys for The Villages declined to discuss the case with KHN.

In a deposition for that case, Ephram "Mordy" Lahasky, one of Fulton's owners, disputed that he and fellow investors improperly depleted The Villages' resources to the detriment of residents.

"I can assure you there was a lot of money left in the facility to make sure that it was not running on a shoestring budget," he testified. The Villages, Lahasky said, was a "beautiful facility" with "beautiful gardens" where "residents look great" and employee morale was strong.

That wasn't the opinion of Margarete Volkmar, the wife of one of the facility's residents. She said in an affidavit filed with the state lawsuit that her husband was left in his bed with only a diaper on, was bruised by a fall, choked by another resident, given the wrong medication doses, dressed in other residents' clothes, and covered in bruises that could not be explained. After she moved him to another home, she testified, he gained back the 60 pounds he had lost and never fell at the new facility.

"I wouldn't put a dog in Villages," she said. "A dog would get better care than he did."

The owners invested in hundreds of homes

Both The Villages and its related real estate corporation, Telegraph Realty, were controlled by the same trio of investors, although they arranged for the nursing home to be listed in regulatory filings as solely owned by a silent partner and did not disclose their co-ownership of The Villages, court records show. One co-owner, David Gast, disclosed his net worth was \$22 million and revealed that he had shares in more than 100 nursing homes, according to a loan application included in court records. Lahasky, whose disclosed net worth was nearly \$73 million, said in a deposition he was the biggest nursing home proprietor in Pennsylvania and owned one of New York's largest ambulance companies.

A third co-owner, Sam Halper, who reported a net worth of about \$23 million, is under [federal criminal indictment in Pennsylvania](#) on charges of submitting false reports to the government about staffing and patient health at two nursing homes. He has pleaded not guilty. Added together, all the investors in corporations tied to The Villages have stakes or official roles in 275 other facilities across 28 states, federal records show.

The lease that The Villages had with Telegraph Realty required the home to pay up to \$1 million in profits on top of the costs of debts and

\$50,000 a month for rent, according to a copy filed with the lawsuit. The attorney general alleged that, over seven years, the owners gave themselves and other investors more than \$18 million from outsized rent profits, management fees, and proceeds from refinancing the property, an act that saddled The Villages with higher debt.

Lindsay Heckler, a supervising attorney at Center for Elder Law & Justice in Buffalo, which provides free legal help to older, disabled, and low-income adults, said she is concerned other nursing home owners in the state fail to provide quality care after purchasing facilities.

"When you see quality of care decline after an ownership change, the question needs to be asked: What's going on with the finances?" she said.

Inflated rents — paid to sister companies — aren't uncommon

Separating a nursing home operation and its building into two corporations is a common practice around the country. In New York, for-profit nursing homes with related-party realty companies spent 19% more of their operating revenue toward rent in 2020 than did for-profits that leased from unaffiliated firms, KHN found.

Fulton Commons Care Center, a nursing home on Long Island, spent nearly a third of its 2020 revenue on rent, a higher portion than all but three other facilities in New York, financial records show. In a [lawsuit filed](#) in December, the attorney general charged that the rent paid to Fulton Commons Realty, the company that owned its East Meadow, N.Y., building, was grossly inflated. Both the home and real estate company were owned by Moshe Kalter and his extended family, according to documents filed with the lawsuit.

In 2020, the nursing home paid nearly \$10 million in rent to Fulton Realty, but an auditor for the attorney general calculated the property expenses that year were less than \$6 million. The owners of Fulton and their families gave themselves nearly \$16 million over four years from inflated rent, substantial management fees, and "no-show" jobs for Kalter's eight children, the attorney general alleged.

"Rather than honor their legal duty to ensure the highest possible quality of life for the residents in their care, the Fulton Commons owners allegedly maintained insufficient staffing so they could take more money for their own personal gain," James said [in a statement](#).

Raul Tabora Jr. and David Yaffe, lawyers for Kalter, called the lawsuit's charges "one-sided" in a written statement to KHN. They said that the payments to the children were not for jobs but because they were shareholders, and that Fulton kept an average balance of \$3 million on hand to cover any pressing needs. "The evidence will demonstrate that any time resources are needed, they are provided by Mr. Kalter," the lawyers wrote.

Residents' families told investigators that staff shortages existed well before the pandemic. In an affidavit filed with the lawsuit, Frank Hoerauf Jr. said workers left his father sitting in adult diapers without

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| | <p>pants and let his hair grow so long it covered his eyes. Another time, they left his father screaming in pain from a urinary tract infection, he said.</p> <p>"Fulton Commons seems like it was operated to be a cash machine for the owners," Hoerauf said. "The care and the quality of life for residents there was very poor."</p> <p>Another resident, Elena Milack, who had lost one foot to diabetes, complained about poor care for years, including having to ring the call bell for an hour to get help to get to the bathroom, according to an affidavit filed by her daughter-in-law, who was also Milack's health proxy. "GET ME OUT OF HERE OR TELL ME WHAT I CAN TAKE TO KILL MYSELF," she texted her son in the summer of 2019. In 2020, she contracted an infection that turned her remaining foot black.</p> <p>"Toes are all infected now," Milack, a retired law school secretary, texted. "[M]y upper foot is dying and will soon fall off. I am hoping the good Lord will take me before that happens." She died in November 2020.</p> <p>Kalter said in a deposition he had never stepped inside his nursing home and did not supervise the quality of the care. He testified he granted full authority over the facility to its administrator and relied on his nephew, who was the controller of the nursing home, to interact with the home's leadership, according to court records.</p> <p>In his deposition, Kalter said: "I have no personal knowledge of anything that's going on in the nursing home."</p> <p>According to an affidavit from an auditor for the attorney general's office, over the course of four years, Kalter deposited nearly \$12 million from Fulton into the personal bank account he holds jointly with his wife, Frady.</p> <p>https://tinyurl.com/NHOwnersDrainedCash</p> |
| <p><i>Quotes of the Week</i></p> | <p><i>"I wouldn't put a dog in Villages. A dog would get better care than he did."</i></p> <p>Margarette Volkmar, the wife of one of the facility's residents, <i>Nursing home owners drained cash while residents deteriorated, state filings suggest</i>, NPR Shots, January 31, 2023, https://tinyurl.com/NHOwnersDrainedCash</p> <p><i>The very fact that this essential and sensitive social function [i.e., nursing home care], which ought to be the domain of health professionals and charitable enterprises, is now called an "industry" reflects a total perversion of its purpose.</i></p> <p><i>Would Nursing Home Profiteers Kill Granny to Boost Earnings?</i>, The National Memo, February 20, 2023, https://tinyurl.com/ProfiteersKillGranny</p> |

You can compare the issue [of a rapidly aging population] to how people used to view climate change: It was happening for many years, but we weren't paying attention. Societies need to plan for aging, and they're not well set up to do so. It's not an in-your-face crisis — it's a slow-rolling crisis.

*Senior societies, *New York Times, February 18, 2023,
<https://tinyurl.com/NYTAgingSocieties>*

New York state records show nearly half the state's 600-plus nursing homes hired real estate, management and staffing companies run or controlled by their owners, frequently paying them well above the cost of services. Meanwhile, in the pandemic's height, the federal government was giving the facilities hundreds of millions in fiscal relief.

*Nursing home owners drained cash while residents deteriorated, state filings suggest, NPR Shots, January 31, 2023,
<https://tinyurl.com/NHOwnersDrainedCash>*

"When you see quality of care decline after an ownership change, the question needs to be asked: What's going on with the finances?"

*Lindsay Heckler, a supervising attorney at Center for Elder Law & Justice in Buffalo, NY, Nursing home owners drained cash while residents deteriorated, state filings suggest, NPR Shots, January 31, 2023,
<https://tinyurl.com/NHOwnersDrainedCash>*

"I never visited Arkansas, and I had no personal connection with the day-to-day operation of any of the nursing homes in Arkansas. The tragedy that had befallen Zelma Grissom was not my fault. I had no control or [oversight] at the premises and I was simply an investor and had no management role in the nursing home at all."

*Joseph Schwartz, the New York state owner of the failed nursing home chain, Skyline Health Care, which at one point owned and operated as many as 114 nursing homes in 11 states including five in Massachusetts, Arkansas court awards \$15.7M judgment against nursing home chain over woman's death, Arkansas Democrat Gazette, February 19, 2023,
<https://tinyurl.com/JudgmentAgainstNHChain>*

"[State Representative Jon Santiago's] public health expertise and military service make him uniquely qualified to serve as Massachusetts' first ever Secretary of Veterans' Services. I'm confident that he will be the leader our veterans need and deserve and will always stand up for their health, safety and wellbeing."

