

In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
CYNTHIA DELAURA**

STATE OF NEW YORK)
)
COUNTY OF Orleans) ss.:

Cynthia Delaura, being duly sworn, attests as follows:

Resident 8

1. I am the daughter of [REDACTED], a former resident of Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 ("Villages").
2. My mother resided at Villages from October 2019 until her death on May 23, 2020. She was 79 years old when she died.
3. I am 57 years old and currently reside in Albion, New York.
4. I submit this affidavit in connection with the New York Attorney General's investigation into Villages, and I set forth below my experiences and observations while caring for and speaking with my mother as a resident of Villages.
5. My mother was from Holley, New York. She was married sixty years to my father. Together, they had two children and five grandchildren. My mother was a homemaker until my brother and I grew older. At that time, my mother worked in the deli at Dale's and Bell's grocery stores. My mother enjoyed making latch hook rugs and reading. She was a nice person that cared deeply for her grandchildren and children.
6. My mother suffered from dementia; her symptoms began to gradually increase approximately four to five years ago. She was also diagnosed with Hypothyroidism and

Hyperlipemia. She was able to walk on her own, but she needed assistance with routine daily care. I made the decision to place her at Villages because the facility was close to my home, and I was overwhelmed with caring for my mother by myself.

7. My mother was admitted to Villages on October 24, 2019, and placed in the dementia unit. Prior to the COVID-19 pandemic, I visited her every other day.

8. On my mother's first day at Villages, she fell while trying to get up from her wheelchair. She had many cuts on her face as a result of the fall and was taken to the emergency room at Medina Memorial Hospital. She returned to Villages on the same day.

9. My mother's mobility quickly declined at Villages. She was placed in a wheelchair when she arrived at Villages, and never walked on her own again. I believe she was put in a wheelchair because there was not enough staff to help her walk on her own. I recall expressing my concerns to the nursing staff, but my mother permanently remained in her wheelchair.

10. After being at Villages for a few weeks, my mother was struggling with swollen feet that had turned purple. I wanted to take her back to the emergency room, but a Villages nurse told me if I took my mother to the emergency room, she would not be welcome to come back and she would lose her spot and her room at Villages. When I expressed my concerns about my mother's condition and my desire to take her to the emergency room, the nursing staff member asked me, "Who is the professional here? You or me?" As a result, Villages left my mother that day with her feet untreated. A few days later, Villages decided to put compression socks on my mother.

11. My mother fell two additional times at Villages. One of the falls was on May 8, 2020, and I was never notified by Villages. I only learned of her fall because I called Villages to

check in on my mother and to try to speak to her. Due to the COVID-19 pandemic, in-person visits were suspended at that time, so I usually tried to speak with my mother by phone every few days. On this day, when I called, a Certified Nurse Assistant (“CNA”) told me that the Villages doctor wanted my mother to stay at Villages and didn’t need to go to the hospital. I disagreed. I took my mother to United Memorial Medical Center (“UMMC”) on May 8, 2020. At this time, we found out she had broken her hip during the fall. My mother’s broken hip required surgery.

12. During the first week of May 2020, I received a notice that all residents at Villages needed to be tested for COVID-19. I called Villages a few days later to check on my mother’s test results. Villages told me my mother’s COVID-19 tests were negative, but my mother told me her roommate had recently tested positive for COVID-19. Just prior to her surgery, my mother was tested for COVID-19 at UMMC. She tested positive for COVID-19.

13. My mother died at UMMC on May 23, 2020 of COVID-19.

14. While my mother was at Villages, I tried calling to talk to the Director of Nursing or the Administrator approximately ten times, as I wanted to move my mother back home. I was never able to reach either of them. I left voicemails each time, but they never called me back.

[This space intentionally left blank.]

15. I received a bill from Villages in September 2020 stating I owed them \$1,275 for my mother's care. I am currently making payments towards the amount owed.

Cynthia DeLaura
[CYNTHIA DELAURA]

Sworn to before me this
21st day of Sept. 2022

Mary L Henry

Notary Public, State of New York

No. 01HE6299052

Qualified in Erie County

Commission Expires: 3/17/2026

Mary L Henry
NOTARY PUBLIC, STATE OF NEW YORK
Comm. No. 01HE6299052
Qualified in Erie County
My commission expires March 17, 2026

CERTIFICATION PURSUANT TO RULE 202.8-b


I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 834 words excluding the parts of the Affidavit explicitly exempted by Rule.

Dated: New York, New York
November 22, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

By: 

SOO-YOUNG CHANG
Special Assistant Attorney
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In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
SUSAN A. FULLER**

STATE OF NEW YORK)
) ss.:
COUNTY OF SARATOGA)

SUSAN A. FULLER, being duly sworn, attests as follows:

- Resident 54 Resident 39
1. I am the daughter of [REDACTED], my father, and [REDACTED], my mother, who were former residents of the Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 ("The Villages").
 2. My father resided at The Villages from January 23, 2017, to April 22, 2020, when he died from COVID-19 at the age of 89. My mother resided at The Villages from September 26, 2017, to April 24, 2020, when she died from COVID-19 at the age of 88. My parents started dating when my mother was 13 years old and my father was 14 years old. They had been married for 68 years and had two children.
 3. I do not believe my parents received proper care at The Villages during their residency there. Due to lack of staffing, neglect and retaliation against me for lodging complaints about The Villages, my parents suffered physical injuries, emotional distress and illness during their time there.
 4. I am 67 years old and currently reside in Saratoga Springs, New York.
 5. I am retired. I formerly worked as a court clerk.



6. I submit this affidavit in connection with the New York Attorney General's investigation into The Villages, and I set forth below my experiences and observations while caring for and speaking with my parents as residents of The Villages. While they were residents at The Villages, I was my parents' health care proxy and power of attorney.

7. My father was a Korean War veteran who served in the Navy and worked as a high school physical education teacher, as well as football and wrestling coach. My mother worked at a school district's office. They were a close couple who spent much of their time together. Attached to this affidavit as **Exhibit 1** is a photograph of my parents in approximately 2014, prior to their need to reside in a nursing home. I cared for my parents who had lived near me until it was no longer possible for them to live on their own.

8. My father entered The Villages on January 23, 2017, after developing dementia. My mother entered The Villages on September 26, 2017, after repeatedly falling.

9. I initially visited my parents every day until approximately February 2018, when I visited them three-to-four days a week. On March 13, 2020, due to COVID-19 I was no longer permitted inside, but I continued to visit them by seeing them through their room's window and speaking to them over the phone.

10. Villages denied my mother's and my repeated requests to have my parents room together in the dementia unit in retaliation for my position as co-chair of the Family Council that tried to improve the care of residents at The Villages. Initially, my parents were separated in The Villages, where my father was placed in the dementia unit and my mother was placed in the long-term care unit. My father was an elopement risk due to his dementia and needed to continue to be in a secure unit. The then-director of nursing ("DON"), Debra Ann Donnelly, provided non-sensical reasons to deny our request, such as my mother did not participate in

enough activities and that there was a waiting list, on which the DON would not place my mother.

