

Nursing Homes Fined for Poor Care

The Long Term Care Community Coalition (LTCCC) recently released a report stating that 18 nursing homes in New York state were fined for giving poor care residents. Fines include both state and federal fines that range from \$500 to \$68,835.

In addition, 12 other homes were cited for giving substandard care, putting their resi-

dents in jeopardy or causing residents harm. These homes are being required to take specific measures to improve care, such as hiring consultants, staff training and/or having a state monitor their care. As of Dec. 15, all 12 were not permitted to admit any new Medicaid or Medicare residents until care issues are corrected.

The report also states that

the federal government reduced a fine at the Riverview Manor Nursing Home in Oswego, N.Y., from \$104,500 to \$650 without discussing it with the state. This massive fine reduction was not related to the fact that the home made quality improvements, but rather, because the home claimed financial hardship.

"While we don't want to see homes forced into closure when

a problem can be mediated, we question whether a reduction of this magnitude is an effective way to address serious problems," said Cynthia Rudder, LTCCC special projects director. "If a home has improved and can demonstrate financial hardship, why not consider allowing them to make payments over time? To reduce a fine by this magnitude renders it meaningless and sends a signal to providers that they can get away with a slap on the wrist when residents are endangered."

LTCCC is a coalition of more than two dozen organizations that works to protect the rights and welfare of long term care consumers in all settings, including nursing homes, assisted living facilities and managed long term care.

They report to the public all enforcement actions taken against nursing homes by the New York state Department of Health and the federal government every three months in their newsletter and websites. The goal of these reports is to provide the public with the latest information on nursing home inspections.

For further details on these enforcement actions visit www.nursinghome411.org and click on the "nursing home enforcements" button.

DOT Proposes New ADA Rules for Cruise Ships

Based on the Supreme Court case of *Spector v. Norwegian Cruise Line* in 2005, where the court ruled that the Americans with Disabilities Act (ADA) applies to foreign cruise vessels that enter U.S. waters, the Department of Transportation (DOT) recently issued a formal proposal addressing policies and conditions for passengers with disabilities.

According to the American Association of People with Disabilities (AAPD), the purpose of the proposal is to completely eliminate any discrimination in the treatment of people with disabilities. It addresses how cruise lines have treated these individuals and how that

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