Gov. Maura Healey, *Healey Taps Rep. Santiago for Veterans' Cabinet Post*, **State House News**, February 17, 2023, <https://tinyurl.com/antiagoVeteransPost>

"Frontline providers and advocacy organizations have been doing heroic work to provide for families arriving in Massachusetts, but they need continued funding and support."

Lt. Gov. Kim Driscoll, *Healey-Driscoll Administration Files \$282 Million Supplemental Budget Bill proposes funding for immediate emergency shelter needs and food security*, **Office of Governor Maura Healey and Lt. Governor Kim Driscoll**, January 31, 2023, <https://tinyurl.com/282MilSupplementalBudget>

"The Healey-Driscoll administration should be commended for moving quickly to elevate Veterans' Services as a standalone agency with direct report to the Governor. . . The Disabled American Veterans look forward to working with him to serve and support our veterans and their families."

Coleman Nee, former Massachusetts Secretary of Veterans' Services (2011-2015) and National Line Officer for Disabled American Veterans, *Governor Healey and Lt. Governor Driscoll Appoint Rep. Jon Santiago as First Cabinet-Level Veterans' Secretary*, **Office of Governor Maura Healey and Lt. Governor Kim Driscoll**, February 17, 2023, <https://tinyurl.com/SantiagoAppointedVSSecretary>

Why hasn't the Department of Developmental Services created regulations, policies, guidance, orientation, or amend a home- and community-based waiver to meet the requirements outlined in the 2014 law [<https://tinyurl.com/RealLivesLaw>] ?

Susan Nadworny, Chair, MA Families Organizing for Change, *Real families need Real Lives law enforced*, ***Boston Globe**, February 20, 2023, <https://tinyurl.com/9RealLivesLawEnforced>

The nursing home workforce is at levels not seen since 1994.

Long Term Care Jobs Report, American Health Care Association / National Center for Assisted Living, January 2023, <https://tinyurl.com/ACHAJobsReportJan2023>

Workforce shortages are causing more than half of nursing homes nationally to limit resident admissions.

American Health Care Association, Health care vaccine mandate remains as some push for an end, **AP News**, February 19, 2023, <https://tinyurl.com/VaccineMandateRemains>

“The message seems to be, ‘We’re doing great, but everything is getting worse’ [within the Social Security Administration]. The phone service is to the point where I’m telling clients to just go down to the field office in person. You may have to wait two to three hours, but at least you’ll be talking to someone.”

Charles Hall, a disability attorney in Raleigh, N.C., and founder of a blog on Social Security operations, *Social Security services to worsen despite budget boost, agency head says*, ***Washington Post**, February 18, 2023, <https://tinyurl.com/SSServicesToWorsen>

“We must address the significant number of people who are waiting too long for important disability decisions at all levels of the disability process. In particular, we share claimants’ frustration about waiting over seven months on average for an initial disability decision.”

Kilolo Kijakazi, acting Social Security commissioner, *Social Security services to worsen despite budget boost, agency head says*, ***Washington Post**, February 18, 2023, <https://tinyurl.com/SSServicesToWorsen>

“It looks like things are going from bad to worse, and I’m very worried.”

Kathleen Romig, director of Social Security and disability policy at the nonpartisan Center on Budget and Policy Priorities, *Social Security services to worsen despite budget boost, agency head says*, ***Washington Post**, February 18, 2023, <https://tinyurl.com/SSServicesToWorsen>

“There are so many who passed away due to not getting the medical care they needed. Most of these people, they didn’t go in there with death sentences, but they’re dying.”

Teresa Bebeau, whose imprisoned friend died from complications of Covid and cancer in South Carolina, *As the Pandemic Swept America, Deaths in Prisons Rose Nearly 50 Percent*, **New York Times (free access)**, February 19, 2023, <https://tinyurl.com/PrisonDeathsRose>

In 2009, about 10 percent of all prisoners were 50 or older; by 2019, that number had jumped to 21 percent, according to the Justice Department.

As the Pandemic Swept America, Deaths in Prisons Rose Nearly 50 Percent, **New York Times (free access)**, February 19, 2023, <https://tinyurl.com/PrisonDeathsRose>

“You have people just locked up alone for months. If they didn’t have a mental health condition to start with, they certainly do by the end of that.”

Hayden Smith, a criminal justice professor at the University of South Carolina, *As the Pandemic Swept America, Deaths in Prisons Rose Nearly 50 Percent*, **New York Times (free access)**, February 19, 2023, <https://tinyurl.com/PrisonDeathsRose>

Eat breakfast like a king, lunch like a prince and dinner like a pauper.

Want to live a longer life? Try eating like a centenarian, ***Washington Post**, February 14, 2023, <https://tinyurl.com/EatingLikeCentenerian>

Let the sparrow find a home, and the swallow, her nest.

Jerry Halberstadt, Stop Bullying Coalition, *Even the sparrow has found a home*, **Salem News**, February 8, 2023, <https://tinyurl.com/SparrowHasFoundAHome>

Massachusetts must address persisting inequities and staggering COVID-19 death rates ([more than 22,000 in total](#) and [nearly 4,700 Massachusetts COVID-19 deaths](#) since the start of 2022), borne disproportionately by older adults, chronically ill and disabled people, and Black and brown communities.

Dr. Lara Jirmanus, Massachusetts Coalition for Health Equity, Carlene Pavlos, Massachusetts Public Health Association, Paul Lanzikos, Dignity Alliance Massachusetts, *Equity must be driving force of ongoing Mass. public health*

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| | <p><i>policy</i>, Boston Globe, February 14, 2023, https://tinyurl.com/EquityDrivingForce</p> |
| <p>Dignity Alliance in the News</p> | <p>1. Boston Globe February 14, 2023 <i>Equity must be driving force of ongoing Mass. public health policy</i> Regarding "The White House wants to end the public health emergency. Is the country prepared?" (Editorial, Feb. 9), we should ask, "Is the Commonwealth prepared?" How our elected leaders answer that question will tell us whether they are serious about ending the ongoing devastation of the COVID-19 pandemic, preparing for the inevitable next pandemic, and committing to equity as an anchoring principle and driving force in all policies. Massachusetts must address persisting inequities and staggering COVID-19 death rates (more than 22,000 in total and nearly 4,700 Massachusetts COVID-19 deaths since the start of 2022), borne disproportionately by older adults, chronically ill and disabled people, and Black and brown communities. The state of emergency has provided critical resources (health care, paid sick leave, telehealth insurance coverage, and free COVID tests, treatments, vaccines, and masks), which we should maintain and expand. Two principles must guide everything: "Nothing about us without us," historically the disability community's clarion call, and Representative Ayanna Pressley's insistence that "the people closest to the pain, should be the people closest to the power." We are eager to support the Healey-Driscoll administration and legislators in translating pandemic lessons into transformational changes necessary to create a continuously thriving Commonwealth. Dr. Lara Jirmanus, Massachusetts Coalition for Health Equity Carlene Pavlos, Massachusetts Public Health Association Paul Lanzikos, Dignity Alliance Massachusetts https://tinyurl.com/EquityDrivingForce</p> <p>2. Salem News February 8, 2023 <i>Even the sparrow has found a home</i> Alas, not every child finds a safe home. A child fell while in the nest of a car, the shelter the mother could provide, when she could not afford the inn. According to the report by Julie Manganis, "Mother facing charges after 2-year-old child dies of an apparent drug overdose" (The Salem News, Jan. 27), a mother carried the lifeless body of her 2-year old daughter, Lilly, to Lahey Hospital in Peabody, after they spent the night in her car. Efforts by the child's grandmother and friends of the mother to intervene were not successful to save the child. Drugs may have caused the baby's death. The mother has been arrested on charges relating to her daughter's death. Was anyone watching the sparrow fall? The homeless parent did not act; the grandmother tried; the agency needed approval from the court. The Commonwealth, obligated in law and morality to safely house every sparrow, had not invested the resources to create safe nests. . . The agencies and volunteers charged with helping the homeless and the migrant lack resources. There is a shortage of affordable, accessible housing and supportive services to enable people to stay out of a nursing home, or to be able to get out and live on their own.</p> |

