

Licensed Home Care Services Agency  
Character and Competence Staff Review

Name of Agency: Senior Care Connection, Inc. d/b/a  
Eddy SeniorCare  
Address: Schenectady  
County: Schenectady  
Structure: Not-For-Profit Corporation  
Application Number: 2423-L

Description of Project:

Senior Care Connection, Inc. d/b/a Eddy SeniorCare, a not-for-profit corporation, requests approval for a change in ownership of a licensed home care services agency under Article 36 of the Public Health Law.

Senior Care Connection, Inc. d/b/a Eddy SeniorCare was previously approved as a home care services agency by the Public Health Council at its September 19, 2003 meeting and subsequently licensed as 1220L001.

Senior Care Connection, Inc. d/b/a Eddy SeniorCare is also approved as a program of all-inclusive care for the elderly (PACE) service to individuals residing in Schenectady and Western Albany County.

The current proposal seeks approval for a change in controlling person as described below. There will be no changes to the geographic service area, or the scope of services provided by Senior Care Connection, Inc. d/b/a Eddy SeniorCare as a result of this transaction.

This change in controlling person also affects the following Article 36-licensed agencies that are affiliated with St. Peter's Health Partners, and separate applications are simultaneously being submitted under separate cover:

- Eddy Licensed Home Care Agency (2424-L)
- Home Aide Services of Eastern New York, Inc. DBA Eddy Visiting Nurse Association (141082-E)

The purpose of this application is to seek approval of a "change in controlling person" that will result when Catholic Health East, Inc. ("CHE"), its great-great-grandparent organization, and CHE Trinity, Inc., CHE's sole member, merge into Trinity Health Corporation ("Trinity Health"). The surviving corporation will be called CHE Trinity, Inc. ("CHE Trinity").

CHE, a Pennsylvania nonprofit corporation, and Trinity Health, an Indiana nonprofit, are two national Catholic health care systems with operating entities in twenty states. CHE and Trinity Health have determined it is in the best interests of both to merge together through a two-step process. Step one involved the creation CHE Trinity, Inc., an Indiana nonprofit, which became the sole member of CHE and Trinity Health in June 2013. Step two is the merger CHE and CHE Trinity into Trinity Health, with the surviving corporation to be called CHE Trinity, Inc.

CHE, Trinity Health, and CHE Trinity, Inc., currently have mirror boards. Of the 19 individuals on these boards, two are current or former board members of St. Peter's Health Partners (SPHP) and St. Peter's Health Care Services and the others have served on the CHE board.

CHE is the sole member of SPHP, which is the sole member of Northeast Health, Inc., which is the sole member of LTC (Eddy), Inc., which is the sole member of each of the Article 36 Entities.

The proposed Board Members of CHE Trinity, Inc. comprises the following individuals:

Kevin Barnett – Director  
Senior Investigator, Public Health Institute

Suzanne T. Brennan, CSC – Director  
President and Executive Director, Holy Cross  
Ministries

James D. Bentley, Ph.D. – Director  
Retired

Affiliations:

- Board Member, Catholic Health East (5/13 – Present)
- Board Member, Holy Cross Hospital (2003 – 2008)
- Board Member, Trinity Health (2010 – Present)

George M. Philip, Esq. – Director  
Retired

Affiliations:

- Board Member, St. Peter's Hospital (1992 – 2013)
- Board Member, Catholic Health East (2003 – 2013)

Larry Warren – Director  
Retired

Affiliation:

- Board Member, Trinity Health (2011 – 2013)

Sister Kathleen Marie Popko, RN – Director  
President, Sisters of Providence

Affiliations:

- Board Member, Catholic Health East (2009 – 2013)
- Board Member, Sisters of Providence Health System (2009 – 2013)
- Board Member, St. Joseph of the Pines Health System, Inc. (2009 – Present)
- Board Member, Mary's Meadow at Providence Place (2009 – Present)

David Southwell – Director  
Retired

Affiliation:

- Director/Chair, ChildServe (2002 – 2008)

Barbara K. Wheeley, RSM (Clinical Psychologist, MD) – Director  
Retired

Affiliations:

- Board Member, Mercy Medical, Inc. (1989 – 2013)
- Board Member, Catholic Health East (2010 – 2013)
- Board Member, Trinity Health (2013 – Present)

Joseph Betancourt, MD – Director  
Physician, Massachusetts General Hospital

Affiliations:

- Board Member, Trinity Health (2012 – Present)
- Board Member, Neighborhood Health Plan (2013 – Present)

Melanie C. Dreher, Ph.D., RN – Director  
Dean, College of Nursing, Rush University Medical Center

Affiliations:

- Board Member, Wewmark (3/08 – Present)
- Board Member, Trinity Health (2012 – 2013)

Richard J. Gilfillan, MD – Director  
President/CEO, CHE Trinity Health, Inc.

Mary Catherine Karl, CPA – Director  
Retired

Affiliations:

- Board Member, BayCare Health System
- Board Member, St. Anthony's Hospital (2000 – 2010)
- Board Member, BayCare Health System Insurance (2006 – 2010)
- Board Member, Catholic Health East
- Board Member, Surgical Safety Institute (2004 – Present)

Stanley Urban – Director  
Retired

Affiliation:

- Board Member, Adirondack Health (2007 – Present)

Linda J. Werthman, RSM (Master's social work, Michigan) – Director  
Adjunct Associate Professor of Social Work, University of Detroit Mercy

Affiliation:

- Board Member, Trinity Health (2009 – 2013)

Roberta Waite, RN – Director  
Associate Professor of Nursing & Assistant Dean of  
Faculty Integration and Evaluation of Community  
Programs, Drexel University

The proposed Board Members of St. Peter's Health Partners, Northeast Health, Inc. and The Eddy  
comprise the following individuals:

Robert J. Bylancik – Director  
Retired

Affiliations:

- Board Member, Living Resources, Inc.  
(2007 – 2012)

Anne G. DiSarro – Director  
Retired

John D. Filippone, MD – Director  
Cardiologist, SPHP Medical Associates

Ronald L. Guzior, CPA – Director  
Partner, Sax BST Advisory Network/Bollam, Sheedy  
Torani & Co.

Sr. Phyllis Herbert, RN – Director  
Program Director – Honor Court, 820 River St.  
(Alcoholism/Drug Treatment)

Beverly M. Karpiak – Director  
Supervisor of student teachers, College of St. Rose

John M. Lang – Director  
Retired

Sr. Kathleen M. Natwin – Director  
Retired  
Volunteer – Board Member, Community Outreach,  
Daughters of Charity, St. Louise Provence

Affiliations:

- Board Member, Seton Manor (2012 –  
Present)
- Board Member/Sponsor, Catholic Health  
System (2002 – Present)
- Board Member, Mt. St. Mary's Hospital  
(2002 – Present)

Barbara D. Cottrell, Esq. – Director  
Chief Clerk, Rensselaer County Family Court, NYS  
Office of Court Administration

Affiliations:

- Member, Board of Trustees, St. Peter's  
Hospital
- St. Peter's Addiction Recovery Center  
(2003 – 12/07)

Rev. Kenneth J. Doyle – Director  
Pastor of Parish, Diocesan Chancellor for Public  
Information, Roman Catholic Diocese of Albany

Affiliation:

- Board Member, St. Peter's Hospital  
(2004 – 12/07)

Harold D. Gordon, Esq. – Director  
Attorney, Couch White, LLP

George Hearst III – Director  
Publisher/CEO, Times Union

Robert W. Johnson, III, Esq. – Director  
Partner, Martin, Shudt, Wallace, DiLorenzo &  
Johnson

Michael T. Keegan – Director  
Regional President, Albany & Hudson Valley  
Division, M & T Bank

Norman I. Massry – Director  
Principal, Massry Realty Partners

Affiliation:

- Board Member, St. Peter's Hospital  
(2007 – 12/09)

Curtis N. Powell – Director  
Vice President, Human Resources, Rensselaer  
Polytechnic Institute

James K. Reed, MD – Director  
President, St. Peter's Health Partners, Catholic  
Health East

Affiliation:

- Director, Rubin Dialysis Centers  
(1997 – 2011)

James A. Slavin, MD – Director  
President/Owner, Practitioner, Burdett Orthopedics,  
PC

Affiliations:

- Board Member, Unity House of Troy  
(2009 – Present)
- President/Owner, Burdett Orthopedics  
(1998 – Present)