11. On June 6, 2019, I asked the DON for a copy of the written policy on the criteria to be eligible to transfer to the dementia unit. Despite being my mother's health care proxy and power of attorney, the DON denied my request and said that I was not entitled to it. I requested that the DON state in writing the reason why my mother could not be with my father in the dementia unit. The DON refused.

12. On September 20, 2019, a former Villages employee who quit a few weeks prior advised me that during the staff morning meetings, the DON informed the staff that she was not moving my mother to the dementia unit to be with my father, because the DON was hoping I would get upset enough to move my parents to another facility and because I was causing trouble by reporting The Villages to the New York State Department of Health.

13. On October 9, 2019, I relented and asked the DON to move my father out of the dementia unit into the long-term care unit to be with my mother. He was moved into her room on October 11, 2019. In the long-term care unit, the staff did not know how to interact with him, and I ended up having to shave him and cut his fingernails, which the staff did not attend to.

14. In addition to being unnecessarily separated, my parents suffered numerous injuries due to neglect and lack of staffing.

15. At the time of his admission to The Villages in January 2017, my father was able to stand and walk. On November 2, 2017, he was transferred to a hospital, where I observed that my father was unconscious and unresponsive. The emergency room physician advised me that my father had sepsis, pneumonia, urinary tract infection, dehydration and very low blood

pressure. My father was admitted to the hospital for a number of days, and when he returned to The Villages, he was no longer able to stand or walk.

16. My mother told me that on August 21, 2018, she fell in the doorway of her room at The Villages and sustained a cut to her forehead that required seven stitches and a staple to close. Attached to this affidavit as **Exhibit 2** is a photograph of the wound.

17. My mother suffered from repeated urinary tract infections ("UTI") due to the lack of staffing and care. In September 2018, I observed that my mother had a very high fever and was in pain. I wanted to have an ambulance take her to a hospital, but my mother did not want to go again. On October 18, 2018, my mother presented to a urologist, who advised that she needed to stay hydrated and drink a lot of water. On January 24, 2019, after my mother told me she thought was getting another UTI, I observed that no one at The Villages brought my mother water to drink. I had to start bringing her bottled water. On January 25, 2019, my mother's urine sample and culture tests confirmed a UTI.

18. In January 2019, I observed that The Villages had removed all the telephones that had previously been in the hallways. When I asked the DON and administrator about it, they said they were removed because the facility's aides were abusing the use of the phones. I observed that this was not an issue before The Villages began using aides flown in from Louisiana. I asked why The Villages did not simply deal with the employees who were making improper calls instead. When I asked, what would happen if there was an emergency? They responded that aides could just yell for help and that if residents wanted to speak to family they would have to go to the main nurse's station and use the phone there. Residents using that phone had no privacy. I installed a phone in my mother's room.

19. On January 23, 2019, my mother told me that she was injured when she fell off the toilet. She told me that, when she finished, she pushed her call button for assistance and even yelled for help. When no one responded, she fell as she attempted to return to her bed unassisted.

20. My parents were not supposed to be in their bathrooms unattended due to the risk of falls, but lack of staffing left them vulnerable. On January 28, 2019, I brought my father out of the dementia unit to see my mother in the long-term care unit. When my mother needed to use the bathroom, I found an aide to assist her. Then my father had to use the bathroom also. I found another aide to help my father. As I was walking in the hallway back to my mother's room, I passed by the aide that was supposed to be assisting my mother. Upon reaching my mother's room, I observed that my mother was left unattended in the bathroom. When I checked on my father, I observed that he was also left unattended in the bathroom.

21. On January 31, 2019, my mother told me that she fell out of her recliner that day. The recliner had been placed in the hallway specifically so that Villages staff could watch her.

22. On February 12, 2019, my mother told me that she was in her recliner when she needed to use the bathroom. She repeatedly called for someone to assist her, but no one was around. She tried to reach the bathroom unassisted but fell near the bathroom door, where staff later found her. My mother injured her arm, which was left bruised and cut. Attached to this affidavit as **Exhibit 3** is a photograph of the injury.

23. On March 4, 2019, my mother informed me that her eyeglasses and watch were stolen. The facility paid for new glasses, but my mother did not receive them until the end of May 2019.

24. On March 8, 2019, I observed that my mother sustained a very large bruise on the back of her head. The injury was caused when she fell out of her recliner again.

25. During a visit on April 29, 2019, I observed that there was only one aide covering about 30 residents in my mother's hall at The Villages. Additionally, there were no nurses covering the hall.

26. My mother told me that on June 5, 2019, she was left alone in the bathroom again and waited over 20 minutes for someone to come and assist her. She was forced to try to walk on her own and fell. This caused a cut on the back of her head requiring five stitches to close. When I requested a copy of the incident report, the DON very rudely said that I was not entitled to one, despite being my mother's health care proxy and power of attorney.

27. On June 19, 2019, my mother told me that she fell again that day after she was not able to find staff to help her to walk to the bathroom. She sustained a bruise to her arm from the fall. Attached to this affidavit as **Exhibit 4** is a photograph of the injury.

28. On August 5, 2019, I observed that my father had a large bandage around his left wrist that did not cover the entire wound. I asked a nurse what happened, as no one informed me. The nurse stated that his records indicated that on July 29, 2019, his left arm had hit the headboard of his bed. However, when I visited my parents at The Villages on July 29, July 31 and August 2, 2019, no one had told me about this injury. My father usually wore long sleeve shirts, so I did not notice the injury before. Attached to this affidavit as **Exhibit 5** is a photograph of the wound.

29. On November 5, 2019, I asked the facility's Administrator, Brian Reeder, if he had received the emails and voice mails from an attorney regarding my concerns about the lack of care provided to my parents. The Administrator said that he received them but just did not

respond. He then told me that I could take my parents elsewhere if I did not feel my parents were not getting the care that they should.

30. In November 2019, I overheard the assistant director of nursing say to someone on the telephone that there were only two nurses and four aides for the entire facility, which houses up to 120 residents. During this time, it took 20 minutes for an aide to assist my father to the bathroom. Then, because my father requires two people to assist him, that aide had to find another one. When I am not present, my mother has difficulty finding aides to assist her to use the bathroom. On one occasion, when my mother requested assistance to use the bathroom, the aide said, "Go ahead."

31. On January 19, 2020, I observed that there were only two aides in the entire facility.

32. On February 16, 2020, I observed that The Villages had one aide in the entire facility during the afternoon and evening shifts for the past six days. My mother told me that, during this time, since no one was available to assist him to use the bathroom, my father had to sit in his own feces until the one aide had an opportunity to help him. At one point, he had to sit in his own feces for two hours before the one aide could assist him.

33. On March 13, 2020, The Villages advised me that as of 5:00 p.m. that day the facility would no longer permit visitation unless it was an end-of-life visitation.