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| | <p>The existing shelter system is operating at capacity. and Massachusetts has a legal obligation to immediately provide emergency shelter to homeless families due to a 1983 “right-to-shelter” law. — The Boston Globe, Jan. 30 For people with disabilities, living in the community with essential support services is much better than living in a nursing home and that right was affirmed by the Supreme Court in <i>Olmstead v. L.C.</i>, 527 U.S. 581 (1999). The Americans with Disabilities Act also requires that people are enabled to live in the community.</p> <p>...a federal class action lawsuit filed in October in Boston that contends the state of Massachusetts is allowing thousands of people with disabilities to languish and often deteriorate in nursing facilities, even though they could be living independently. The lawsuit seeks to compel the state to expand existing programs and set up new ones to help people with disabilities transition out of nursing homes. — WGBH Morning Edition, Jan. 26 The Stop Bullying Coalition endorses the position of Dignity Alliance, urging the Commonwealth to settle and resolve the lawsuit and affirm by action the stated goal of inclusion for all. In subsidized and public housing, a tenant can be bullied and mobbed so badly that they choose to become homeless rather than endure the torment. A law to create a tenant advocate with enforcement power to hold the landlord accountable would provide protection, oversight, and justice.</p> <p>The solutions to each of these challenging problems will be hard-won; we must all innovate to provide safety and services to fully support independent living and safety in the community and in housing.</p> <p>Let the sparrow find a home, and the swallow, her nest.</p> <p><i>Jerry Halberstadt lives in Peabody. He is the coordinator of the StopBullyingCoalition.org, advocating for the rights of tenants, including elderly and disabled residents of subsidized and public housing, and supporting the work of Dignity Alliance Massachusetts.</i></p> <p>https://tinyurl.com/SparrowHasFoundAHome</p> |
| Reports | <p>3. American Health Care Association / National Center for Assisted Living January 2023 <i>Long Term Care Jobs Report</i> Key points:</p> <ul style="list-style-type: none"> • Looking at data from the federal government, nursing homes are still facing historic job losses while other health care industries have mostly rebounded to pre-pandemic levels. • Nursing homes have lost more than 200,000 workers over the course of the pandemic. • The nursing home workforce is at levels not seen since 1994. • Nursing homes added an average of 3,700 jobs per month over the last 9 months. • At the current pace, nursing homes would not return to pre-pandemic levels until 2027. • All long-term care employees at a 13-year low. • Long term care: More impacted than any other health care sector <p>https://tinyurl.com/ACHAJobsReportJan2023</p> |
| LGBTQ+ Survey Invitation | <p>4. The Goldsen Institute, University of Washington <i>Aging with Pride Survey</i> The <i>Aging with Pride Survey</i> (#AgingWithPride) is a national research study by The Goldsen Institute, University of Washington, designed to understand the aging, health, and wellbeing of midlife and older LGBTQ+ adults.</p> |

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| | Learn more and find out if you're eligible to participate at bit.ly/join-nhas . |
| Rally | <p>5. Boston Center for Independent Living Wednesday, March 1, 2023, 1:00 p.m. 26 West Street, Boston (union hall for 32BJ SEIU) <i>Rally to support PCAs! Better wages and benefits to boost the workforce!</i> There's a dangerous shortage of PCAs, leaving people with disabilities short of vital support and services. We'll rally in the union hall and then march one block to The Embrace on Boston Common. This event is sponsored by BCIL, 1199SEIU, and the Disability Policy Consortium. Sign up to co-sponsor. More information to come. ADA reasonable accommodations for people with disabilities are available upon request. CART and ASL interpreters have been requested. To submit a request, contact Rachel at rchartier@bostoncil.org or (617) 338-6665. As part of your request, please include a description of the accommodation you will need and include as much detail as you can. Please provide your contact information in case we need more information. When possible, please allow at least seven days advance notice. Last-minute requests will be accepted but may be difficult to fill. For more info on the event or to co-sponsor, contact Bill Henning at bhenning@bostoncil.org. https://tinyurl.com/PCARallyMarch1</p> |
| Public Policy | <p>6. Executive Office of Elder Affairs and the Department of Transitional Assistance January 31, 2023 (Recorded webinar) <i>SNAP Emergency Allotment End for Aging Services Network</i> One hour webinar providing information about the ending of the Emergency Allotment benefit and remedial strategies. https://tinyurl.com/Jan31SNAPWebinar Passcode: EUfE5.Kp</p> <p>7. Mass.gov <i>Federal Extra COVID SNAP Benefits to End</i> Information, resources, and data on the impact of these temporary extra benefits ending on Massachusetts individuals and families, including by demographic characteristics and cities/towns. https://www.mass.gov/federal-extra-pandemic-snap-benefits-to-end</p> <p>8. Office of Governor Maura Healey and Lt. Governor Kim Driscoll January 31, 2023 <i>Healey-Driscoll Administration Files \$282 Million Supplemental Budget Bill proposes funding for immediate emergency shelter needs and food security</i> [T]he Healey-Driscoll Administration filed a \$282 million gross / \$154 million net Fiscal Year 2023 (FY23) supplemental budget to address urgent needs across the state's family emergency shelter system, which is at capacity and facing significantly elevated levels of demand by families facing homelessness, and to extend two food security programs that will soon run out of funding. . . "The Commonwealth's Emergency Assistance program provides vital support for families in crisis who need housing stability and enables the Commonwealth to meet its statutory requirements as a right-to-shelter state," said Housing and Economic Development Secretary Yvonne Hao. "With the additional resources from this legislation, we can continue our work in partnership with</p> |

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| | <p>providers and non-profits to meet the increased needs of the shelter system and support families across the Commonwealth.”</p> <p>The bill filed today also proposes \$130 million to create an offramp from the federal extra Supplemental Nutrition Assistance Program (SNAP), a benefit that the federal government began providing to SNAP recipients during the COVID-19 pandemic and recently announced would end in March 2023. To bridge the abrupt end of this program for more than 630,000 Massachusetts families, the Administration proposes providing a supplemental SNAP allotment to recipients equal to 40% of the previous federal benefit for three months. Additionally, \$2 million of this funding would be dedicated to reimbursing certain victims of SNAP benefit theft, also known as “skimming.” This initiative would be supported by repurposed enhanced federal Medicaid reimbursements, resulting in an approximately net \$0 cost to the Commonwealth.</p> <p>Read the Governor’s supplemental budget filing letter here and the bill here. https://tinyurl.com/282MilSupplementalBudget</p> |
| <p>Seeking Plaintiffs in Class Action</p> | <p>9. SIMMONS V. HEALEY: AN ADA CLASS ACTION SEEKING TO COMPEL MASSACHUSETTS TO STOP THE UNNECESSARY INSTITUTIONALIZATION OF PEOPLE WITH DISABILITIES</p> <p>On October 11, 2022, the Center for Public Representation (CPR), a national disability rights law firm in Easthampton, Massachusetts; Greater Boston Legal Services (GBLS), a local legal services program; Justice in Aging, a national advocacy organization for older adults; and the private law firm of Foley Hoag, LLP filed a class action in federal court against the Commonwealth on behalf of seven people with disabilities unnecessarily institutionalized in nursing facilities and the Massachusetts Senior Action Council. The lawsuit alleges that the Commonwealth violates the Americans with Disabilities (ADA) and the Medicaid Act by failing to provide community residential services and supports, thus forcing thousands of people with disabilities to live in segregated nursing facilities rather than in the community.</p> <p>This class action on behalf of nursing facility residents on MassHealth who have been stuck in a nursing facility for 60 days or more seeks to compel the Commonwealth to expand its existing residential programs so that people with disabilities in nursing facilities can make informed choices and have meaningful options to live successfully in the community. If you have any questions or want more information, or if you know someone who might benefit from the lawsuit, please contact CPR (413-586-6024) or GBLS (617-603-1576): Betsey Crimmins at GBLS -- bcrimmins@gbbs.org Deb Filler at GBLS – dfiller@gbbs.org Jennifer Kaplan at CPR – jkaplan@cpr-ma.org</p> |
| <p>Recruitment for Advisory Group</p> | <p>10. Mass Senior Action Council <i>MassHealth 65+ Advisory Group</i></p> <p>Mass Senior Action Council is recruiting interested persons to participate in a group they are forming which will identify strategies to improve support for MassHealth redetermination and generally deal with other MassHealth issues. For more information, contact Carolyn Villers at: Cvillers@MassSeniorAction.org. https://tinyurl.com/MassHealthAdvisoryGroup</p> |
| <p>Transitions</p> | <p>11. State House News February 17, 2023 <i>Healey Taps Rep. Santiago for Veterans' Cabinet Post</i></p> |