Lisa M. Thorn, MD – Director  
Family Physician Member, Averill Park site Medical  
Director, Capital Care Medical Group

Affiliation:

- Physician Member, Capital Care Medical  
Group, Averil Park (2006 – Present)

Alan M. Sanders, MD – Director  
Senior Partner/Physician, Upstate Infectious  
Disease Association, LLP  
Chief of Department of Medicine, St. Peter's  
Hospital

Anthony P. Tartaglia, MD – Director  
Retired

Sr. Kathleen M. Turley – Director  
Leadership Team Member, Sisters of Mercy

All of the above proposed Board Members of St. Peter's Health Partners, Northeast Health, Inc. and The Eddy comprises the following individuals are affiliated with the following entities:

- St. Peter's Hospital of the City of Albany
- Our Lady of Mercy Life Center
- Villa Mary Immaculate d/b/a St. Peter's Nursing and Rehabilitation Center
- Beverwyck, Inc. d/b/a Eddy Village Green (Terrace at Beverwyck)
- Eddy Licensed Home Care Agency, Inc.
- Glen Eddy, Inc. (Terrace at Glen Eddy)
- Hawthorne Ridge, Inc.
- Heritage House Nursing center, Inc.
- Home Aide Service of Eastern New York, Inc. d/b/a Eddy Visiting Nursing Association
- Memorial Hospital
- Samaritan Hospital of Troy
- Senior Care Connection, Inc. d/b/a Eddy SeniorCare
- Sunnyview Hospital and Rehabilitation Center
- The Capital Region Geriatric Center, Inc. d/b/a Eddy Village Green
- The James A. Eddy Memorial Geriatric Center, Inc. (Terrace at Eddy Memorial)
- The Marjorie Doyle Rockwell Center, Inc.
- Seton Health System, Inc. d/b/a St. Mary's Hospital
- Seton Health at Schulyer Ridge Residential Healthcare

A search of all of the above named board members, employers, and affiliations revealed no matches on either the Medicaid Disqualified Provider List or the Office of the Inspector General's Provider Exclusion List.

The Office of the Professions of the State Education Department, the New York State Physician Profile, and the Office of Professional Medical Conduct, where appropriate, indicate no issues with the licensure of the health professionals associated with this application.

The State of Michigan's Department of Licensing and Regulatory Affairs, Bureau of Health Care Services indicated no issue with the licensure of Linda Werthman's Masters Social Worker License. The Bureau of Health Care Services has never taken disciplinary action against this individual or license.

The applicant has confirmed that the proposed financial/referral structure has been assessed in light of anti-kickback and self-referral laws, with the consultation of legal counsel, and it is concluded that proceeding with the proposal is appropriate.

A Certificate of Good Standing has been received for all attorneys.

The Bureau of Professional Credentialing has indicated that Sister Mary Anne Weldon NHA license 04039, issued January 1, 1991. Her license is currently in voluntary inactive status. The Board of Examiners of Nursing Home Administrators has never taken disciplinary action against this individual or her license

A seven year review of the operations of the following facilities was performed as part of this review (unless otherwise noted):

<b>Alabama</b>
Mercy Medical – Mobile County Home Care
Mercy Medical – Baldwin County Home Care
Mercy Medical – Mercy LIFE of Alabama (PACE)
<b>California</b>
Saint Agnes Medical Center
Saint Agnes Home Health & Hospice
<b>Connecticut</b>
Saint Mary Home, Inc. – Chronic Convalescent Nursing Home
Saint Mary Home, Inc. – Frances Ward Towers Residential Care Home
The McAuley Center, Inc. – Assisted Living Service Agency
<b>Delaware</b>
St. Francis Hospital, Inc. d/b/a/ Saint Francis Healthcare
<b>Florida</b>
Holy Cross Hospital, Inc.
Holy Cross Hospital Home Health Agency
Physician Outpatient Surgery Center, LLC
Mercy Hospital, Inc.
BayCare Health System (10 hospitals) (2003-2013)
St. Anthony’s Hospital (2000 – 2010)
<b>Georgia</b>
St. Joseph Hospital of Atlanta
St. Joseph’s Foundation
Mercy Senior Care
St. Joseph’s Mercy Care Services, Inc.
Good Samaritan Hospital, Inc.
St. Mary’s Hospital
St. Mary’s Health Care System, Inc. – Home Health
St. Mary’s Health Care System, Inc. – Home Hospice
St. Mary’s Health Care System, Inc. – Hospice House
St. Mary’s Health Care System, Inc. – Assisted Living License

<b>Idaho</b>
Saint Alphonsus Regional Medical Center – Boise
Saint Alphonsus Regional Medical Center – Nampa
Saint Alphonsus Regional Medical Center – Baker City Nursing Facility
Saint Alphonsus Regional Medical Center – Baker City Hospital

<b>Illinois</b>
Loyola Center for Home Care and Hospice
Loyola University Medical Center – Hospice Agency
Loyola University Medical – Ambulatory Surgical Treatment Center
Gottlieb Home Health Services
Gottlieb Memorial Hospital Hospice
Gottlieb Memorial Hospital Pharmacy
Gottlieb Memorial Hospital Pharmacy Controlled Substances
Gottlieb Memorial Hospital Mammography Facility

<b>Indiana</b>
Saint Joseph’s Regional Medical Center – South Bend Campus (1/12– Present)
Saint Joseph’s Regional Medical Center (1/12– Present)
Saint Joseph VNA Home Care (1/12– Present)
Sanctuary at St. Pauls (1/12– Present)
Sanctuary at Holy Cross (1/12– Present)

<b>Iowa</b>
Mercy Medical Center – Clinton
Mercy Living Center North
Mercy Medical Center – Dubuque
Mercy Medical Center – North Iowa/Mason City
Mercy Medical Center – Sioux City
The Alverno Health Care Facility
ChildServe (2002 – 2008)

<b>Maryland</b>
Holy Cross Hospital of Silver Spring
Holy Cross Hospital of Silver Spring
Sanctuary at Holy Cross
Holy Cross Hospital (2003 – 2008)

<b>Massachusetts</b>
The Mercy Hospital (8/12– Present)
Sisters of Providence Health System (2009 – 2013)
Mary’s Meadow at Providence Place (2009 – Present)

<b>Michigan</b>
Saint Mary’s Health Care
St. Joseph Mercy – Ann Arbor Psychiatric
St. Joseph Mercy – Saline
St. Joseph Mercy – Livingston
St. Joseph Mercy – Oakland
St. Joseph Mercy – Oakland Psychiatric
St. Joseph Mercy – Port Huron
St. Joseph Mercy – Port Huron Helistop

Mercy Health Partners – Mercy Campus
Mercy Health Partners – Hackley Campus
Mercy Health Partners – Hackley Campus Psychiatric
Mercy Health Partners – Lakeshore Campus
St. Mary Mercy Hospital
St. Mary Mercy Hospital – Psychiatric
Chelsea Community Hospital
Mercy Hospice
Mercy Hospice Grayling
Mercy Hospice – Cadillac
Mercy VNS and Hospice Services
Sanctuary at Mcauley
Sanctuary at the Abbey
Sanctuary at Bellbrook
Sanctuary at St. Mary's
Sanctuary at the Park
Sanctuary at Fraser Villa
Sanctuary at St. Joseph's Village #1 (3/2005-Present)
Sanctuary at St. Joseph's Village #2 (3/2005-Present)
Marycrest Manor
Sanctuary at White Lake
Sanctuary at the Oaks #2 (4/2005-Present)
Sanctuary at the Oaks #1 (4/2005-Present)
Sanctuary at the Shore
Mercy Bellbrook/Frances Warde (2/2010-Present)
Mercy Bellbrook/McAuley (2/2010-Present)
Sanctuary at Bellbrook
Sanctuary at Woodland #1 (4/2005-Present)
Sanctuary at Woodland #2 (4/2005-Present)
Sanctuary at Fraser Villa
Sanctuary at Mercy Village #2 (4/2005-Present)
Sanctuary at Mercy Village #1 (4/2005-Present)

<b>Nebraska</b>
Mercy Home Care

<b>New Jersey</b>
Our Lady of Lourdes Medical Center
Lourdes Medical Center of Burlington County
Saint Michael's Medical Center, Inc. – 12 Months
St. Francis Medical Center