34. On March 25, 2020, my mother told me by way of video conference that my father, who was rooming with her at the time, called for assistance because he was cold and wanted another blanket. When no one responded, my mother attempted to get up and get the blanket herself. In doing so, she fell and sustained a black eye and a bruise on her wrist and

hand. Attached to this affidavit as **Exhibit 6** is a photograph of the black eye. My mother still had the black eye when she passed away on April 24, 2020.

35. On April 16, 2020, The Villages told me that both my parents were COVID-19 positive. My father passed away at the facility on April 22, 2020. My mother passed away there on April 24, 2020.

Susan A. Fuller

SUSAN FULLER

Sworn to before me this
26 day of September 2022

Nathaniel J. Wood

Notary Public, State of New York

No. 01W06312653

Qualified in Albany County

Commission Expires: 10/6/2022

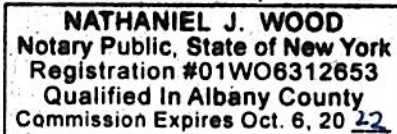


Exhibit 1



15

Exhibit 2



Exhibit 3



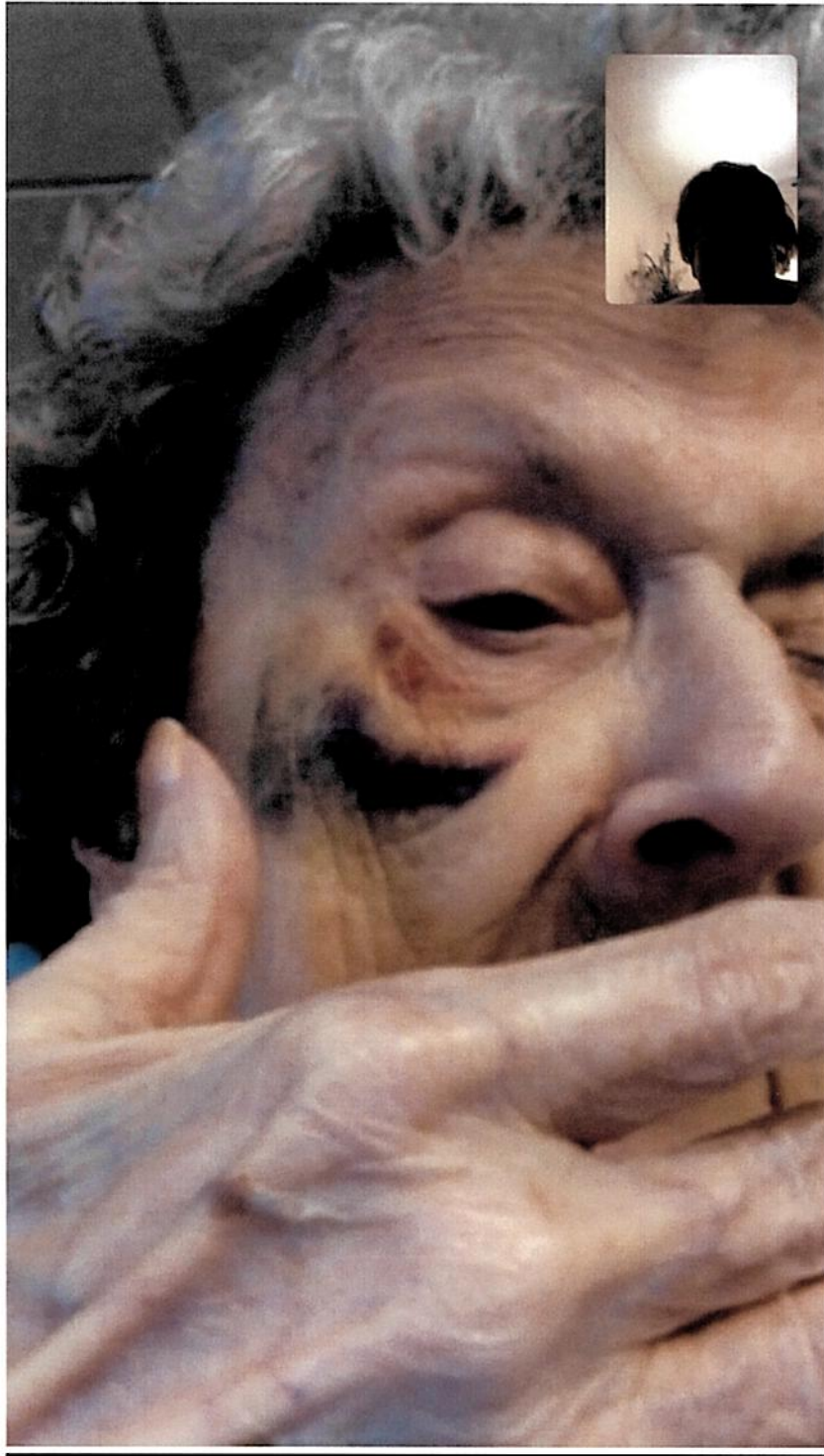
Exhibit 4



Exhibit 5



Exhibit 6



CERTIFICATION PURSUANT TO RULE 202.8-b

I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 2,325 words excluding the parts of the Affidavit explicitly exempted by Rule.

Dated: New York, New York
November 22, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

By: 

SOO-YOUNG CHANG
Special Assistant Attorney General
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In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
LAURAL HARRINGTON**

STATE OF NEW YORK)
)
COUNTY OF MONROE) ss.:

LAURAL HARRINGTON, being duly sworn, attests as follows:
Resident 42

1. I was a close friend of [REDACTED], a former resident of the Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 ("Villages").

2. M.Y. resided at Villages from January 2021 until her sudden and unexpected death on July 13, 2021.

3. I am 58 years old and currently reside in Churchville, New York.

4. I am employed as a registered nurse.

5. I submit this affidavit in connection with the New York Attorney General's investigation into Villages, and I set forth below my experiences and observations while caring for and speaking with my friend as a resident of Villages.

Resident 42
6. [REDACTED] and I were friends for over thirty years. We met years ago when M.Y. contacted my mother, a horse trainer, seeking assistance for her horse. Resident 42 [REDACTED] was never married and did not have any children. She and her family were estranged, so I was the closest thing she had to family.

Resident 42
7. [REDACTED], who was 67 years old, was an organizer with many managerial skills. Throughout her life, she worked as an office manager for Mass Mutual Life Insurance, Kodak, and

Resident 42
other various companies. [REDACTED] also volunteered for the Ogden Police Department, hosted events and picnics, and was a part of the Neighborhood Watch program. Her favorite pastime was managing and setting up horse shows.

8. I was her power of attorney and health care proxy. Prior to being admitted to Villages, Resident 42 [REDACTED] was fully cognitive, able to communicate, and aware of herself and her surroundings.

Resident 42
9. In December 2020, [REDACTED] became very dehydrated at home, an ambulance was called and brought her to Strong Memorial Hospital in Rochester, New York. Resident 42 [REDACTED] previously had Pseudomonas, a bacterial infection in her lungs and was a failure to thrive. She received a course of antibiotics and stayed in the hospital for three weeks. However, she continued to experience lasting effects on her lungs. Resident 42's [REDACTED] doctors said she needed rehabilitation after being in bed for so long, and I could not take care of her full-time. As a result, Resident 42 [REDACTED] was admitted to Villages. She arrived at Villages clear of her chronic lung infection. The original plan was for Resident 42 [REDACTED] to complete rehabilitation and then move to an assisted living facility.