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| | <p>Gov. Maura Healey will tap Rep. Jon Santiago of Boston, a major in the U.S. Army Reserve, as the state's next veterans' services secretary, Healey announced Friday morning.</p> <p>Santiago recently returned from an overseas deployment, and Healey plans to swear him in on March 1, the date that the veterans' secretariat rises to the Cabinet level under a 2022 reform law. . .</p> <p>In addition to his military service, Santiago is an emergency medicine physician at Boston Medical Center, and his appointment comes during a time of increased scrutiny at the state-run long term care facilities for veterans.</p> <p>https://tinyurl.com/antiagoVeteransPost</p> |
| Dignity Advocates 2023 | <p>Healey / Driscoll Transition Team https://healeydriscolltransition.com</p> <p>Andrea Campbell Transition Committee https://www.andreacampbell.org/transition/</p> <p>Diana DiZoglio Transition Committee info@dianaforma.com</p> |
| Webinars and Online Sessions | <p>12. The Consumer Voice Thursday, February 23, 2023 <i>Dignity for All: Staffing Standards Benefit Residents and Workers</i> This month marks the one-year anniversary of President Biden's announcement of historic nursing home reforms. Creating a minimum staffing standard, which would be the most significant increase in protections for nursing home residents in decades, was central to his plan. Since his announcement, the Centers for Medicare & Medicaid Services (CMS) has embarked on a study to determine the minimum level of direct nursing care all residents need and has promised to propose a standard this spring.</p> <p>Join Consumer Voice for this webinar as we launch our "Dignity for All: Staffing Standards Now!" campaign advocating for a minimum staffing standard in nursing homes. This webinar will discuss the importance of adequate staffing for residents' safety and health. They will also feature the voices of residents and long-term care facility workers, who will share what it is like to live and work in a nursing home without adequate staffing.</p> <p>Lost in the discussion has been the voice of residents and workers. The nursing home industry's opposition to a minimum staffing standard has been fierce. Over the next several months, Consumer Voice and resident advocates will center the discussion of minimum staffing standards on residents and workers by holding a series of events to uplift their voices. In addition, they will need your support to ensure that the primary focus of adequate staffing is on the residents and workers.</p> <p>They will be calling on you to share your voices about what adequate staffing means. You can learn more about opportunities to get involved at the February 23 webinar.</p> <p>https://tinyurl.com/DignityForAllStaffingStandards</p> <p>13. The Greenhouse Project Wednesday, February 22, 2023, 2:00 p.m. <i>Innovate with Green House: Inside the New Waivers</i> The Green House Project expanded its trademark process in 2022 to help providers open more new homes. Sign up for this free webinar to learn how!</p> |

No two Green House homes are exactly alike, and the expanded trademark will allow organizations to adapt the best of our flagship small-home culture and design to meet their unique operational needs. Center for Innovation CEO Susan Ryan will walk attendees through the opportunities that the new trademark will bring to the eldercare sector, while John Ponthie of Southern Administrative Services will go inside his organization's use of the process to fund and build a new Green House community currently under development.

<https://tinyurl.com/InnovateGreenhouse>

14. Center for Medicare and Medicaid Services

Wednesday, February 21, 2023, 3:00 p.m.

National Nursing Home Stakeholder Call

Join the Centers for Medicare and Medicaid Services on Wednesday, February 22, 2023 at 3:00 pm ET for a National Nursing Home Stakeholder Call. Long-term care providers, facility staff and resident advocates are encouraged to attend. This event is open to the public; registration is required.

<https://tinyurl.com/CMSStakeholdersCallFeb22>

15. Massachusetts Healthy Aging Collaborative

Thursday, February 23, 2023, 1:30 p.m.

Elevating Inclusive Age- And Dementia Friendly Communities with Dr. Alexandre Kalache

Dr. Kalache has served as President of the International Longevity Centre-Brazil since 2012 and co-President of the Global Alliance of International Longevity Centres since 2015. He is currently on the Board of the Age-Friendly Institute. Formerly, he directed the World Health Organization global aging program at its Geneva headquarters and has served as an advisor to HELP AGE International and the New York Academy of Medicine.

This event is open to the statewide stakeholder and community network of the Massachusetts Healthy Aging Collaborative and community leaders working on age- and dementia-friendly initiatives. It is supported by Point32Health Foundation.

[Webinar Registration - Zoom](#)

16. Alzheimer's Association Massachusetts and New Hampshire Chapter

Tuesday, March 7, 2023, 11:00 a.m.

Alzheimer's Association Massachusetts Legislative Briefing

Join the Alzheimer's Association Massachusetts Chapter for a Legislative Briefing. Hear from an advocate living with Alzheimer's, get an update from legislative champions on the progress the legislature has made on dementia policy, learn about the legislative agenda for 2023-2024, find out all the ways the Association can help with constituent services.

<https://tinyurl.com/AlzheimerLegislationMarch7>

17. Point32Health Foundation

Wednesday, March 29, 2023, 10:00 a.m.

Reporting Back to Community

Solutions to community challenges are most likely to come from those closest to the issue. That is why community insights and perspectives are so important. Hundreds of participants shared insights from across Connecticut, Maine, Massachusetts, New Hampshire, and Rhode Island. These perspectives help us better understand what is important and how we can help--while remaining committed to following community voice and community-led solutions. This

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| | <p>community input informed the Foundation’s new strategic plan, which we’re excited to share with you.</p> <p>Learn how the Point32Health Foundation will implement future strategies with community and stakeholders. Everyone is welcome to attend. https://tinyurl.com/Point32HealthMarch29</p> <p>18. Brain Injury Foundation of Massachusetts Wednesday, March 29 and Thursday, March 30, 2023 Best Western Royal Hotel, Marlborough <i>41st Annual Brain Injury Conference</i> The 41st Annual Brain Injury Conference features keynote speaker Carole Starr, M.S., Author, Scarborough, ME, 25 workshops over two days, and an Exhibitor Hall showcasing community resources and more! This pre-conference & conference provide a platform for all those affected by brain injury (survivors, family members, caregivers, and professionals) to learn about new developments in the field of brain injury and provides networking opportunities for community members. Download/View the Conference Registration Brochure or Register Now.</p> |
| Recorded Webcasts | <p>18. MassFamilies <i>MassFamilies Housing Webinar Series</i> This webinar series shared examples of innovative housing options being developed by parents and experts in the field. Archived webinars include conversations with parents and practitioners as they discussed:</p> <ul style="list-style-type: none"> • When to start planning for independent living • The importance of developing a vision for your child’s life as an adult • Identifying and leveraging resources (community and government) to make independent living a reality • What to expect when transitioning to a new housing arrangement • Case studies that illustrate the person-centered approach <p>https://massfamilies.org/housing-webinar-series/</p> |
| | <p>Previously posted webinars and online sessions can be viewed at: https://dignityalliancema.org/webinars-and-online-sessions/</p> |
| Nursing Homes | <p>19. The National Memo February 20, 2023 <i>Would Nursing Home Profiteers Kill Granny to Boost Earnings?</i> There are industries that occasionally do something rotten. And there are industries — like Big Oil, Big Pharma and Big Tobacco — that persistently do rotten things. Then there is the nursing home industry, where rottenness has become a core business principle. The end-of-life "experience" can be rotten enough on its own, with an assortment of natural indignities bedeviling us, and good nursing homes help gentle this time. In the past couple of decades, though, an entirely <i>unnatural</i> force has come to dominate the delivery of aged care: profiteering corporate chains and Wall Street speculators. The very fact that this essential and sensitive social function, which ought to be the domain of health professionals and charitable enterprises, is now called an "industry" reflects a total perversion of its purpose. Some 70 percent of nursing homes are now corporate operations run by absentee executives who have no experience in nursing homes and who're guided by the market imperative of maximizing investor profits. They constantly demand "efficiencies" from their</p> |

facilities, which invariably means reducing the number of nurses, which invariably reduces care, which means more injuries, illness... and deaths. As one nursing expert rightly says, "It's criminal."
But it's not against the law, since the industry's lobbying front — a major donor to congressional campaigns — effectively writes the laws, which allows corporate hustlers to provide only one nurse on duty, no matter how many patients are in the facility. When a humane nurse-staffing requirement was proposed last year, the lobby group furiously opposed it... and Congress dutifully bowed to industry profits over grandma's decent end-time. After all, granny doesn't make campaign donations.
So, as a health policy analyst bluntly puts it, "The only kind of groups that seem to be interested in investing in nursing homes are bad actors." To help push for better, contact TheConsumerVoice.org.
<https://tinyurl.com/ProfiteersKillGranny>

20. Arkansaw Democrat Gazette

February 19, 2023

Arkansas court awards \$15.7M judgment against nursing home chain over woman's death

Failed chain's owner ordered to pay woman's survivors.