<b>New York</b>
Northeast Health, Inc.
St. Peter's Addiction Recovery Center (2003 – 12/07)
Seton Manor (2012 – Present)
Catholic Health System (2002 – Present)
Mt. St. Mary's Hospital (2002 – Present)
St. Peter's Hospital of the City of Albany
Our Lady of Mercy Life Center
Villa Mary Immaculate d/b/a St. Peter's Nursing and Rehabilitation Center
Beverwyck, Inc. d/b/a Eddy Village Green (Terrace at Beverwyck)
Eddy Licensed Home Care Agency, Inc.
Glen Eddy, Inc. (Terrace at Glen Eddy)
Hawthorne Ridge, Inc.
Heritage House Nursing center, Inc. d/b/a Eddy Heritage House Nursing and Rehabilitation Center

Home Aide Service of Eastern New York, Inc. d/b/a Eddy Visiting Nursing Association (CHHA)
Home Aide Service of Eastern New York, Inc. d/b/a Eddy Visiting Nursing Association (LTHHCP)
Memorial Hospital
Samaritan Hospital of Troy
Senior Care Connection, Inc. d/b/a Eddy SeniorCare
Sunnyview Hospital and Rehabilitation Center
The Capital Region Geriatric Center, Inc. d/b/a Eddy Village Green
The James A. Eddy Memorial Geriatric Center, Inc. (Terrace at Eddy Memorial)
The Marjorie Doyle Rockwell Center, Inc.
Father Baker Manor (Nursing Home)
Mercy Hospital Skilled Nursing Facility
St. Francis Home of Williamsville (Nursing Home)
Mercy Living Center (Nursing Home)
Uihlein Living Center (Nursing Home)
Seton Health System, Inc. d/b/a St. Mary's Hospital
Seton Health at Schulyer Ridge Residential Healthcare
St. Peter's Health Partners d/b/a Eddy Village Green at Beverwyck
St. James Mercy Hospital
Adirondack Medical Center (Hospital)
Adirondack Medical Center/Lake Placid (Hospital)
Sisters of Charity Hospital of Buffalo, NY
Kenmore Mercy Hospital
Mercy Hospital of Buffalo
Niagara Homemakers Services, Inc. d/b/a Mercy Home Care of Western New York
St. Vincent's Home for the Aged
St. Elizabeth's Home of Lancaster, New York
McAuley-Seton Home Care Corporation (LHCSA)
Mercy Uihlein Health Corporation
Mercy Health-Care Center, Inc.
The Uihlein Health Corporation, Inc.
Mcauley Manor at Mercycare (Nursing Home)
Adult Day services, Mercycare Break
Hospice associated with St. James Mercy Hospital
Catholic Health System Program of All-Inclusive Care for the Elderly, Inc.

<b>North Carolina</b>
St. Joseph of the Pines, Inc. Family Care Home Zeno Villa at St. Joseph of the Pines (3/18/11-8/26/13)
St. Joseph of the Pines, Inc. Family Care Home Constance Cottage (11/28/11-2014)
St. Joseph of the Pines, Inc. Family Care Home Mary Manor (2004-2014)
St. Joseph of the Pines, Inc. Adult Care Home The Coventry
St. Joseph of the Pines, Inc. Nursing Facility St. Joseph of the Pines Health Center
St. Joseph of the Pines Belle Meade and Pine Knoll at St. Joseph of the Pines
St. Joseph of the Pines, Inc. St. Joseph of the Pines Home Care
LIFE St. Joseph of the Pines, Inc. Adult Day Health Home
St. Joseph of the Pines Health System, Inc. (2002 – Present)

<b>Ohio</b>
Mount Carmel East – Columbus (2004-2014)
Mount Carmel West (2004-2014)
Mount Carmel St. Anne's (2004-2014)
<b>Oregon</b>
St. Alphonsus Regional Medical Center – Ontario
<b>Pennsylvania</b>
Mercy Suburban Hospital
Nazareth Hospital
Mercy Catholic Medical Center of Southeastern Pennsylvania d/b/a Mercy Fitzgerald Hospital and Mercy Hospital of Philadelphia
St. Agnes Continuing Care Center Living Independently for Elders
Mercy Home Health
St. Agnes Continuing Care Center d/b/a/ Mercy Life Broad Street
St. Agnes Continuing Care Center d/b/a Mercy Life/North Hancock Street
Mercy Family Support Home Care Agency Facility
Mercy Home Health, Health Care Facility
St. Mary Medical Center
Mercy Life Center Corporation Mercy Behavioral Health
Mercy Life Center Corporation Outlook Manor
Mercy Behavior Health Munhall Manor
Mercy Life Center Corporation Mercy Behavioral Health
Mercy Behavioral Health Mercy Behavioral Health - LTSR(2)
Mercy Life Center Corporation Garden View Manor
Mercy Life Center Corporation Monarch Springs LTSR
Mercy Life Center Corporation Extended Acute Care Unit - LTSR
Mercy Life Center Corporation Mercy Behavior Health
Mercy Life Center Corporation Mercy Behavioral Health Psychiatric Rehabilitation Clubhouse
Mercy Life Center Corporation d/b/a Mercy Behavior health Psychiatric Rehab
Mercy Life Center Corporation Mercy Behavioral Health Partial Hospitalization
Mercy Life Center Corporation Mercy Behavioral Health Outpatient
Mercy Behavioral Health
Mercy Life Center Corporation d/b/a/ Mercy Behavioral Health Mercy Behavioral Health Ross Adult Training Facility-Seniors

Mercy Life Center Corporation Mercy Behavioral Health
Mercy Life Center Corporation Mercy Behavioral Health Wexford Employ. Svcs.
Mercy Life Center Corporation Mercy Behavioral Health - Brookline Employment Services
Mercy Life Center Corporation Mercy Behavioral Health - Beachview ATF
Mercy Life Center Corporation Mercy Behavioral Health LTSR I - The Journey Home
Mercy Life Center Corporation Mercy Behavioral Health Family Living Home
Mercy Life Center Corporation Mercy Behavioral Health Reedsdale Center
Mercy Life Center Corporation Mercy Behavioral Health - Baldwin ATF
Mercy Life Center Corporation Mercy Behavioral Health Ross Adult Training Facility - SENI

### CALIFORNIA

**Saint Agnes Home Health and Hospice**, was fined eighteen thousand five hundred dollars (\$18,500.00) pursuant to CCR Title 22 70739(a) – Infection Control for findings on June 2, 2008.

**Saint Agnes Home Health and Hospice**, was fined eighteen thousand five hundred dollars (\$18,500.00) pursuant to CA Health and Safety Code Death during or within 24 hours of surgery for findings on September 9, 2008.

**Saint Agnes Home Health and Hospice**, was fined fifty thousand dollars (\$50,000.00) pursuant Health and Safety Code 1279.1(c) and CCR Title 22 70223(6)(2) for findings on October 11, 2010.

**Saint Agnes Home Health and Hospice**, was fined three thousand dollars (\$3,000.00) pursuant Health and Safety Code 1279.1(ab)(4)(F) – Pressure Ulcer State 3 or 4.

**Saint Agnes Home Health and Hospice**, was fined one thousand dollars (\$1,000.00) pursuant Health and Safety Code 1279.1(ab)(1)(O) – Retention of Foreign Object.

**Saint Agnes Home Health and Hospice**, was fined eight hundred dollars (\$800.00) pursuant Health and Safety Code - State 3 or 4 Pressure Ulcer.

### CONNECTICUT

**St. Mary's Home, West Hartford, CT** Based on an inspection of the facility conducted October 29, 2007 St. Mary's Home was cited for violations of Connecticut State Agencies (Public Health Code). The facility was fined seven hundred and forty-five dollars (\$745.00) for the Class A violation of Section 19-13-D8t(j)(2)(L) - Chronic and convalescent nursing homes and rest homes with nursing supervision: Director of nurses.

### FLORIDA

**BayCare-Home Care Sarasota, Sarasota, Florida** was fined three thousand dollars (\$3,000.00) pursuant to a Survey Deficiency – Failed to Ensure Physicians Plan of Care for repeat of Class III deficiency 2004, 2005, 2006 and 2007 for Violations of 59A-8.0215(2) – Plan of Care and 59A-8.0095(3), - Personnel

**Saint Anthony's Hospital, St. Petersburg, Florida** was fined one thousand dollars (\$1,000.00) pursuant to a Survey Deficiency for inspection findings of December 12, 2007 for Aspen State Regulation H0022 ((2) Coordination of Care. Each hospital shall develop and implement policies and procedures on discharge planning which address: (a) Identification of patients requiring discharge planning; (b) Initiation of discharge planning on a timely basis; (c) The role of the physician, other health care givers, the patient,

and the patient's family in the discharge planning process; and (d) Documentation of the discharge plan in the patient's medical record including an assessment of the availability of appropriate services to meet identified needs following hospitalization.)