Resident 42
10. [REDACTED] was transferred from Strong Memorial Hospital to Villages in January 2021. She was supposed to be placed in the rehabilitation unit. However, she was placed in the dementia unit, because there was not enough staff in the rehabilitation unit.

Resident 42
11. Due to the COVID-19 pandemic, I was only able to visit [REDACTED] from outside her bedroom window between five and ten times. I believe that she began receiving daily physical therapy and was making great strides. She was very excited to be able to walk again.

Resident 42
12. [REDACTED] contracted COVID-19 in February 2021 and was transferred to an isolation unit. While in isolation, she often texted me asking for help, stating that the staff only checked on her periodically. Resident 42 [REDACTED] told me she was in the isolation unit by herself and was left alone there for

the isolation unit by herself and was left alone there for two weeks. I was only able to visit ^{Resident 42} [REDACTED] from outside her window when she was well. When ^{Resident 42} [REDACTED] contracted COVID-19, I was unable to visit from outside her window.

13. After fifteen days and a negative COVID-19 test, Villages moved ^{Resident 42} [REDACTED] to the long-term care unit. I spoke to someone on why ^{Resident 42} [REDACTED] was not returning to the rehabilitation unit at Villages, but I cannot recall the reasoning. Despite a negative COVID-19 test, ^{Resident 42} [REDACTED] was experiencing Long-Haul COVID Syndrome. She was nauseous, vomiting, and coughing up blood.

14. ^{Resident 42} [REDACTED] sent me over 1,000 text messages throughout her residency at Villages. Many of these texts consisted of asking for basic necessities, like help using the restroom and to receive food, water and medications. ^{Resident 42} [REDACTED] should have been receiving these necessities without asking. I often received texts from her stating, "I've been lying in a dirty diaper for hours," or "I just need a glass of water." She texted me several times asking for water. After receiving these texts, I often tried contacting Villages to ask them to send a staff member to check on her. True and correct ^{Resident 42's} transcriptions of a sampling of [REDACTED] texts to me from January 10, 2021, to June 26, 2021, are attached hereto as **Exhibit A**. (The times noted for each text message is the Coordinated Universal Time (UTC), which is four hours head of Eastern Standard Time. For example, 12:00 p.m. UTC is 8:00 a.m. EST, and 4:00 p.m. UTC is 12:00 p.m. EST.)

15. It was always very difficult to contact anyone at Villages when ^{Resident 42} [REDACTED] was moved to the isolation unit and also the long-term care unit. When I called, no one answered the phone. I complained to the head of the facility, Eric Flugel ("Flugel"), and he told me to call before 5:00 PM if I wanted to get a message to ^{Resident 42's} [REDACTED] unit. I followed Flugel's instructions, but still no one would answer. I left multiple messages before 5:00 PM for Flugel, Social Worker Sarah Woodin ("SW Woodin") and others. I again spoke to Flugel and said it was unacceptable to keep family

and friends cut off from speaking with their loved ones. Flugel told me he understood and said again to call prior to 5:00 PM due to the facility being short staffed. I called the Villages Director of Nursing approximately five times and left messages. I wanted to request ^{Resident 42's} nursing notes, doctor visit reports, and medication papers. I do not know the Director of Nursing's name as I never received a call back. I often had to call Annette Barone in the billing department for help, and she would either get ahold of someone for me or hand deliver messages for me.

16. Villages was very short staffed. The available staff was also often rude, rough, and overworked. ^{Resident 42} told me that once the staff whipped her out of bed, so rough it felt like she had broken her leg or knee. Most of the staffing issues ^{Resident 42} experienced occurred while she was in the long-term care unit. I don't believe she experienced these issues in the rehabilitation or dementia units.

17. The medication distribution and administration at Villages was extremely problematic. ^{Resident 42} often texted me to say she did not receive her nightly medications on time. She was of sound mind and was with it, so I know she didn't forget. On one specific occasion, she told me she did not receive her heart medication, Sotalol. I called Villages SW Woodin and she checked ^{Resident 42's} chart. The chart noted she received her medications, but I believe the log was inaccurate.

18. SW Woodin was typically good at getting in touch with me if I reached out. SW Woodin would read me back ^{Resident 42's} chart if I asked. Whenever I had a concern, SW Woodin would look into it. ^{Resident 42} would also voice her concerns to SW Woodin, who then said she would file grievances for ^{Resident 42} about any issues involving certified nurse assistant's ("CNA") and nurses.

19. While ^{Resident 42} was at Villages, I received a letter from the Department of Health ("DOH") stating that they were investigating Villages. I informed Flugel that I received this letter

and of its contents. I never personally filed a complaint with DOH because SW Woodin allegedly filed them on behalf of my friend. I never received copies of these reports or filings, either.

Resident 42's

20. In June 2021, ██████ texts started to become difficult to read and were not clear. I had not seen her in a few months and was unaware of how she looked.

21. On July 13, 2021, I received a call from Medina Memorial Hospital around 7:45 PM informing me that ██████ had been admitted. The only details I was given was that she was unresponsive upon arrival to the hospital. I asked the doctor to transfer ██████ to Strong Memorial Hospital but he said, "If it was my mother, I would let her go," as if she did not have much time.

Resident 42

The doctor said he did not think ██████ would make it to Strong Memorial Hospital because she was very emaciated. I told the doctor I would get to the hospital as soon as I could. In less than fifteen minutes, I received another call from Medina Memorial Hospital informing me ██████ had died. Villages never informed me that they sent her to the hospital.

Resident 42

22. On July 14, 2021, the day after ██████ died, I called Villages to speak with them about her transfer to Medina Memorial Hospital and her death. The staff member I spoke with said that the day of her death, they served her dinner and left, and that when they came back, she was unresponsive. During ██████ stay at Villages, I was previously informed by staff over the phone that ██████ had aspiration precautions in place. Therefore, I don't think she was supposed to be left alone to eat.

Resident 42's

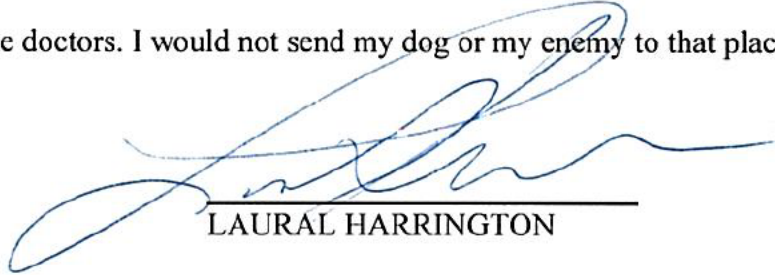
Resident 42

23. Throughout ██████ residency at Villages, I became very mentally exhausted. She texted me hundreds of times begging for help. I was and still am working full-time as a nurse, and I felt my hands were tied. The entire experience wore on me.