Joseph Schwartz, the New York state owner of the failed Arkansas nursing home chain, Skyline Health Care, who is facing tax and Medicaid fraud charges in Arkansas, has been ordered to pay the family of a Little Rock woman who died in one of his facilities \$15.7 million for neglect and wrongful death. . .

The \$15,706,166 judgment imposed this month by Pulaski County Circuit Judge Cara Connors is the second the Reddick Firm has won involving the same facility, following an award of almost \$19 million in May 2020 to the family of Doris Faye Coulson, a North Little Rock woman who died in October 2016. . .

Schwartz personally petitioned the court in August to reverse the liability finding. He described himself as "a 60-year-old man in extremely poor health. I am morbidly obese, diabetic and have heart problems. A man in my condition has an extremely high chance of dying from COVID-19, and as a direct result I have spent the last four months in isolation at my home."

He denied any responsibility for Grissom's injuries, stating that he had only been an investor in the nursing home. . .

"I never visited Arkansas, and I had no personal connection with the day-to-day operation of any of the nursing homes in Arkansas. The tragedy that had befallen Zelma Grissom was not my fault," he wrote. "I had no control or [oversight] at the premises and I was simply an investor and had no management role in the nursing home at all." . .

Lawyers for the company defendants, Wallace, Martin, Duke and Russell of Little Rock, quit the case last July, stating that those defendants weren't following their advice and stopped paying them, court filings show.

Last month, the Rack family's lawyers petitioned the judge to hold the Schwartzes in contempt, stating the couple had refused to obey subpoenas that required them to testify and provide documentation about their assets to begin the damages-collection process.

Schwartz is under federal indictment in New Jersey, charged with failing to pay \$29.5 million in payroll and unemployment taxes in addition to benefit plan fraud, according to a federal indictment.

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| | <p>Schwartz's Skyline Health Care LLC and Skyline Management Group LLC owned and operated as many as 114 nursing homes in 11 states, including 21 facilities in Arkansas, until the operation failed financially in 2018. [Editors note: Skyline had owned and operated five nursing homes in Massachusetts until they were forced to close in 2019; see: 'It's an absolute nightmare', SouthCoast Today, April 24, 2019, https://tinyurl.com/SkylineAbsoluteNightmare; and <i>Skyline Healthcare Owner, Five Massachusetts Nursing Homes Cited for Wage Theft AG Issues 15 Citations Totaling Nearly \$85,000 for Failing to Properly Pay 106 Nursing Home Workers</i>, Office of the MA Attorney General, June 27, 2019, https://tinyurl.com/MAAGSkylineFined.]</p> <p>At one point, Skyline owned one out of every 10 nursing home beds in Arkansas. Now Schwartz is charged in Pulaski County with eight counts of Medicaid fraud, with each charge representing a facility he operated here and each a Class A felony with a 30-year maximum sentence. Further, the 63-year-old Schwartz is facing tax-evasion counts -- attempting to evade tax and willful failure to pay -- that together carry up to 16 years. . .</p> <p>Schwartz is further facing two tax-evasion counts -- attempting to evade tax and willful failure to pay -- that together carry up to 16 years.</p> <p>https://tinyurl.com/JudgmentgAgainstNHChain</p> |
| Social Security | <p>21. *Washington Post February 18, 2023 <i>Social Security services to worsen despite budget boost, agency head says</i></p> <p>The Social Security Administration's already faltering services will further erode this year despite a \$785 million boost to its budget, the agency's acting head has told lawmakers.</p> <p>In a letter sent Feb. 10 to leaders of the House and Senate appropriations committees, acting Social Security commissioner Kilolo Kijakazi said she expects already significant delays in disability benefits claims and phone assistance to worsen in 2023.</p> <p>Although the extra funding Congress added in December to the agency's \$13.3 billion budget aimed to ease those problems by increasing staffing to improve phone operations and reduce record backlogs in the disability system, Kijakazi said it will take significant time to see improvements. . .</p> <p>Kijakazi's letter, a broad report highlighting crucial Social Security operations as required by congressional appropriators, comes as House Republicans push to cut federal spending and reduce the deficit. Some conservatives have suggested an overhaul of entitlement programs such as Social Security and Medicare benefits in those cuts. . .</p> <p>As The Washington Post has reported, almost a year after reopening its field offices to the public, Social Security is still struggling to restore basic customer service — and is not serving millions of disabled and poor elderly claimants who sought help before the pandemic. The state offices that make disability determinations are reeling from mismanagement, poor morale and historic employee attrition that has left backlogs and long waits in every state. Phone service was crippled at times last year as the agency tried to introduce a modern system, and it has remained a poor alternative to long lines at many local field offices, where almost half the staff works from home.</p> <p>And after reducing a historic logjam of appeals awaiting hearings before an administrative law judge, the agency is now confronting a growing number of</p> |

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| | <p>pending hearings that will result this year in an average processing time from appeal to resolution of 475 days. https://tinyurl.com/SSServicesToWorsen</p> |
| Covid / Long Covid | <p>22. AP News February 19, 2023 <i>Health care vaccine mandate remains as some push for an end</i> One year after it began being enforced nationwide on Feb. 20, 2022, the vaccination requirement affecting an estimated 10 million health care workers is the last remaining major mandate from President Joe Biden’s sweeping attempt to boost national vaccination rates. Similar requirements for large employers, military members and federal contractors all have been struck down, repealed, or partially blocked. The health care vaccination mandate is scheduled to run until November 2024. But some contend it’s time to stop now, citing fewer severe COVID-19 cases, health care staffing shortages and the impending May 11 expiration of a national public health emergency that has been in place since January 2020. . . The policy requires workers, contractors and volunteers at facilities receiving Medicare or Medicaid payments to have the full primary dosage of an original COVID-19 vaccine, with exemptions for medical or religious reasons. Though nursing homes can be fined for violations, CMS generally gave violating facilities additional time to update their policies and come into compliance. . . Workforce shortages are causing more than half of nursing homes nationally to limit resident admissions, according to the American Health Care Association, which represents long-term care facilities. Though most other health care sectors have rebounded, nursing home employment was down 13% in 2022 compared to pre-pandemic levels and reached lows not seen since the 1990s. . . Nationwide, about 5% of the over 15,000 nursing homes caring for Medicare or Medicaid patients have been cited for violating the COVID-19 vaccination requirement, and about 2% of the 4,900 hospitals, according to the AP’s analysis. Nationally, the number of nursing homes cited for vaccination violations declined noticeably after CMS last June stopped requiring state inspectors to check for compliance when responding to complaints about unrelated allegations, such as neglect of patients. CMS cited substantial compliance with the vaccination requirement while making the change. https://tinyurl.com/VaccineMandateRemains</p> |
| Incarcerated Persons | <p>23. New York Times (free access) February 19, 2023 <i>As the Pandemic Swept America, Deaths in Prisons Rose Nearly 50 Percent</i> The first comprehensive data on prison fatalities in the Covid era sheds new light on where and why prisoners were especially vulnerable. Deaths in state and federal prisons across America rose nearly 50 percent during the first year of the pandemic, and in six states they more than doubled, according to the first comprehensive data on prison fatalities in the era of Covid-19. The tremendous jump in deaths in 2020 was more than twice the increase in the United States overall, and even exceeded estimates of the percentage increase at nursing homes, among the hardest-hit sectors nationwide. In many states, the data showed, high rates continued in 2021. While there was ample evidence that prisons were Covid hot spots, an examination of the data by The New York Times underscored how quickly the</p> |