**Holy Cross Hospital, Fort Lauderdale, Florida** was fined one thousand dollars (\$1,000.00) pursuant to a Survey Deficiency for inspection findings of June 1, 2009 for Aspen State Regulation H0031 ((2) Transfer Procedures. Each hospital providing emergency services and care shall establish policies and procedures which incorporate the requirements of Chapter 395, F.S., relating to emergency services. The policies and procedures shall incorporate at a minimum: (a) Decision protocols identifying the emergency services personnel within the hospital responsible for the arrangement of outgoing and incoming transfers; and H0037 (Each hospital shall maintain records of all patients who request emergency care and services, or persons on whose behalf emergency care and services are requested, for a period of 5 years.)

## **MARYLAND**

**St. Catherine's Nursing Center** was fined fifteen thousand dollars (\$15,000) pursuant to Survey Deficiencies for inspection findings of July 9, 14 and 15, 2009 for violations of COMAR 10.07.09.08 C (5) (c) (Resident's Rights and Services. C. A resident has the right to: (5) Be free from: (c) Sexual abuse), 10.07.09.15 D (1) (Abuse of Residents, D. Investigations. A nursing facility shall: (1) thoroughly investigate all allegations of abuse) and 10.07.09.15. D (2) (Abuse of Residents, D. Investigations. A nursing facility shall: (2) Take appropriate action to prevent further incidents of abuse while the investigation is in progress, and after that.)

## **NEW YORK**

### **ADULT CARE FACILITIES**

**Hawthorne Ridge, Inc. d/b/a Hawthorn Ridge** was fined one thousand dollars (\$1,000.00) pursuant to a stipulation and order dated March 28, 2012 for inspection findings of September 14, 2010 for violations 18 NYCRR Part 486.5(a)(4)(iii) – Endangerment.

The information provided by the Adult Care Facility Policy and Surveillance unit has indicated that the applicant has provided sufficient supervision to prevent harm to the health, safety and welfare of residents and to prevent recurrent code violations.

### **LICENSED HOME HEALTH CARE AGENCIES, CERTIFIED HOME HEALTH AGENCIES, LONG TERM HOME HEALTH CARE AGENCIES, HOSPICE**

**Eddy Visiting Nurse Association/Wesley VNA** was fined three thousand five hundred dollars (\$3,500.00) pursuant to a stipulation and order dated August 19, 2010 for inspection findings of July 22, 2008 and October 1, 2008 for violations of 10 NYCRR Sections 763.4(h) – Policies and Procedures of Service Delivery; 763.6(a) – Patient Assessment and Plan of Care; 763.6(b) – Patient Assessment and Plan of Care and 763.11(b) – Governing Authority.

**McCaughey-Seton Home Care Corporation** was fined six thousand five hundred dollars (\$6,500.00) pursuant to a stipulation and order dated July 11, 2011 19, 2010 for inspection findings of December 17, 2009 for violations of 10 NYCRR Sections 763.4(h) – Policies and Procedures of Service Delivery; 763.6(b) – Patient Assessment and Plan of Care; 763.6(c) – Patient Assessment and Plan of Care; 763.6(e) – Patient Assessment and Plan of Care; 763.11(a) – Governing Authority; and 763.11(b) – Governing Authority.

**McCaughey-Seton Home Care Corporation** was fined five thousand five hundred dollars (\$5,500.00) pursuant to a stipulation and order dated June 10, 2013 for inspection findings of September 15, 2011 for violations of 10 NYCRR Sections 763.11(b) – Governing Authority; 763.5(a) – Patient Referral, Admission and Discharge; 763.6(b) – Patient Assessment and Plan of Care; 763.6(c) – Patient Assessment and Plan of Care; and 763.7(a) – Clinical Records.

The information provided by the Division of Home and Community Based Services has indicated that the applicant has provided sufficient supervision to prevent harm to the health, safety and welfare of residents and to prevent recurrent code violations.

## RESIDENTIAL HEALTH CARE FACILITIES

**Our Lady of Mercy Life Center** was fined two thousand dollars (\$2,000.00) pursuant to a stipulation and order dated August 16, 2010 for inspection findings of June 1, 2009 for violations 10 NYCRR Section 415.12 – Quality of Care.

**St. Francis Home of Williamsville** was fined ten thousand dollars (\$10,000.00) pursuant to a stipulation and order dated January 18, 2012 for inspection findings of October 28, 2010 for violations 10 NYCRR Section 415.12 – Quality of Care Highest Practicable Potential.

**St. Francis Home of Williamsville** was fined two thousand dollars (\$2,000.00) pursuant to a stipulation and order dated January 10, 2012 for inspection findings of January 24, 2011 for violations 10 NYCRR Section 415.12 – Quality of Care Highest Practicable Potential.

**Adirondack Medical Center – Mercy** was fined \$2,000 pursuant to a stipulation and order dated September 11, 2014 for inspection findings of August 13, 2008, August 20, 2009 and October 1, 2009 for violations of 10 NYCRR 415.12(h)(1)(2) Quality of Care: Accidents and Supervision, 415.12(l)(1) Quality of Care: Nutritional Status, 415.26 Administration, 415.27(a-c) Quality Assessment and Assurance.

**Adirondack Medical Center – Uihlein** was fined twenty thousand dollars \$20,000 pursuant to a stipulation and order dated September 11, 2014 for inspection findings of August 8, 2008, September 28, 2009, January 22, 2010 and March 22, 2011 for violations of 10 NYCRR.

August 8, 2008 – 10 NYCRR Section 415.3(e)(2)(ii)(b) Notification of Changes, 415.11(c)(3)(i) Comprehensive Care Plans, 415.12(l)(1) Quality of Care: Unnecessary Drugs, 415.12(m)(2) Quality of Care: Medication Errors, 415.15(b)(1)(i)(ii) Physician Services, 415.18(a) Pharmacy Services, 415.26 Administration, 415.26(b)(3)(1) Governing Body, 415.15(a) Medical Director, and 415.27(a-c) Quality Assessment and Assurance.

September 28, 2009 and January 22, 2010 – 10 NYCRR Section 415.12(h)(1)(2) Quality of Care: Accidents and Supervision, and 415.12 Quality of Care: Highest Practical Potential.

March 22, 2011 – 10 NYCRR 415.4(b)(1)(ii) Investigate/Report Allegations and 415.26 Administration.

The Information provided by the Bureau of Quality Assurance for Nursing Homes has indicated that the residential health care facilities reviewed have provided sufficient supervision to prevent harm to the health, safety and welfare of residents and to prevent recurrent code violations.

## HOSPITALS AND DIAGNOSTIC & TREATMENT CENTERS

The information provided by the Division of Hospitals and Diagnostic & Treatment Centers has indicated that the applicant has provided sufficient supervision to prevent harm to the health, safety and welfare of residents and to prevent recurrent code violations.

## MANAGED LONG TERM CARE PLANS AND PACE PROGRAMS

The information provided by the Office of Managed Care has indicated that the MLTC plan has provided sufficient supervision to prevent harm to the health, safety and welfare of patients and to prevent recurrent code violations.

Responses were received from the states listed above with the exception of the States of Iowa and Maryland. Although the responses received from each of these states did not include all of the health care facility located in each respective state, the responses received indicated that entities in these jurisdictions have exercised sufficient supervisory responsibility to protect the health, safety and welfare of patients. The applicant provided sufficient evidence that they made an adequate effort to obtain out of state compliance for each health care facility located outside of New York State.

A review of all personal qualifying information indicates there is nothing in the background of the proposed members and managers to adversely affect their positions in the organization. The applicant has the appropriate character and competence under Article 36 of the Public Health Law.

The applicant proposes to serve the residents of the following counties from an office located at 504 State Street, Schenectady, New York 12305.

Albany                      Schenectady

The applicant proposes to provide the following health care services:

Nursing	Home Health Aide	Medical Social Services
Personal Care	Physical Therapy	Audiology
Nutritional	Occupational Therapy	Housekeeping
Homemaker	Respiratory Therapy	

Review of the Personal Qualifying Information indicates that the applicant has the required character and competence to operate a licensed home care services agency.

Contingency

Submission of any and all information requested by the Division of Legal Affairs, in a form and manner acceptable to the Department.