Resident 42's

24. I never received any doctor's reports or notes. I never received a death certificate from the facility, although I was able to get a copy from the funeral home. The cause of death was listed as natural causes, but I still question ^{Resident 42's} [REDACTED] cause of death.

25. It is unacceptable that Villages is receiving thousands of dollars per resident, but the conditions and care of the residents is terrible. I strongly feel the neglect my friend experienced was from the staff and not the doctors. I would not send my dog or my enemy to that place.


LAURAL HARRINGTON

Sworn to before me this
11 day of Oct. 2022

Tara A Harnish

Notary Public, State of New York
No. 01HA6297647
Qualified in Monroe County
Commission Expires: 2-24-2026



EXHIBIT A

1/10/2021 10:52:23 PM(UTC+0)	From: [REDACTED]	Dinner coming I'm still sick, male nurse hasn't returned with nausea pill been 1 hour . Laying on wet bedding for 2 hrs. No wonder my skin is burning. No aide answers. Sara will hear this tomorrow
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1/13/2021 2:06:37 PM(UTC+0)	From: [REDACTED]	Been laying on urine and bed sore for 5 hours
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1/17/2021 4:34:59 PM(UTC+0)	From: [REDACTED]	I'm terrified I'm going to die no responses. Please help me
1/17/2021 4:36:05 PM(UTC+0)	From: [REDACTED]	Aide was here said nurse is busy she will tell her to check me heart is racing.i have fever, high cough, can't breath, I need Sotolol !!#
1/17/2021 11:01:57 PM(UTC+0)	From: [REDACTED]	Called for 2nd Sotolol so heart remains calm all night need lung treatment

1/18/2021 12:03:11 AM(UTC+0)	From: [REDACTED]	I can't get water or help to breath.
1/18/2021 12:03:13 AM(UTC+0)	From: [REDACTED]	I'm dehydrated no water for hours
1/18/2021 12:03:18 AM(UTC+0)	From: [REDACTED]	Bed sore I bet has infection it burns it's not covered by patch.
1/18/2021 12:36:42 AM(UTC+0)	From: [REDACTED]	This place has 1 nurse for 42 patients

1/19/2021 1:07:06 AM(UTC+0)	From: [REDACTED]	Rehab lady stopped in I'm not. Going to rehab unit she said Dr will stop in guess or Wed. 2 days in rehab and Friday go home. When I eat in the chair I have to get an aid to put me back to bed if no helps. I sit here all night. One night I was in chair 6 hrs freezing no one helped me. Next time I was in chair 7 hrs crying cold .
1/19/2021 1:07:12 AM(UTC+0)	From: [REDACTED]	Nurse too busy need help can't breathe, nebulizer will open my lungs she's busy. Forgot Sotolol and Tylenol again POS
1/19/2021 1:07:19 AM(UTC+0)	From: [REDACTED]	Been asking for water since 5pm no answer. Can't stop coughing, can't breathe no nurse, dehydration very thirsty.
1/19/2021 9:45:55 PM(UTC+0)	From: [REDACTED]	Nurse has no idea what to do with bed sore..

1/24/2021 4:39:45 PM(UTC+0)	From: [REDACTED]	3 dementia males and 1 dementia female grabbing my face. This morning. This is not safe for me.
1/24/2021 6:07:16 PM(UTC+0)	From: [REDACTED]	Bed sore is larger than it was
1/24/2021 8:44:44 PM(UTC+0)	From: [REDACTED]	My back, knee, and bed sore that screams pain all day add in dementia patients that walk in my room grabbing my face, knee, leg all day. I'm not safe-I want out.

1/25/2021 5:17:08 PM(UTC+0)	From: [REDACTED]	Sitting in chair for 5 hrs they won't let me lay down. I'm getting sick they walk away
1/25/2021 5:53:04 PM(UTC+0)	From: [REDACTED]	I've been in a chair for 6 hrs with broken knee and ribs, back heart and lungs in danger. Rehab Mary is sinking me no one likes her

1/25/2021 9:19:52 PM(UTC+0)	From: [REDACTED]	I told Sarah I want a room away from dementia unit, I'm suppose to be REHAB.
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1/25/2021 11:18:56 PM(UTC+0)	From: [REDACTED]	I'm wet
1/25/2021 11:19:28 PM(UTC+0)	From: [REDACTED]	No one to take me to bathroom
1/25/2021 11:22:04 PM(UTC+0)	From: [REDACTED]	Or to my room it's been hours in the chair again, Knee ultra sore Back and bed sore awful
1/25/2021 11:32:54 PM(UTC+0)	From: [REDACTED]	Peeing in my pants

1/26/2021 3:17:12 AM(UTC+0)	From: [REDACTED]	Was going to sleep dementia man in my room no pants on ready to pee. Make sure Sarah and Medicaid lady knows about this...
1/26/2021 4:34:10 PM(UTC+0)	From: [REDACTED]	Saw DR while eating breakfast he never said anything to me.
1/26/2021 6:31:46 PM(UTC+0)	From: [REDACTED]	I can't even get to the bathroom to pee ha v e to wait 5.5 hrs.
1/26/2021 8:47:32 PM(UTC+0)	From: [REDACTED]	The nurse on the afternoon/shift is wonderful she has long hair, wonderful personality. She asked me why am I in dementia I am a REHAB patient.
1/26/2021 10:29:53 PM(UTC+0)	From: [REDACTED]	5pm rang buzzer 4times for someone bring me for dinner no response.

1/30/2021 4:45:03 PM(UTC+0)	From: [REDACTED]	Haven't been in bathroom since last night 6pm.with Tanika. Aide came in this morning took me to breakfast I wheeled back to room transferred my self. Call button is broke and bell no one. Hears.
1/30/2021 6:34:09 PM(UTC+0)	From: [REDACTED]	Get me out of this shithole
1/30/2021 7:42:15 PM(UTC+0)	From: [REDACTED]	I am so tired of sitting I n the chair have 4 hrs to go

1/30/2021 9:00:31 PM(UTC+0)	From: [REDACTED]	8 hrs in my wheelchair no one asked if I was ok
1/30/2021 11:32:53 PM(UTC+0)	From: [REDACTED]	Rang little silver bell 5 times for help dementia female in my room touching my leg, trying to take wheelchair or my sheets . No one responded.Are you waiting for an accident.?