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| | <p>virus rampaged through crowded facilities, and how an aging inmate population, a correctional staffing shortage and ill-equipped medical personnel combined to make prisoners especially vulnerable during the worst public health crisis in a century. . .</p> <p>Covid infections drove the death totals, but inmates also succumbed to other illnesses, suicide and violence, according to the data, which was collected by law school researchers at the University of California, Los Angeles, and provides a more detailed, accurate look at deaths in prison systems during the pandemic than earlier efforts.</p> <p>Altogether, at least 6,182 people died in American prisons in 2020, compared with 4,240 the previous year, even as the country’s prison population declined to about 1.3 million from more than 1.4 million. . .</p> <p>Even some states with typically lower death rates saw a surge. Michigan and Nevada both had about 70 fatalities per 10,000 inmates in 2020, up from about 30 the previous year.</p> <p>In New York, an early epicenter of the pandemic, the rate rose to 32 deaths per 10,000 inmates in 2020, from 25 the year before, while New Jersey recorded 51 deaths per 10,000, up from 21. Texas, which has the largest prison population in the country, had 48 deaths per 10,000, up from 28, and California, with the second-highest number of inmates, had 43 per 10,000 in 2020, up from 32. A handful of states, including Vermont and Wyoming, saw death rates fall, their small prison populations largely spared when the first waves of the virus struck. “If you have a lower population, then it’s less likely that people are going to be hurt or suffer from major life-threatening issues,” said Nicholas Deml, commissioner of the Vermont Department of Corrections. . .</p> <p>Nationally, the prison population is graying — in part because of inmates who were incarcerated under tough sentencing laws in the 1980s and 1990s. In 2009, about 10 percent of all prisoners were 50 or older; by 2019, that number had jumped to 21 percent, according to the Justice Department. By the time they reach their 50s, prisoners are considered elderly, their expected life spans shortened by their years behind bars and, in many cases, drug use and poverty. . .</p> <p>The aging, and often ailing, prison population was especially at risk when the pandemic hit, the data review showed, not only because the virus raged unchecked but because medical care for other illnesses could be slow or inadequate. Of the 46 inmates who died in West Virginia in 2020, 42 were older than 50; six were in their 80s. . .</p> <p>Some states have attempted to deal with an aging prison population through compassionate release programs, and others let out inmates early in 2020 because of Covid concerns. Vermont, for example, cut its number of inmates by 28 percent between 2009 and 2019. But such efforts can be a hard sell because many of the oldest and longest-serving inmates have been convicted of violent crimes like murder and sexual assault. . .</p> <p>Current and former inmates interviewed by The Times, as well as advocacy groups, said poor health care was a major factor in prison deaths. They described systems in which prisoners were charged for seeing a doctor, though many of them found it hard to afford. And when inmates received an appointment, they said, medical staff viewed them with suspicion.</p> <p>https://tinyurl.com/PrisonDeathsRose</p> |
| Veteran Services | 24. State House News |

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| | <p>February 17, 2023 <i>Healey Taps Rep. Santiago for Veterans' Cabinet Post</i> Gov. Maura Healey will tap Rep. Jon Santiago of Boston, a major in the U.S. Army Reserve, as the state's next veterans' services secretary, Healey announced Friday morning. Santiago recently returned from an overseas deployment, and Healey plans to swear him in on March 1, the date that the veterans' secretariat rises to the Cabinet level under a 2022 reform law. . . In addition to his military service, Santiago is an emergency medicine physician at Boston Medical Center, and his appointment comes during a time of increased scrutiny at the state-run long term care facilities for veterans. https://tinyurl.com/antiagoVeteransPost</p> <p>25. Office of Governor Maura Healey and Lt. Governor Kim Driscoll February 17, 2023 <i>Governor Healey and Lt. Governor Driscoll Appoint Rep. Jon Santiago as First Cabinet-Level Veterans' Secretary</i> Governor Maura T. Healey and Lieutenant Governor Kimberley Driscoll today announced that they are appointing State Representative Jon Santiago to serve as Massachusetts' first ever Secretary of the Executive Office of Veterans' Services. . . "I'm honored that Governor Healey and Lieutenant Governor Driscoll have placed their trust in me to assume this historic position," said Representative Santiago. "Our veterans deserve the absolute highest quality of care, but they are far too often underserved. The Healey-Driscoll Administration is committed to meeting the complex needs of those who have bravely served our country, and I look forward to the opportunity to continue my own service as Secretary of Veterans' Services." https://tinyurl.com/SantiagoApointedVSSecretary</p> |
| Disability | <p>26. *Boston Globe February 20, 2023 <i>Real families need Real Lives law enforced</i> By Susan Nadworny, Chair, MA Families Organizing for Change. We want for our children with intellectual or developmental disabilities what everyone else wants: the best possible life. The path is just a bit steeper and full of assorted obstacles. Unfortunately, state government is turning into one of those obstacles. The reality a family faces when a loved one has an intellectual or developmental disability is that the road ahead will be filled with lifelong challenges. Our son James is 32 and lives with us. His older sister and brother have both married and moved on. James has a unique sense of humor and terrific work ethic. He also has Down syndrome and limited communication skills. Families with children who have intellectual disabilities embrace what we need to do to assist them to become the best versions of themselves. That means teaching and encouraging them to be good citizens and as independent as possible. We want for our children what everyone else wants: the best possible life. The path is just a bit steeper and full of assorted obstacles. Unfortunately, state government is turning into one of those obstacles — especially for families that are just learning how to navigate the system. . .</p> |

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| | <p>James has a good life filled with the activities and people he enjoys. He has a life of his choosing, called “self-direction.” But right now, it takes a lot of direction from our family for that to happen. What I hope for from Governor Maura Healey’s administration is more of a partnership between family and the state to make it easier. . .</p> <p>Self-direction is the terminology used to allow individuals with disabilities to utilize the most flexible funding that the Department of Developmental Services sets aside for people to design and choose the services and supports that work for them. DDS serves more than 32,000 adults but less than 2,000 people are self-directing. The Real Lives law passed in 2014 gives people the right to choose the services and supports, such as hiring their own support staff, taking classes, and choosing activities that interest them. Day programs are no longer the only option. But sadly, it hasn’t been implemented very well, if at all. . .</p> <p>Self-direction means piecing together a life that meets the needs of the person with disabilities and their family, and reflects their interests. Research shows that people have an overall better quality of life and are happier when they have more control and choice over their lives. . .</p> <p>Parenting and supporting our family members with disabilities is lifelong and demanding. We need DDS to be fully present for us and a partner in making this complex system easier to navigate.</p> <p>https://tinyurl.com/9RealLivesLawEnforced</p> |
| Aging Topics | <p>27. *New York Times February 18, 2023 <i>Senior societies</i></p> <p>Asia faces a problem: Its population is aging faster than any other continent’s. A growing percentage of people in Japan, South Korea and China are over 65, and those countries’ economies are suffering because of a lack of available workers. Governments are struggling to find the money to support retirees. The problem is pronounced in Japan. . .</p> <p>Let’s start with Japan. Almost a third of the population is over 65. For comparison, in the U.S. that number is about 17 percent. And experts say South Korea and China are on track to reach similar levels in the coming years. One reason is the low birthrates in these countries. In China, it was because of the one-child policy. In Japan and Korea, gender inequality and the high cost of raising children played important roles. Because of high expectations at home, it’s hard for women to combine parenting with having a fulfilling career. As a result, more women are postponing childbirth or deciding not to have children at all.</p> <p>Life expectancy is also long in these countries. Looking from afar, there are some jolly aspects to that, happy centenarians who are living healthy lives on the Japanese island of Okinawa. But there’s a dark side. Japan has the highest percentage of old people with dementia. And there are not enough workers to take care of them and even to fill the jobs to run the economy.</p> <p>It’s coming for you. Population growth in the U.S. is at extremely low levels. Italy’s population is aging at the fastest rate in the West. Other countries will look toward Asia and learn from it. They’ll see what to do or what not to do. . .</p> <p>Mental health is a huge problem. Some people die alone, as my colleague Norimitsu Onishi wrote a few years ago. People have fewer children than they used to. Those children move to cities and are not in a position to take care of</p> |

their parents who are left behind in depopulating areas. So old people are living in isolation.

For more

- A community of older men in the Philippines who call themselves the Golden Gays live together and [host pageants to pay their bills](#).
- Television programs in China are addressing the [social and romantic needs of older people](#).

<https://tinyurl.com/NYTAgingSocieties>

28. *Washington Post

February 14, 2023

Want to live a longer life? Try eating like a centenarian.

There's no way to guarantee that [you'll live to be 100](#). But we can learn a lot from studying the eating habits of the world's centenarians.