Recommendation: Contingent Approval  
Date: September 11, 2014

Licensed Home Care Services Agency  
Character and Competence Staff Review

Name of Agency: Eddy Licensed Home Care Agency, Inc.  
Address: Troy  
County: Rensselaer  
Structure: Not-For-Profit Corporation  
Application Number: 2424-L

Description of Project:

Eddy Licensed Home Care Agency, Inc., a not-for-profit corporation, requests approval for a change in ownership of a licensed home care services agency under Article 36 of the Public Health Law.

Eddy Licensed Home Care Agency, Inc. was previously approved as a home care services agency by the Public Health Council at its October 22, 1999 meeting and subsequently licensed as 0846L001.

The current proposal seeks approval for a change in controlling person as described below. There will be no changes to the geographic service area, or the scope of services provided by Eddy Licensed Home Care Agency, Inc. as a result of this transaction.

This change in controlling person also affects the following Article 36-licensed agencies that are affiliated with St. Peter's Health Partners, and separate applications are simultaneously being submitted under separate cover:

- Senior Care Connection, Inc. (2423-L)
- Home Aide Services of Eastern New York, Inc. DBA Eddy Visiting Nurse Association (141082-E)

The purpose of this application is to seek approval of a change in controlling person that will result when Catholic Health East, Inc. ("CHE"), its great-great-grandparent organization, and CHE Trinity, Inc., CHE's sole member, merge into Trinity Health Corporation ("Trinity Health"). The surviving corporation will be called CHE Trinity, Inc. ("CHE Trinity").

CHE, a Pennsylvania nonprofit corporation, and Trinity Health, an Indiana nonprofit, are two national Catholic health care systems with operating entities in twenty states. CHE and Trinity Health have determined it is in the best interests of both to merge together through a two-step process. Step one involved the creation CHE Trinity, Inc., an Indiana nonprofit, which became the sole member of CHE and Trinity Health in June 2013. Step two is the merger CHE and CHE Trinity into Trinity Health, with the surviving corporation to be called CHE Trinity, Inc.

CHE, Trinity Health, and CHE Trinity, Inc., currently have mirror boards. Of the 19 individuals on these boards, two are current or former board members of St. Peter's Health Partners (SPHP) and St. Peter's Health Care Services and the others have served on the CHE board.

CHE is the sole member of SPHP, which is the sole member of Northeast Health, Inc., which is the sole member of LTC (Eddy), Inc., which is the sole member of each of the Article 36 Entities.

The proposed Board Members of CHE Trinity, Inc. comprises the following individuals:

Kevin Barnett – Director  
Senior Investigator, Public Health Institute

Suzanne T. Brennan, CSC – Director  
President and Executive Director, Holy Cross  
Ministries

James D. Bentley, Ph.D. – Director  
Retired

Joseph Betancourt, MD – Director  
Physician, Massachusetts General Hospital

Affiliations:

- Board Member, Catholic Health East (5/13 – Present)
- Board Member, Holy Cross Hospital (2003 – 2008)
- Board Member, Trinity Health (2010 – Present)

Affiliations:

- Board Member, Trinity Health (2012 – Present)
- Board Member, Neighborhood Health Plan (2013 – Present)

George M. Philip, Esq. – Director  
Retired

Affiliations:

- Board Member, St. Peter's Hospital (1992 – 2013)
- Board Member, Catholic Health East (2003 – 2013)

Larry Warren – Director  
Retired

Affiliation:

- Board Member, Trinity Health (2011 – 2013)

Sister Kathleen Marie Popko, RN – Director  
President, Sisters of Providence

Affiliations:

- Board Member, Catholic Health East (2009 – 2013)
- Board Member, Sisters of Providence Health System (2009 – 2013)
- Board Member, St. Joseph of the Pines Health System, Inc. (2009 – Present)
- Board Member, Mary's Meadow at Providence Place (2009 – Present)

David Southwell – Director  
Retired

Affiliation:

- Director/Chair, ChildServe (2002 – 2008)

Roberta Waite, RN – Director  
Associate Professor of Nursing & Assistant Dean of  
Faculty Integration and Evaluation of Community  
Programs, Drexel University

Barbara K. Wheeley, RSM (Clinical Psychologist,  
MD) – Director  
Retired

Affiliations:

- Board Member, Mercy Medical, Inc. (1989 – 2013)
- Board Member, Catholic Health East (2010 – 2013)
- Board Member, Trinity Health (2013 – Present)

Melanie C. Dreher, Ph.D., RN – Director  
Dean, College of Nursing, Rush University Medical  
Center

Affiliations:

- Board Member, Wewmark (3/08 – Present)
- Board Member, Trinity Health (2012 – 2013)

Richard J. Gilfillan, MD – Director  
President/CEO, CHE Trinity Health, Inc.

Mary Catherine Karl, CPA – Director  
Retired

Affiliations:

- Board Member, BayCare Health System
- Board Member, St. Anthony's Hospital (2000 – 2010)
- Board Member, BayCare Health System Insurance (2006 – 2010)
- Board Member, Catholic Health East
- Board Member, Surgical Safety Institute (2004 – Present)

Stanley Urban – Director  
Retired

Affiliation:

- Board Member, Adirondack Health (2007 – Present)

Linda J. Werthman, RSM (Master's social work,  
Michigan) – Director  
Adjunct Associate Professor of Social Work,  
University of Detroit Mercy

Affiliation:

- Board Member, Trinity Health (2009 – 2013)

The proposed Board Members of St. Peter's Health Partners, Northeast Health, Inc. and The Eddy comprise the following individuals:

Robert J. Bylancik – Director  
Retired

Affiliations:

- Board Member, Living Resources, Inc. (2007 – 2012)

Anne G. DiSarro – Director  
Retired

John D. Filippone, MD – Director  
Cardiologist, SPHP Medical Associates

Ronald L. Guzior, CPA – Director  
Partner, Sax BST Advisory Network/Bollam, Sheedy Torani & Co.

Sr. Phyllis Herbert, RN – Director  
Program Director – Honor Court, 820 River St.  
(Alcoholism/Drug Treatment)

Beverly M. Karpiak – Director  
Supervisor of student teachers, College of St. Rose

John M. Lang – Director  
Retired

Sr. Kathleen M. Natwin – Director  
Retired  
Volunteer – Board Member, Community Outreach,  
Daughters of Charity, St. Louise Provence

Affiliations:

- Board Member, Seton Manor (2012 – Present)
- Board Member/Sponsor, Catholic Health System (2002 – Present)
- Board Member, Mt. St. Mary's Hospital (2002 – Present)

Barbara D. Cottrell, Esq. – Director  
Chief Clerk, Rensselaer County Family Court, NYS  
Office of Court Administration

Affiliations:

- Member, Board of Trustees, St. Peter's Hospital
- St. Peter's Addiction Recovery Center (2003 – 12/07)

Rev. Kenneth J. Doyle – Director  
Pastor of Parish, Diocesan Chancellor for Public  
Information, Roman Catholic Diocese of Albany

Affiliation:

- Board Member, St. Peter's Hospital (2004 – 12/07)

Harold D. Gordon, Esq. – Director  
Attorney, Couch White, LLP

George Hearst III – Director  
Publisher/CEO, Times Union

Robert W. Johnson, III, Esq. – Director  
Partner, Martin, Shudt, Wallace, DiLorenzo &  
Johnson

Michael T. Keegan – Director  
Regional President, Albany & Hudson Valley  
Division, M & T Bank

Norman I. Massry – Director  
Principal, Massry Realty Partners

Affiliation:

- Board Member, St. Peter's Hospital (2007 – 12/09)

Curtis N. Powell – Director  
Vice President, Human Resources, Rensselaer  
Polytechnic Institute

James K. Reed, MD – Director  
President, St. Peter's Health Partners, Catholic  
Health East

Affiliation:

- Director, Rubin Dialysis Centers  
(1997 – 2011)

James A. Slavin, MD – Director  
President/Owner, Practitioner, Burdett Orthopedics,  
PC

Affiliations:

- Board Member, Unity House of Troy  
(2009 – Present)
- President/Owner, Burdett Orthopedics  
(1998 – Present)

Lisa M. Thorn, MD – Director  
Family Physician Member, Averill Park site Medical  
Director, Capital Care Medical Group

Affiliation:

- Physician Member, Capital Care Medical  
Group, Averil Park (2006 – Present)

Alan M. Sanders, MD – Director  
Senior Partner/Physician, Upstate Infectious  
Disease Association, LLP  
Chief of Department of Medicine, St. Peter's  
Hospital