2/1/2021 8:37:36 PM(UTC+0)	From: [REDACTED]	Two things rehab doesnt want me to do alone Transfer Bathroom I can't get help to transfer I do it alone. Bathroom I have to wait for Someone.
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2/2/2021 2:38:33 AM(UTC+0)	From: [REDACTED]	Yes call them
2/2/2021 2:59:26 AM(UTC+0)	From: [REDACTED]	Keep tryi g.....im dyhydrated
2/2/2021 3:00:24 AM(UTC+0)	From: [REDACTED]	I tried the call button it's not working

2/6/2021 2:22:43 AM(UTC+0)	From: [REDACTED]	Tell me why I am in the same unit with these people . I'm going to get hurt!!
2/6/2021 2:29:31 AM(UTC+0)	From: [REDACTED]	These people steal clothes go thru drawers steal items
2/6/2021 3:30:43 AM(UTC+0)	From: [REDACTED]	Nurse came in has no aides right now, when she gets one she will send her in

2/7/2021 1:13:48 PM(UTC+0)	From: [REDACTED]	My back my knee hurts so much please get me to a DR
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2/7/2021 1:21:07 PM(UTC+0)	From: [REDACTED]	Knee leg numb I'm in pain call desk ask for nurse
2/7/2021 2:04:42 PM(UTC+0)	From: [REDACTED]	I need to be in room but nurse blocking door to hallway
2/7/2021 9:37:16 PM(UTC+0)	From: [REDACTED]	No nurse or food yet
2/7/2021 10:45:28 PM(UTC+0)	From: [REDACTED]	2 aides and 1 nurse

2/21/2021 5:25:24 PM(UTC+0)	From: [REDACTED]	I tested positive
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2/22/2021 2:36:02 AM(UTC+0)	From: [REDACTED]	I have to stay 14 days 2 weeks and then go back to dementia
2/22/2021 2:39:04 AM(UTC+0)	From: [REDACTED]	This is not a private room Has no call for help bell it's broken. No tv allowed
2/22/2021 12:01:25 PM(UTC+0)	From: [REDACTED]	Hate shithole No one checks on me No water since I came in hrs ago dehydrated
2/22/2021 12:02:58 PM(UTC+0)	From: [REDACTED]	No call bell in this room I slammed door 6vtimes
2/22/2021 12:04:45 PM(UTC+0)	From: [REDACTED]	Haven't eaten since 11am
2/22/2021 12:16:02 PM(UTC+0)	From: [REDACTED]	I look at wall and sleep that's all I do. No beverage f o r hours lips chapped and through can't even cough. Headache.
2/22/2021 12:18:25 PM(UTC+0)	From: [REDACTED]	I will loss weight quickly. My stomach is almost flat

2/22/2021 12:22:20 PM(UTC+0)	From: [REDACTED]	It's freezing in here no heat
2/22/2021 12:27:01 PM(UTC+0)	From: [REDACTED]	Aide c a me in she not bring a tray for food, I'm not eating for 14 days.
2/22/2021 9:46:56 PM(UTC+0)	From: [REDACTED]	No T\$ Remote it's 5 hrs Call Bell. No one answers Hope to get pills by 7pm Hope to get another blanket By 7pm.

2/23/2021 1:16:32 AM(UTC+0)	From: [REDACTED]	It's after 8pm and no pills YET!
2/23/2021 2:28:33 PM(UTC+0)	From: [REDACTED]	Dr came in today in early am. I told him I have no symptoms, I'm out of bed either in bathroom 6 times, walking to my closet, oh charger on floor, closing blinds, freezing in here. Eating 3 meals a day. Have Rehab everyday. He said dry cough I said when I wake up and goes away. He wrote everything. Down. He said I'll try to get you out and back to your other unit room in 2. Days. I said tha Thank you
2/23/2021 2:54:14 PM(UTC+0)	From: [REDACTED]	Rehab never came this morning and no morning nurse pills either.
2/23/2021 4:12:55 PM(UTC+0)	From: [REDACTED]	Please Lord kill me
2/23/2021 4:52:54 PM(UTC+0)	From: [REDACTED]	I rang bell 4 times no answer I threw water on floor

2/23/2021 5:07:05 PM(UTC+0)	From: [REDACTED]	I'm in a room with 4 walls No tv Broken all along) Can't leave room for 14 days Dr says today 2 days I can move back. To my other unit The pophyl is antibiotic
2/23/2021 7:08:35 PM(UTC+0)	From: [REDACTED]	Rang bell no answer Freezing in here Can't find tv remote Meal tray disappear 3 people moved me from where I was to this room Have no where to put my lock box and walker Call garden nurse station
2/23/2021 7:23:24 PM(UTC+0)	From: [REDACTED]	I can't make calls within or out. Only text
2/23/2021 10:45:05 PM(UTC+0)	From: [REDACTED]	No dinner yet No call bell answer No meds HELP
2/23/2021 10:48:39 PM(UTC+0)	From: [REDACTED]	Missing dinner
2/23/2021 10:49:43 PM(UTC+0)	From: [REDACTED]	I rang it 7 times no response. I'm hungry
2/23/2021 10:50:38 PM(UTC+0)	From: [REDACTED]	Can you call someone
2/23/2021 11:12:35 PM(UTC+0)	From: [REDACTED]	Now no water or dinner or meds
2/23/2021 11:35:04 PM(UTC+0)	From: [REDACTED]	Try and get my meds please

2/24/2021 1:00:54 PM(UTC+0)	From: [REDACTED]	No breakfast yet
2/24/2021 1:01:13 PM(UTC+0)	From: [REDACTED]	Or pills yet
2/24/2021 1:11:19 PM(UTC+0)	From: [REDACTED]	No answer where is breakfast I'm hungry
2/24/2021 1:17:45 PM(UTC+0)	From: [REDACTED]	Call please help
2/24/2021 1:21:52 PM(UTC+0)	From: [REDACTED]	Need water very dry
2/24/2021 1:53:00 PM(UTC+0)	From: [REDACTED]	Breakfast and water came
2/24/2021 10:48:59 PM(UTC+0)	From: [REDACTED]	I can't leave my room and no one comes in except 3 meals. I don't change my clothes.

2/26/2021 1:30:18 AM(UTC+0)	From: [REDACTED]	Rang 5 times no answer
2/26/2021 2:35:57 AM(UTC+0)	From: [REDACTED]	He did say working understaffed is hard
2/26/2021 1:34:11 PM(UTC+0)	From: [REDACTED]	No breakfast yet, need water used call bell no response
2/26/2021 9:16:40 PM(UTC+0)	From: [REDACTED]	Call nurses to have therapy chair moved I can't get out of bed safely
2/26/2021 10:37:33 PM(UTC+0)	From: [REDACTED]	Nobody came to move chair I'll try and move it
2/26/2021 11:01:47 PM(UTC+0)	From: [REDACTED]	Please ask someone to move chair

3/7/2021 12:08:08 AM(UTC+0)	From: [REDACTED]	Need pills, blankets, bell no response
3/7/2021 12:16:57 AM(UTC+0)	From: [REDACTED]	Guess no pills tonight
3/7/2021 12:22:20 AM(UTC+0)	From: [REDACTED]	Can you Call nurse
3/7/2021 12:57:19 AM(UTC+0)	From: [REDACTED]	It's 8pm.....no pills.....no aid or nurse response
3/7/2021 11:01:51 PM(UTC+0)	From: [REDACTED]	Need blanket and meds
3/7/2021 11:12:07 PM(UTC+0)	From: [REDACTED]	I'm freezing. No meds again
3/7/2021 11:32:42 PM(UTC+0)	From: [REDACTED]	Rang bell 4 times ok meal tray flies in it. Need meds with the new pathetic nurse