Researchers have identified five places in the world where people have exceptionally long-life expectancies — frequently living to 100 or beyond. These areas, called “Blue Zones,” include the Nicoyan Peninsula in Costa Rica, the town of Loma Linda in California, and the islands of Okinawa in Japan, Sardinia in Italy and Icaria in Greece. . .

A number of factors appear to influence life expectancy. Some [research suggests](#) that genetics account for about 25 percent of a person's life span, with diet, environment, exercise and other lifestyle factors making up the rest. [And studies show](#) that even if you don't start until middle age or later to make improvements to your diet, you still can add a decade or more to your life expectancy.

Diet alone is not the only factor associated with high life expectancies. Research has shown that people who reside in communities where long life is common, usually have strong connections to friends and family, a sense of purpose and a positive outlook on life. They engage in high levels of physical activity and spend a lot of time outside gardening, farming or socializing with other people in their communities, says Dan Buettner, the author of the new book “[The Blue Zones American Kitchen](#).” . . .

Legumes are especially popular among people who live in Blue Zones. Soybeans are an important part of the traditional diet in Okinawa, as are fava beans in Sardinia and black beans in Nicoya. People throughout the Blue Zones tend to eat a variety of beans and other plant foods that are rich in fiber. . .

A study [published last year in PLOS Medicine](#) found that most people could add years to their life by switching from a typical Western diet to a healthier diet — and that the foods that produced the biggest gains in life expectancy were beans, chickpeas, lentils and other legumes. . .

Eat breakfast like a king, lunch like a prince and dinner like a pauper. . .

This [pattern of eating](#) aligns with our innate 24-hour clocks, or circadian rhythms, which cause our bodies to be most efficient at metabolizing meals in the morning and early afternoon. [Studies show](#) that when people are assigned to eat most of their calories early in the day, they lose more weight and have greater improvements in their blood sugar and cholesterol levels and other metabolic risk factors compared to people who eat most of their calories later in

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| | <p>the day. They also burn more fat and experience less hunger when following an early-eating schedule.</p> <p>https://tinyurl.com/EattingLikeCentenerian</p> |
| | *May require registration before accessing article. |
| Dignity Alliance Massachusetts Legislative Endorsements | <p>Information about the legislative bills which have been endorsed by Dignity Alliance Massachusetts, including the text of the bills, can be viewed at: https://tinyurl.com/DignityLegislativeEndorsements</p> <p>Questions or comments can be directed to Legislative Work Group Chair Richard (Dick) Moore at rmoore8473@charter.net.</p> |
| Websites | <p>The Goldsen Institute, University of Washington https://goldseninstitute.org/</p> <p>The Goldsen Institute is an innovation hub that researches vulnerable populations and creates interventions to improve their health, wellness, and longevity. The Goldsen Institute is dedicated to building a world where all ages thrive throughout their lives. Improvements in health, wellness, and longevity demand that we disrupt traditional intervention models, which necessitates new practices for how we live, work, and grow in our communities</p> <p>MassFamilies https://massfamilies.org/</p> <p>MassFamilies is a statewide, grassroots coalition of individuals with disabilities and/or chronic illnesses and their families. They believe that supports for individuals and families can be more flexible and better designed to respond to the actual needs people have. They are actively organizing families and individuals to use the power of our numbers to effect positive change.</p> |
| Previously recommended websites | The comprehensive list of recommended websites has migrated to the Dignity Alliance MA website: https://dignityalliancema.org/resources/ . Only new recommendations will be listed in <i>The Dignity Digest</i> . |
| Previously posted funding opportunities | For open funding opportunities previously posted in <i>The Tuesday Digest</i> please see https://dignityalliancema.org/funding-opportunities/ . |
| Websites of Dignity Alliance Massachusetts Members | See: https://dignityalliancema.org/about/organizations/ |
| Nursing home closures | <ul style="list-style-type: none"> <p>Chapin Center, Springfield 160 beds; current census: 91 Owner: The Northeast Health Group, Inc. Star rating: 3 stars Notice date: February 6, 2023 Target closure: June 6, 2023 Notice of Intent to Close and Draft of Closure and Relocation Plan (PDF)</p> <p>Governor’s Center, Westfield 100 beds; current census: 70 Owner: The Northeast Health Group, Inc. Star rating: 1 star Notice date: February 6, 2023 Target closure: June 6, 2023 Notice of Intent to Close and Draft of Closure and Relocation Plan (PDF)</p> |

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| | <ul style="list-style-type: none"> Willimansett Center East, Chicopee 85 beds; current census: 65 Owner: The Northeast Health Group, Inc. Star rating: 4 stars Notice date: February 6, 2023 Target closure: June 6, 2023 Notice of Intent to Close and Draft of Closure and Relocation Plan (PDF) Willimansett Center West, Chicopee 103 beds; current census: 71 Owner: The Northeast Health Group, Inc. Star rating: 5 stars Notice date: February 6, 2023 Target closure: June 6, 2023 Notice of Intent to Close and Draft of Closure and Relocation Plan (PDF) Voluntary nursing home closure process When a facility decides to voluntarily close, there are several requirements that it must fulfill before it can complete the closure. This process is outlined in the Licensure Procedure and Suitability Requirements for Long-Term Care Facilities regulations (105 CMR 153.000). |
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| Nursing homes with admission freezes | <p>Massachusetts Department of Public Health <i>Temporary admissions freeze</i></p> <p>On November 6, 2021 the state announced that it would require certain high risk nursing homes and rest homes to temporarily stop all new admissions to protect the health and safety of residents and prevent further COVID-19 transmission. Stopping admissions enables homes to focus resources such as staff and PPE on the health and safety of its current residents and enables the home to stabilize before taking on new residents. Homes that meet certain criteria will be required to stop any new admissions until the Department of Public Health has determined that conditions have improved, and the facility is ready to safely care for new residents. The Commonwealth will work closely with homes during this time and provide supports as needed to ensure resident health and safety.</p> <ul style="list-style-type: none"> There are a number of reasons why a facility may be required to stop admissions, and the situation in each facility is different. Some of the factors the state uses to make this decision include: <ul style="list-style-type: none"> Number of new COVID-19 cases within the facility Staffing levels Failure to report a lack of adequate PPE, supplies, or staff Infection control survey results Surveillance testing non-compliance <p>Facilities are required to notify residents' designated family members and/or representative when the facility is subject to an admissions freeze. In addition, a list of facilities that are currently required to stop new admissions and the reason for this admissions freeze will be updated on Friday afternoons, and as needed when the Department of Public of Health determines a facility can be removed from the list.</p> <p>Updated on February 20, 2023. Red font – newly added</p> |
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| Name of Facility | City/Town | Date of Freeze | Qualifying Factor |
|------------------|-------------|----------------|-------------------|
| Chapin Center | Springfield | 2/1/2023 | Closure |

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|----------------------------------|--|-----------|----------|---------|
| | Governor’s Center | Westfield | 2/1/2023 | Closure |
| | Holyoke Healthcare Center | Holyoke | 1/5/2023 | Cases |
| | Willimansett – East | Chicopee | 2/1/2023 | Closure |
| | Willimansett – West | Chicopee | 2/1/2023 | Closure |
| List of Special Focus Facilities | <p>Centers for Medicare and Medicaid Services</p> <p><i>List of Special Focus Facilities and Candidates</i> https://tinyurl.com/SpecialFocusFacilityProgram Updated October 26, 2022</p> <p>CMS has published a new list of Special Focus Facilities (SFF). SFFs are nursing homes with serious quality issues based on a calculation of deficiencies cited during inspections and the scope and severity level of those citations. CMS publicly discloses the names of the facilities chosen to participate in this program and candidate nursing homes.</p> <p>To be considered for the SFF program, a facility must have a history (at least 3 years) of serious quality issues. These nursing facilities generally have more deficiencies than the average facility, and more serious problems such as harm or injury to residents. Special Focus Facilities have more frequent surveys and are subject to progressive enforcement until it either graduates from the program or is terminated from Medicare and/or Medicaid.</p> <p>This is important information for consumers – particularly as they consider a nursing home.</p> <p>What can advocates do with this information?</p> <ul style="list-style-type: none"> • Include the list of facilities in your area/state when providing information to consumers who are looking for a nursing home. Include an explanation of the SFF program and the candidate list. • Post the list on your program’s/organization’s website (along with the explanation noted above). • Encourage current residents and families to check the list to see if their facility is included. • Urge residents and families in a candidate facility to ask the administrator what is being done to improve care. • Suggest that resident and family councils invite the administrator to a council meeting to talk about what the facility is doing to improve care, ask for ongoing updates, and share any council concerns. • For long-term care ombudsmen representatives: Meet with the administrator to discuss what the facility is doing to address problems and share any resources that might be helpful. <p>Massachusetts facilities listed (updated July 27, 2022)</p> <p>Newly added to the listing</p> <ul style="list-style-type: none"> • None <p>Massachusetts facilities not improved</p> <ul style="list-style-type: none"> • Attleboro Healthcare, Attleboro https://tinyurl.com/AttleboroHealthcare <p>Massachusetts facilities which showed improvement</p> <ul style="list-style-type: none"> • Marlborough Hills Rehabilitation and Health Care Center, Marlborough https://tinyurl.com/MarlboroughHills <p>Massachusetts facilities which have graduated from the program</p> <ul style="list-style-type: none"> • Oxford Manor, Haverhill • Worcester Health Center, Worcester | | | |