Anthony P. Tartaglia, MD – Director  
Retired

Sr. Kathleen M. Turley – Director  
Leadership Team Member, Sisters of Mercy

All of the above proposed Board Members of St. Peter's Health Partners, Northeast Health, Inc. and The Eddy comprises the following individuals are affiliated with the following entities:

- St. Peter's Hospital of the City of Albany
- Our Lady of Mercy Life Center
- Villa Mary Immaculate d/b/a St. Peter's Nursing and Rehabilitation Center
- Beverwyck, Inc. d/b/a Eddy Village Green (Terrace at Beverwyck)
- Eddy Licensed Home Care Agency, Inc.
- Glen Eddy, Inc. (Terrace at Glen Eddy)
- Hawthorne Ridge, Inc.
- Heritage House Nursing center, Inc.
- Home Aide Service of Eastern New York, Inc. d/b/a Eddy Visiting Nursing Association
- Memorial Hospital
- Samaritan Hospital of Troy
- Senior Care Connection, Inc. d/b/a Eddy SeniorCare
- Sunnyview Hospital and Rehabilitation Center
- The Capital Region Geriatric Center, Inc. d/b/a Eddy Village Green
- The James A. Eddy Memorial Geriatric Center, Inc. (Terrace at Eddy Memorial)
- The Marjorie Doyle Rockwell Center, Inc.
- Seton Health System, Inc. d/b/a St. Mary's Hospital
- Seton Health at Schulyer Ridge Residential Healthcare

A search of all of the above named board members, employers, and affiliations revealed no matches on either the Medicaid Disqualified Provider List or the Office of the Inspector General's Provider Exclusion List.

The Office of the Professions of the State Education Department, the New York State Physician Profile, and the Office of Professional Medical Conduct, where appropriate, indicate no issues with the licensure of the health professionals associated with this application.

The State of Michigan's Department of Licensing and Regulatory Affairs, Bureau of Health Care Services indicated no issue with the licensure of Linda Werthman's Masters Social Worker License. The Bureau of Health Care Services has never taken disciplinary action against this individual or license.

The applicant has confirmed that the proposed financial/referral structure has been assessed in light of anti-kickback and self-referral laws, with the consultation of legal counsel, and it is concluded that proceeding with the proposal is appropriate.

A Certificate of Good Standing has been received for all attorneys.

The Bureau of Professional Credentialing has indicated that Sister Mary Anne Weldon NHA license 04039, issued January 1, 1991. Her license is currently in voluntary inactive status. The Board of Examiners of Nursing Home Administrators has never taken disciplinary action against this individual or her license

A seven year review of the operations of the following facilities was performed as part of this review (unless otherwise noted):

<b><u>Alabama</u></b>
Mercy Medical – Mobile County Home Care
Mercy Medical – Baldwin County Home Care
Mercy Medical – Mercy LIFE of Alabama (PACE)
<b><u>California</u></b>
Saint Agnes Medical Center
Saint Agnes Home Health & Hospice
<b><u>Connecticut</u></b>
Saint Mary Home, Inc. – Chronic Convalescent Nursing Home
Saint Mary Home, Inc. – Frances Ward Towers Residential Care Home
The McAuley Center, Inc. – Assisted Living Service Agency
<b><u>Delaware</u></b>
St. Francis Hospital, Inc. d/b/a/ Saint Francis Healthcare
<b><u>Florida</u></b>
Holy Cross Hospital, Inc.
Holy Cross Hospital Home Health Agency
Physician Outpatient Surgery Center, LLC
Mercy Hospital, Inc.
BayCare Health System (10 hospitals) (2003-2013)
St. Anthony’s Hospital (2000 – 2010)
<b><u>Georgia</u></b>
St. Joseph Hospital of Atlanta
St. Joseph’s Foundation
Mercy Senior Care
St. Joseph’s Mercy Care Services, Inc.
Good Samaritan Hospital, Inc.
St. Mary’s Hospital
St. Mary’s Health Care System, Inc. – Home Health
St. Mary’s Health Care System, Inc. – Home Hospice
St. Mary’s Health Care System, Inc. – Hospice House
St. Mary’s Health Care System, Inc. – Assisted Living License

<b>Idaho</b>
Saint Alphonsus Regional Medical Center – Boise
Saint Alphonsus Regional Medical Center – Nampa
Saint Alphonsus Regional Medical Center – Baker City Nursing Facility
Saint Alphonsus Regional Medical Center – Baker City Hospital

<b>Illinois</b>
Loyola Center for Home Care and Hospice
Loyola University Medical Center – Hospice Agency
Loyola University Medical – Ambulatory Surgical Treatment Center
Gottlieb Home Health Services
Gottlieb Memorial Hospital Hospice
Gottlieb Memorial Hospital Pharmacy
Gottlieb Memorial Hospital Pharmacy Controlled Substances
Gottlieb Memorial Hospital Mammography Facility

<b>Indiana</b>
Saint Joseph’s Regional Medical Center – South Bend Campus (1/12– Present)
Saint Joseph’s Regional Medical Center (1/12– Present)
Saint Joseph VNA Home Care (1/12– Present)
Sanctuary at St. Pauls (1/12– Present)
Sanctuary at Holy Cross (1/12– Present)

<b>Iowa</b>
Mercy Medical Center – Clinton
Mercy Living Center North
Mercy Medical Center – Dubuque
Mercy Medical Center – North Iowa/Mason City
Mercy Medical Center – Sioux City
The Alverno Health Care Facility
ChildServe (2002 – 2008)

<b>Maryland</b>
Holy Cross Hospital of Silver Spring
Holy Cross Hospital of Silver Spring
Sanctuary at Holy Cross
Holy Cross Hospital (2003 – 2008)

<b>Massachusetts</b>
The Mercy Hospital (8/12– Present)
Sisters of Providence Health System (2009 – 2013)
Mary’s Meadow at Providence Place (2009 – Present)

<b>Michigan</b>
Saint Mary’s Health Care
St. Joseph Mercy – Ann Arbor Psychiatric
St. Joseph Mercy – Saline
St. Joseph Mercy – Livingston
St. Joseph Mercy – Oakland
St. Joseph Mercy – Oakland Psychiatric
St. Joseph Mercy – Port Huron
St. Joseph Mercy – Port Huron Helistop

Mercy Health Partners – Mercy Campus
Mercy Health Partners – Hackley Campus
Mercy Health Partners – Hackley Campus Psychiatric
Mercy Health Partners – Lakeshore Campus
St. Mary Mercy Hospital
St. Mary Mercy Hospital – Psychiatric
Chelsea Community Hospital
Mercy Hospice
Mercy Hospice Grayling
Mercy Hospice – Cadillac
Mercy VNS and Hospice Services
Sanctuary at Mcauley
Sanctuary at the Abbey
Sanctuary at Bellbrook
Sanctuary at St. Mary's
Sanctuary at the Park
Sanctuary at Fraser Villa
Sanctuary at St. Joseph's Village #1 (3/2005-Present)
Sanctuary at St. Joseph's Village #2 (3/2005-Present)
Marycrest Manor
Sanctuary at White Lake
Sanctuary at the Oaks #2 (4/2005-Present)
Sanctuary at the Oaks #1 (4/2005-Present)
Sanctuary at the Shore
Mercy Bellbrook/Frances Warde (2/2010-Present)
Mercy Bellbrook/McAuley (2/2010-Present)
Sanctuary at Bellbrook
Sanctuary at Woodland #1 (4/2005-Present)
Sanctuary at Woodland #2 (4/2005-Present)
Sanctuary at Fraser Villa
Sanctuary at Mercy Village #2 (4/2005-Present)
Sanctuary at Mercy Village #1 (4/2005-Present)

<b>Nebraska</b>
Mercy Home Care

<b>New Jersey</b>
Our Lady of Lourdes Medical Center
Lourdes Medical Center of Burlington County
Saint Michael's Medical Center, Inc. – 12 Months
St. Francis Medical Center

<b>New York</b>
Northeast Health, Inc.
St. Peter's Addiction Recovery Center (2003 – 12/07)
Seton Manor (2012 – Present)
Catholic Health System (2002 – Present)
Mt. St. Mary's Hospital (2002 – Present)
St. Peter's Hospital of the City of Albany
Our Lady of Mercy Life Center
Villa Mary Immaculate d/b/a St. Peter's Nursing and Rehabilitation Center
Beverwyck, Inc. d/b/a Eddy Village Green (Terrace at Beverwyck)
Eddy Licensed Home Care Agency, Inc.
Glen Eddy, Inc. (Terrace at Glen Eddy)
Hawthorne Ridge, Inc.
Heritage House Nursing center, Inc. d/b/a Eddy Heritage House Nursing and Rehabilitation Center