3/8/2021 3:40:56 PM(UTC+0)	From: [REDACTED]	Aide came to get tray and told me 5 aides called in sick
3/8/2021 3:43:15 PM(UTC+0)	From: [REDACTED]	This aide and rehab is all they have until 2pm
3/8/2021 4:32:04 PM(UTC+0)	From: [REDACTED]	Aid said yesterday they move patients back and forth that's how they get sick
3/8/2021 5:06:31 PM(UTC+0)	From: [REDACTED]	No lunch yet, no rehab, no maint, running out of toilet paper, no call bell answer ed, no nurse, no cough I g pill or pain pill.
3/8/2021 7:37:15 PM(UTC+0)	From: [REDACTED]	No REHAB last Friday, Sat, Sun and today.
3/8/2021 8:11:01 PM(UTC+0)	From: [REDACTED]	Rehab said 2 swabs had to be taken because new nurse gave me iubropen by mistake.

3/8/2021 8:32:57 PM(UTC+0)	From: [REDACTED]	Nurse is a man tonight with 1 aide
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4/7/2021 1:07:52 AM(UTC+0)	From: [REDACTED]	9pm rand bell. 6 timrs7
4/7/2021 1:59:50 AM(UTC+0)	From: [REDACTED]	Jenny sent note to Dr on xray chest. And culture
4/7/2021 7:18:19 PM(UTC+0)	From: [REDACTED]	No xrays or DR so far
4/7/2021 7:27:15 PM(UTC+0)	From: [REDACTED]	I'm in pain no one answering bell
4/7/2021 8:02:36 PM(UTC+0)	From: [REDACTED]	I need help please
4/7/2021 8:13:09 PM(UTC+0)	From: [REDACTED]	Who the he'll is going to help me!!!!!!##
4/7/2021 9:00:24 PM(UTC+0)	From: [REDACTED]	No nurse. No aide. No bell answered Lots of pajn

4/15/2021 4:47:21 PM(UTC+0)	From: [REDACTED]	Reason Sarah wants me to stay she doesn't want to lose my money
4/15/2021 11:20:27 PM(UTC+0)	From: [REDACTED]	All Clothes were washed and labeled when he dropped them off
4/15/2021 11:22:41 PM(UTC+0)	From: [REDACTED]	Proves the blkgreywhite pajama and grey sweatshirt. We're stolen
4/15/2021 11:24:19 PM(UTC+0)	From: [REDACTED]	2 weeks now never showed up and no one saw them in that dept

4/25/2021 1:43:44 PM(UTC+0)	From: [REDACTED]	Coughing up blood and green phlegm Bad shape today hit the floor
4/25/2021 1:45:35 PM(UTC+0)	From: [REDACTED]	1. Nurse 1 aide
4/25/2021 2:35:16 PM(UTC+0)	From: [REDACTED]	No pills yet it's 11.00
4/25/2021 2:52:15 PM(UTC+0)	From: [REDACTED]	4 aides did not come in

4/27/2021 4:21:30 PM(UTC+0)	From: [REDACTED]	No pills
4/27/2021 4:21:54 PM(UTC+0)	From: [REDACTED]	No water or food
4/27/2021 4:22:27 PM(UTC+0)	From: [REDACTED]	Need pills
4/27/2021 5:17:29 PM(UTC+0)	From: [REDACTED]	5 hrs without Sotolol all meds.
4/27/2021 5:56:04 PM(UTC+0)	From: [REDACTED]	No morning meds until 9pm
4/27/2021 6:16:12 PM(UTC+0)	From: [REDACTED]	No food eaten breakfast and lunch dinner at. 550pm

5/4/2021 12:21:22 AM(UTC+0)	From: [REDACTED]	Took aide 45 minutes to respond
5/4/2021 12:41:13 PM(UTC+0)	From: [REDACTED]	One white Aide Rude nasty wanted me to walk toilet 6am semi dark and piece of broken drape on ground she gave bedpan told do it yourself left I peed in it asked her to dump it she said no told her I can't carry it with a walkershe finally did left all lights off

5/4/2021 1:09:16 PM(UTC+0)	From: [REDACTED]	Rehab coming today help me walk to bathroom and back to to bed with an aid only.
5/4/2021 2:51:55 PM(UTC+0)	From: [REDACTED]	Waiting for rehab for toilet. Limited aides
5/4/2021 3:08:16 PM(UTC+0)	From: [REDACTED]	No one checked vitals since yesterday I'll call nurse gina
5/4/2021 4:07:32 PM(UTC+0)	From: [REDACTED]	Walked to toilet with nasty aide she left me never came back walked to bed myself. 2 days worth of poop and pee
5/4/2021 7:19:20 PM(UTC+0)	From: [REDACTED]	Rang bell Needed to pee needed someone to be with me per rehab to nurses who told day aide. Went pee 3am tall blk aide came in and left, I went alone.
5/4/2021 11:52:29 PM(UTC+0)	From: [REDACTED]	Now till 7am going pee in bedpan or. On bed mat.
5/4/2021 11:55:57 PM(UTC+0)	From: [REDACTED]	Not one 2nd shift helped me
5/4/2021 11:58:58 PM(UTC+0)	From: [REDACTED]	Not one nurse today took vitals

5/10/2021 3:02:25 AM(UTC+0)	From: [REDACTED]	Fell in bathroom hit right knee can't walk on it.
5/10/2021 11:52:42 AM(UTC+0)	From: [REDACTED]	Have to pee. Aide grabbed my knee tried. To pull me on floor I would collapse.
5/10/2021 11:53:36 AM(UTC+0)	From: [REDACTED]	Please. Help
5/10/2021 12:25:18 PM(UTC+0)	From: [REDACTED]	I cant put weight on knee.....help me Laural.....call ambulance. HELP
5/10/2021 12:26:32 PM(UTC+0)	From: [REDACTED]	Ambulance

5/10/2021 12:34:12 PM(UTC+0)	From: [REDACTED]	Help me in excessive pain
5/10/2021 12:35:03 PM(UTC+0)	From: [REDACTED]	Need Tylenol FAST
5/10/2021 12:35:59 PM(UTC+0)	From: [REDACTED]	Call Amulance
5/10/2021 12:41:35 PM(UTC+0)	From: [REDACTED]	Help. Ambulanve
5/10/2021 12:53:22 PM(UTC+0)	From: [REDACTED]	Help help. Help
5/10/2021 12:54:06 PM(UTC+0)	From: [REDACTED]	Call ambulance
5/10/2021 12:54:48 PM(UTC+0)	From: [REDACTED]	Room 14B
5/10/2021 4:04:16 PM(UTC+0)	From: [REDACTED]	I. In pain
5/10/2021 4:06:56 PM(UTC+0)	From: [REDACTED]	Aid grabbed my knee I was screaming
5/10/2021 4:13:47 PM(UTC+0)	From: [REDACTED]	She kept saying get up and walk I said I can't stop ringing the bell
5/10/2021 4:16:21 PM(UTC+0)	From: [REDACTED]	She rolled. Me over for bedpan on my pen.
5/10/2021 4:19:18 PM(UTC+0)	From: [REDACTED]	Fell on butt and right knee
5/10/2021 4:20:59 PM(UTC+0)	From: [REDACTED]	Tall guy.
5/10/2021 7:12:07 PM(UTC+0)	From: [REDACTED]	Have to pee afraid to ring bell