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| | <p>Massachusetts facilities that are candidates for listing</p> <ul style="list-style-type: none"> • Charwell House Health and Rehabilitation, Norwood https://tinyurl.com/Charwell Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225208 • Medway Country Manor Skilled Nursing and Rehabilitation, Medway https://www.medwaymanor.com/ Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225412 • Mill Town Health and Rehabilitation, Amesbury No website Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225318 • Plymouth Rehabilitation and Health Care Center https://plymouthrehab.com/ Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225207 • Savoy Nursing and Rehabilitation Center, New Bedford No website Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225423 • South Dennis Healthcare, South Dennis https://www.nextstephc.com/southdennis Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225320 • Tremont Health Care Center, Wareham https://thetremontrehabcare.com/ Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225488 • Vantage at Wilbraham No website Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225295 • Vantage at South Hadley No website Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225757 • Watertown Rehabilitation and Nursing Center, Watertown (added in June) No website Nursing home inspect information: https://projects.propublica.org/nursing-homes/homes/h-225425 https://tinyurl.com/SpecialFocusFacilityProgram |
| <p><i>Nursing Home Inspect</i></p> | <p>ProPublica <i>Nursing Home Inspect</i> Data updated November 2022 This app uses data from the U.S. Centers for Medicare and Medicaid Services. Fines are listed for the past three years if a home has made partial or full payment (fines under appeal are not included). Information on deficiencies comes from a home's last three inspection cycles, or roughly three years in total. The number of COVID-19 cases is since May 8, 2020,</p> |

| | <p>when homes were required to begin reporting this information to the federal government (some homes may have included data on earlier cases). Massachusetts listing: https://projects.propublica.org/nursing-homes/state/MA Deficiencies By Severity in Massachusetts (What do the severity ratings mean?)</p> <table border="0"> <thead> <tr> <th># reported</th> <th>Deficiency Tag</th> </tr> </thead> <tbody> <tr> <td>250</td> <td>B</td> </tr> <tr> <td>82</td> <td>C</td> </tr> <tr> <td>7,056</td> <td>D</td> </tr> <tr> <td>1,850</td> <td>E</td> </tr> <tr> <td>546</td> <td>F</td> </tr> <tr> <td>487</td> <td>G</td> </tr> <tr> <td>31</td> <td>H</td> </tr> <tr> <td>1</td> <td>I</td> </tr> <tr> <td>40</td> <td>J</td> </tr> <tr> <td>7</td> <td>K</td> </tr> <tr> <td>2</td> <td>L</td> </tr> </tbody> </table> | # reported | Deficiency Tag | 250 | B | 82 | C | 7,056 | D | 1,850 | E | 546 | F | 487 | G | 31 | H | 1 | I | 40 | J | 7 | K | 2 | L |
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| 2 | L | | | | | | | | | | | | | | | | | | | | | | | | |
| Nursing Home Compare | <p>Centers for Medicare and Medicaid Services (CMS) <i>Nursing Home Compare Website</i> Beginning January 26, 2022, the Centers for Medicare and Medicaid Services (CMS) is posting new information on the that will help consumers have a better understanding of certain staffing information and concerns at facilities. This information will be posted for each facility and includes:</p> <ul style="list-style-type: none"> • Staff turnover: The percentage of nursing staff as well as the number of administrators who have stopped working at a nursing home over the past 12-month period. • Weekend staff: The level of weekend staffing for nurses and registered nurses at a nursing home over a three-month period. <p>Posting of this information was required as part of the Affordable Care Act, which was passed in 2010. In many facilities, staffing is lower on weekends, often meaning residents have to wait longer or may not receive all the care they need. High turnover means that staff are less likely to know the residents, recognize changes in condition, or implement preferred methods of providing care. All of this contributes to the quality-of-care residents receive and their quality of life. https://tinyurl.com/NursingHomeCompareWebsite</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| Data on Ownership of Nursing Homes | <p>Centers for Medicare and Medicaid Services <i>Data on Ownership of Nursing Homes</i> CMS has released data giving state licensing officials, state and federal law enforcement, researchers, and the public an enhanced ability to identify common owners of nursing homes across nursing home locations. This information can be linked to other data sources to identify the performance of facilities under common ownership, such as owners affiliated with multiple nursing homes with a record of poor performance. The data is available on nursing home ownership will be posted to data.cms.gov and updated monthly.</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| Long-Term Care Facilities Specific COVID-19 Data | <p>Massachusetts Department of Public Health <i>Long-Term Care Facilities Specific COVID-19 Data</i> <i>Coronavirus Disease 2019 (COVID-19) reports related to long-term care facilities in Massachusetts.</i></p> | | | | | | | | | | | | | | | | | | | | | | | | |

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| | Table of Contents <ul style="list-style-type: none"> • COVID-19 Daily Dashboard • COVID-19 Weekly Public Health Report • Additional COVID-19 Data • CMS COVID-19 Nursing Home Data | | |
| DignityMA Call to Action | <ul style="list-style-type: none"> • The MA Senate released a report in response to COVID-19. Download the DignityMA Response to Reimagining the Future of MA. • Advocate for state bills that advance the Dignity Alliance Massachusetts' Mission and Goals – State Legislative Endorsements. • Support relevant bills in Washington – Federal Legislative Endorsements. • Join our Work Groups. • Learn to use and leverage Social Media at our workshops: Engaging Everyone: Creating Accessible, Powerful Social Media Content | | |
| Access to Dignity Alliance social media | Email: info@DignityAllianceMA.org Facebook: https://www.facebook.com/DignityAllianceMA/ Instagram: https://www.instagram.com/dignityalliance/ LinkedIn: https://www.linkedin.com/company/dignity-alliance-massachusetts Twitter: https://twitter.com/dignity_ma?s=21 Website: www.DignityAllianceMA.org | | |
| Participation opportunities with Dignity Alliance Massachusetts Most workgroups meet bi-weekly via Zoom. Interest Groups meet periodically (monthly, bi-monthly, or quarterly). Please contact group lead for more information. | Workgroup | Workgroup lead | Email |
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| | Incarcerated Persons | | info@DignityAllianceMA.org |
| The Dignity Digest | For a free weekly subscription to <i>The Dignity Digest</i> : https://dignityalliancema.org/contact/sign-up-for-emails/ Editor: Paul Lanzikos Primary contributor: Sandy Novack MailChimp Specialist: Sue Rorke | | |
| Note of thanks | Thanks to the contributors to this issue of <i>The Dignity Digest</i> <ul style="list-style-type: none"> • AARP - Massachusetts | | |

- Ellen DiPaolo
- Wynn Gerhard
- Jerry Halberstadt
- Dick Moore
- SeniorCare

Special thanks to the MetroWest Center for Independent Living for assistance with the website and MailChimp versions of *The Dignity Digest*.

If you have submissions for inclusion in The Dignity Digest or have questions or comments, please submit them to Digest@DignityAllianceMA.org.

Dignity Alliance Massachusetts is a broad-based coalition of organizations and individuals pursuing fundamental changes in the provision of long-term services, support, and care for older adults and persons with disabilities. Our guiding principle is the assurance of dignity for those receiving the services as well as for those providing them. The information presented in "The Dignity Digest" is obtained from publicly available sources and does not necessarily represent positions held by Dignity Alliance Massachusetts.

Previous issues of The Tuesday Digest and The Dignity Digest are available at: <https://dignityalliancema.org/dignity-digest/>

For more information about Dignity Alliance Massachusetts, please visit www.DignityAllianceMA.org.