Home Aide Service of Eastern New York, Inc. d/b/a Eddy Visiting Nursing Association (CHHA)
Home Aide Service of Eastern New York, Inc. d/b/a Eddy Visiting Nursing Association (LTHHCP)
Memorial Hospital
Samaritan Hospital of Troy
Senior Care Connection, Inc. d/b/a Eddy SeniorCare
Sunnyview Hospital and Rehabilitation Center
The Capital Region Geriatric Center, Inc. d/b/a Eddy Village Green
The James A. Eddy Memorial Geriatric Center, Inc. (Terrace at Eddy Memorial)
The Marjorie Doyle Rockwell Center, Inc.
Father Baker Manor (Nursing Home)
Mercy Hospital Skilled Nursing Facility
St. Francis Home of Williamsville (Nursing Home)
Mercy Living Center (Nursing Home)
Uihlein Living Center (Nursing Home)
Seton Health System, Inc. d/b/a St. Mary's Hospital
Seton Health at Schulyer Ridge Residential Healthcare
St. Peter's Health Partners d/b/a Eddy Village Green at Beverwyck
St. James Mercy Hospital
Adirondack Medical Center (Hospital)
Adirondack Medical Center/Lake Placid (Hospital)
Sisters of Charity Hospital of Buffalo, NY
Kenmore Mercy Hospital
Mercy Hospital of Buffalo
Niagara Homemakers Services, Inc. d/b/a Mercy Home Care of Western New York
St. Vincent's Home for the Aged
St. Elizabeth's Home of Lancaster, New York
McAuley-Seton Home Care Corporation (LHCSA)
Mercy Uihlein Health Corporation
Mercy Health-Care Center, Inc.
The Uihlein Health Corporation, Inc.
Mcauley Manor at Mercycare (Nursing Home)
Adult Day services, Mercycare Break
Hospice associated with St. James Mercy Hospital
Catholic Health System Program of All-Inclusive Care for the Elderly, Inc.

<b>North Carolina</b>
St. Joseph of the Pines, Inc. Family Care Home Zeno Villa at St. Joseph of the Pines (3/18/11-8/26/13)
St. Joseph of the Pines, Inc. Family Care Home Constance Cottage (11/28/11-2014)
St. Joseph of the Pines, Inc. Family Care Home Mary Manor (2004-2014)
St. Joseph of the Pines, Inc. Adult Care Home The Coventry
St. Joseph of the Pines, Inc. Nursing Facility St. Joseph of the Pines Health Center
St. Joseph of the Pines Belle Meade and Pine Knoll at St. Joseph of the Pines
St. Joseph of the Pines, Inc. St. Joseph of the Pines Home Care
LIFE St. Joseph of the Pines, Inc. Adult Day Health Home
St. Joseph of the Pines Health System, Inc. (2002 – Present)

<b>Ohio</b>
Mount Carmel East – Columbus (2004-2014)
Mount Carmel West (2004-2014)
Mount Carmel St. Anne's (2004-2014)
<b>Oregon</b>
St. Alphonsus Regional Medical Center – Ontario
<b>Pennsylvania</b>
Mercy Suburban Hospital
Nazareth Hospital
Mercy Catholic Medical Center of Southeastern Pennsylvania d/b/a Mercy Fitzgerald Hospital and Mercy Hospital of Philadelphia
St. Agnes Continuing Care Center Living Independently for Elders
Mercy Home Health
St. Agnes Continuing Care Center d/b/a/ Mercy Life Broad Street
St. Agnes Continuing Care Center d/b/a Mercy Life/North Hancock Street
Mercy Family Support Home Care Agency Facility
Mercy Home Health, Health Care Facility
St. Mary Medical Center
Mercy Life Center Corporation Mercy Behavioral Health
Mercy Life Center Corporation Outlook Manor
Mercy Behavior Health Munhall Manor
Mercy Life Center Corporation Mercy Behavioral Health
Mercy Behavioral Health Mercy Behavioral Health - LTSR(2)
Mercy Life Center Corporation Garden View Manor
Mercy Life Center Corporation Monarch Springs LTSR
Mercy Life Center Corporation Extended Acute Care Unit - LTSR
Mercy Life Center Corporation Mercy Behavior Health
Mercy Life Center Corporation Mercy Behavioral Health Psychiatric Rehabilitation Clubhouse
Mercy Life Center Corporation d/b/a Mercy Behavior health Psychiatric Rehab
Mercy Life Center Corporation Mercy Behavioral Health Partial Hospitalization
Mercy Life Center Corporation Mercy Behavioral Health Outpatient
Mercy Behavioral Health
Mercy Life Center Corporation d/b/a/ Mercy Behavioral Health Mercy Behavioral Health Ross Adult Training Facility-Seniors

Mercy Life Center Corporation Mercy Behavioral Health
Mercy Life Center Corporation Mercy Behavioral Health Wexford Employ. Svcs.
Mercy Life Center Corporation Mercy Behavioral Health - Brookline Employment Services
Mercy Life Center Corporation Mercy Behavioral Health - Beachview ATF
Mercy Life Center Corporation Mercy Behavioral Health LTSR I - The Journey Home
Mercy Life Center Corporation Mercy Behavioral Health Family Living Home
Mercy Life Center Corporation Mercy Behavioral Health Reedsdale Center
Mercy Life Center Corporation Mercy Behavioral Health - Baldwin ATF
Mercy Life Center Corporation Mercy Behavioral Health Ross Adult Training Facility - SENI

### **CALIFORNIA**

**Saint Agnes Home Health and Hospice**, was fined eighteen thousand five hundred dollars (\$18,500.00) pursuant to CCR Title 22 70739(a) – Infection Control for findings on June 2, 2008.

**Saint Agnes Home Health and Hospice**, was fined eighteen thousand five hundred dollars (\$18,500.00) pursuant to CA Health and Safety Code Death during or within 24 hours of surgery for findings on September 9, 2008.

**Saint Agnes Home Health and Hospice**, was fined fifty thousand dollars (\$50,000.00) pursuant Health and Safety Code 1279.1(c) and CCR Title 22 70223(6)(2) for findings on October 11, 2010.

**Saint Agnes Home Health and Hospice**, was fined three thousand dollars (\$3,000.00) pursuant Health and Safety Code 1279.1(ab)(4)(F) – Pressure Ulcer State 3 or 4.

**Saint Agnes Home Health and Hospice**, was fined one thousand dollars (\$1,000.00) pursuant Health and Safety Code 1279.1(ab)(1)(O) – Retention of Foreign Object.

**Saint Agnes Home Health and Hospice**, was fined eight hundred dollars (\$800.00) pursuant Health and Safety Code - State 3 or 4 Pressure Ulcer.

### **CONNECTICUT**

**St. Mary's Home, West Hartford, CT** Based on an inspection of the facility conducted October 29, 2007 St. Mary's Home was cited for violations of Connecticut State Agencies (Public Health Code). The facility was fined seven hundred and forty-five dollars (\$745.00) for the Class A violation of Section 19-13-D8t(j)(2)(L) - Chronic and convalescent nursing homes and rest homes with nursing supervision: Director of nurses.

### **FLORIDA**

**BayCare-Home Care Sarasota, Sarasota, Florida** was fined three thousand dollars (\$3,000.00) pursuant to a Survey Deficiency – Failed to Ensure Physicians Plan of Care for repeat of Class III deficiency 2004, 2005, 2006 and 2007 for Violations of 59A-8.0215(2) – Plan of Care and 59A-8.0095(3), - Personnel

**Saint Anthony's Hospital, St. Petersburg, Florida** was fined one thousand dollars (\$1,000.00) pursuant to a Survey Deficiency for inspection findings of December 12, 2007 for Aspen State Regulation H0022 ((2) Coordination of Care. Each hospital shall develop and implement policies and procedures on discharge planning which address: (a) Identification of patients requiring discharge planning; (b) Initiation of discharge planning on a timely basis; (c) The role of the physician, other health care givers, the patient, and the patient's family in the discharge planning process; and (d) Documentation of the discharge plan in the

patient's medical record including an assessment of the availability of appropriate services to meet identified needs following hospitalization.)

**Holy Cross Hospital, Fort Lauderdale, Florida** was fined one thousand dollars (\$1,000.00) pursuant to a Survey Deficiency for inspection findings of June 1, 2009 for Aspen State Regulation H0031 ((2) Transfer Procedures. Each hospital providing emergency services and care shall establish policies and procedures which incorporate the requirements of Chapter 395, F.S., relating to emergency services. The policies and procedures shall incorporate at a minimum: (a) Decision protocols identifying the emergency services personnel within the hospital responsible for the arrangement of outgoing and incoming transfers; and H0037 (Each hospital shall maintain records of all patients who request emergency care and services, or persons on whose behalf emergency care and services are requested, for a period of 5 years.)

## MARYLAND

**St. Catherine's Nursing Center** was fined fifteen thousand dollars (\$15,000) pursuant to Survey Deficiencies for inspection findings of July 9, 14 and 15, 2009 for violations of COMAR 10.07.09.08 C (5) (c) (Resident's Rights and Services. C. A resident has the right to: (5) Be free from: (c) Sexual abuse), 10.07.09.15 D (1) (Abuse of Residents, D. Investigations. A nursing facility shall: (1) thoroughly investigate all allegations of abuse) and 10.07.09.15. D (2) (Abuse of Residents, D. Investigations. A nursing facility shall: (2) Take appropriate action to prevent further incidents of abuse while the investigation is in progress, and after that.)

## NEW YORK

### **ADULT CARE FACILITIES**

**Hawthorne Ridge, Inc. d/b/a Hawthorn Ridge** was fined one thousand dollars (\$1,000.00) pursuant to a stipulation and order dated March 28, 2012 for inspection findings of September 14, 2010 for violations 18 NYCRR Part 486.5(a)(4)(iii) – Endangerment.

The information provided by the Adult Care Facility Policy and Surveillance unit has indicated that the applicant has provided sufficient supervision to prevent harm to the health, safety and welfare of residents and to prevent recurrent code violations.

### **LICENSED HOME HEALTH CARE AGENCIES, CERTIFIED HOME HEALTH AGENCIES, LONG TERM HOME HEALTH CARE AGENCIES, HOSPICE**

**Eddy Visiting Nurse Association/Wesley VNA** was fined three thousand five hundred dollars (\$3,500.00) pursuant to a stipulation and order dated August 19, 2010 for inspection findings of July 22, 2008 and October 1, 2008 for violations of 10 NYCRR Sections 763.4(h) – Policies and Procedures of Service Delivery; 763.6(a) – Patient Assessment and Plan of Care; 763.6(b) – Patient Assessment and Plan of Care and 763.11(b) – Governing Authority.

**McCauley-Seton Home Care Corporation** was fined six thousand five hundred dollars (\$6,500.00) pursuant to a stipulation and order dated July 11, 2011 19, 2010 for inspection findings of December 17, 2009 for violations of 10 NYCRR Sections 763.4(h) – Policies and Procedures of Service Delivery; 763.6(b) – Patient Assessment and Plan of Care; 763.6(c) – Patient Assessment and Plan of Care; 763.6(e) – Patient Assessment and Plan of Care; 763.11(a) – Governing Authority; and 763.11(b) – Governing Authority.

**McCauley-Seton Home Care Corporation** was fined five thousand five hundred dollars (\$5,500.00) pursuant to a stipulation and order dated June 10, 2013 for inspection findings of September 15, 2011 for violations of 10 NYCRR Sections 763.11(b) – Governing Authority; 763.5(a) – Patient Referral, Admission and Discharge; 763.6(b) – Patient Assessment and Plan of Care; 763.6(c) – Patient Assessment and Plan of Care; and 763.7(a) – Clinical Records.

The information provided by the Division of Home and Community Based Services has indicated that the applicant has provided sufficient supervision to prevent harm to the health, safety and welfare of residents and to prevent recurrent code violations.

## **RESIDENTIAL HEALTH CARE FACILITIES**

**Our Lady of Mercy Life Center** was fined two thousand dollars (\$2,000.00) pursuant to a stipulation and order dated August 16, 2010 for inspection findings of June 1, 2009 for violations 10 NYCRR Section 415.12 – Quality of Care.

**St. Francis Home of Williamsville** was fined ten thousand dollars (\$10,000.00) pursuant to a stipulation and order dated January 18, 2012 for inspection findings of October 28, 2010 for violations 10 NYCRR Section 415.12 – Quality of Care Highest Practicable Potential.

**St. Francis Home of Williamsville** was fined two thousand dollars (\$2,000.00) pursuant to a stipulation and order dated January 10, 2012 for inspection findings of January 24, 2011 for violations 10 NYCRR Section 415.12 – Quality of Care Highest Practicable Potential.

**Adirondack Medical Center – Mercy** was fined \$2,000 pursuant to a stipulation and order dated September 11, 2014 for inspection findings of August 13, 2008, August 20, 2009 and October 1, 2009 for violations of 10 NYCRR 415.12(h)(1)(2) Quality of Care: Accidents and Supervision, 415.12(l)(1) Quality of Care: Nutritional Status, 415.26 Administration, 415.27(a-c) Quality Assessment and Assurance.

**Adirondack Medical Center – Uihlein** was fined twenty thousand dollars \$20,000 pursuant to a stipulation and order dated September 11, 2014 for inspection findings of August 8, 2008, September 28, 2009, January 22, 2010 and March 22, 2011 for violations of 10 NYCRR.

August 8, 2008 – 10 NYCRR Section 415.3(e)(2)(ii)(b) Notification of Changes, 415.11(c)(3)(i) Comprehensive Care Plans, 415.12(l)(1) Quality of Care: Unnecessary Drugs, 415.12(m)(2) Quality of Care: Medication Errors, 415.15(b)(1)(i)(ii) Physician Services, 415.18(a) Pharmacy Services, 415.26 Administration, 415.26(b)(3)(1) Governing Body, 415.15(a) Medical Director, and 415.27(a-c) Quality Assessment and Assurance.

September 28, 2009 and January 22, 2010 – 10 NYCRR Section 415.12(h)(1)(2) Quality of Care: Accidents and Supervision, and 415.12 Quality of Care: Highest Practical Potential.

March 22, 2011 – 10 NYCRR 415.4(b)(1)(ii) Investigate/Report Allegations and 415.26 Administration.

The Information provided by the Bureau of Quality Assurance for Nursing Homes has indicated that the residential health care facilities reviewed have provided sufficient supervision to prevent harm to the health, safety and welfare of residents and to prevent recurrent code violations.

## **HOSPITALS AND DIAGNOSTIC & TREATMENT CENTERS**

The information provided by the Division of Hospitals and Diagnostic & Treatment Centers has indicated that the applicant has provided sufficient supervision to prevent harm to the health, safety and welfare of residents and to prevent recurrent code violations.

## **MANAGED LONG TERM CARE PLANS AND PACE PROGRAMS**

The information provided by the Office of Managed Care has indicated that the MLTC plan has provided sufficient supervision to prevent harm to the health, safety and welfare of patients and to prevent recurrent code violations.

Responses were received from the states listed above with the exception of the States of Iowa and Maryland. Although the responses received from each of these states did not include all of the health care facility located in each respective state, the responses received indicated that entities in these jurisdictions have exercised sufficient supervisory responsibility to protect the health, safety and welfare of patients. The applicant provided sufficient evidence that they made an adequate effort to obtain out of state compliance for each health care facility located outside of New York State.

A review of all personal qualifying information indicates there is nothing in the background of the proposed members and managers to adversely affect their positions in the organization. The applicant has the appropriate character and competence under Article 36 of the Public Health Law.

The applicant proposes to serve the residents of the following counties from an office located at 433 River Street, Suite 3000, Troy, New York 12180.

Albany	Columbia	Fulton	Greene
Montgomery	Rensselaer	Saratoga	Schenectady
Schoharie	Warren	Washington	

The applicant proposes to provide the following health care services:

Nursing	Home Health Aide	Medical Social Services
Personal Care	Physical Therapy	Speech-Language Pathology
Nutritional	Occupational Therapy	Housekeeping
Homemaker	Respiratory Therapy	

Review of the Personal Qualifying Information indicates that the applicant has the required character and competence to operate a licensed home care services agency.

Contingency

Submission of any and all information requested by the Division of Legal Affairs, in a form and manner acceptable to the Department.

Recommendation: Contingent Approval  
Date: September 11, 2014