5/12/2021 7:42:38 AM(UTC+0)	From: [REDACTED]	Peed and poop I m my pants rang bell 3 times nurse Nicole came told her she turned around and left me.
5/12/2021 7:44:12 AM(UTC+0)	From: [REDACTED]	Laying in wet pants and bedpad
5/12/2021 1:21:58 PM(UTC+0)	From: [REDACTED]	Bell 917am feel like I could pee and poo no aids came to help im shaking bad headache
5/12/2021 3:16:05 PM(UTC+0)	From: [REDACTED]	Rehab put me on a care plan now No walking or standing only with rehab therapists.
5/12/2021 4:30:27 PM(UTC+0)	From: [REDACTED]	Every second I'm here I get worse
5/12/2021 4:46:04 PM(UTC+0)	From: [REDACTED]	I'm afraid to fall asleep
5/12/2021 9:35:01 PM(UTC+0)	From: [REDACTED]	Diaper needs to be Chgd full of crap
5/12/2021 10:28:39 PM(UTC+0)	From: [REDACTED]	You are correct I've been through too much. I want to get better I can't here. I have got to leave quickly

5/18/2021 1:50:59 PM(UTC+0)	From: [REDACTED]	I'm terrified to ring bell. I don't end up in hospital or dead.
5/18/2021 8:52:06 PM(UTC+0)	From: [REDACTED]	At this time I lay in wet with no aid
5/18/2021 10:24:38 PM(UTC+0)	From: [REDACTED]	530pm Rang bell jaimie and female no name aide and asked for chg, and he said ok she left nobody came back she stopped Him. No chg today
5/18/2021 10:37:41 PM(UTC+0)	From: [REDACTED]	No meds and no change almost they don't want me to be comfortable 645pm now
5/18/2021 10:51:11 PM(UTC+0)	From: [REDACTED]	No chg happening tonight by anyone I'm pissed

5/18/2021 10:57:35 PM(UTC+0)	From: [REDACTED]	Now roomie. Calling help female aid answered
5/18/2021 10:58:02 PM(UTC+0)	From: [REDACTED]	7pm now

5/19/2021 2:56:53 PM(UTC+0)	From: [REDACTED]	Only 2 aides this am. They both leave at 2pm
5/19/2021 8:24:54 PM(UTC+0)	From: [REDACTED]	When nursing home doesn't have enough staff aides that's how residents suffer

5/20/2021 5:31:58 PM(UTC+0)	From: [REDACTED]	81 here
5/20/2021 6:05:31 PM(UTC+0)	From: [REDACTED]	It's so hot inside

5/24/2021 1:48:43 AM(UTC+0)	From: [REDACTED]	10-pm. No meds
5/24/2021 1:12:23 PM(UTC+0)	From: [REDACTED]	I never got any meds last night. Told Nurse Gina this morning she said others didnt get theirs either
5/24/2021 8:56:24 PM(UTC+0)	From: [REDACTED]	550pm Dinner late
5/24/2021 8:57:06 PM(UTC+0)	From: [REDACTED]	Or not feeding me again
5/24/2021 9:01:59 PM(UTC+0)	From: [REDACTED]	Hungry
5/24/2021 9:11:18 PM(UTC+0)	From: [REDACTED]	Rang bell no Responde no food for me

5/24/2021 9:13:46 PM(UTC+0)	From: [REDACTED]	Then no meds. I'm suffering
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5/27/2021 4:29:04 PM(UTC+0)	From: [REDACTED]	Sit in chair can't transfer alone no open will help me
5/27/2021 4:30:08 PM(UTC+0)	From: [REDACTED]	Help help
5/27/2021 5:48:57 PM(UTC+0)	From: [REDACTED]	Sat in chair too long, rehab said ring bell someone will help transfer . me. I'm in bed
5/27/2021 10:30:51 PM(UTC+0)	From: [REDACTED]	This is the house of PAIN
5/27/2021 10:35:12 PM(UTC+0)	From: [REDACTED]	Sunday nite Tuesday nite Thursday nite No pills
5/27/2021 11:20:08 PM(UTC+0)	From: [REDACTED]	No nurse no pills

6/3/2021 2:34:37 PM(UTC+0)	From: [REDACTED]	Makes me transfer myself with 2 unwalkable knees
6/3/2021 2:37:08 PM(UTC+0)	From: [REDACTED]	Get me out of here fear for my life!
6/3/2021 2:58:02 PM(UTC+0)	From: [REDACTED]	Help me

6/13/2021 10:25:42 AM(UTC+0)	From: [REDACTED]	CALL. CONNIE
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6/13/2021 10:30:55 AM(UTC+0)	From: [REDACTED]	CALL. ANNETTE
6/13/2021 10:40:30 AM(UTC+0)	From: [REDACTED]	CALL DIRECTOR ON KNEES I.

6/26/2021 3:41:09 PM(UTC+0)	From: [REDACTED]	I cannot breathe
6/26/2021 4:13:15 PM(UTC+0)	From: [REDACTED]	Need food hungry

CERTIFICATION PURSUANT TO RULE 202.8-b

I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 1,661 words excluding the parts of the Affidavit explicitly exempted by Rule.

Dated: New York, New York
November 22, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

By: 

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In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
VICKI JUCKETT**

STATE OF NEW YORK)
)
COUNTY OF *Monroe*) ss.:

VICKI JUCKETT, being duly sworn, attests as follows:

Resident 40

1. I am the daughter of [REDACTED] my mother, who currently resides at the Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 ("The Villages").

2. I am 65 years old and reside in Holley, New York, where I have been employed as a Med Tech Care Partner for over eight years.

3. I submit this affidavit in connection with the New York Attorney General's investigation into The Villages, and I set forth below my experiences and observations while caring for and speaking with my mother as a resident of The Villages. My sister, my brother, and I alternate visiting my mother in The Villages for mealtimes nearly every day. My sister and brother are my mother's health care proxy and power of attorney, but we are all involved in her care and decision-making.

4. My mother, who is now 86 years old, has five children, eight grandchildren, and six great-grandchildren. She enjoys her family and her Irish heritage. She was married to my father, Ralph, for over fifty years, and had a long career as a freelance photographer. She

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photographed weddings, parties, and banquets, and her photography appeared in local newspapers. A photo of my mother and father is attached to this Affidavit as Exhibit 1.

5. My mother was originally admitted to The Villages briefly in 2019, for rehabilitation, and again for approximately one month in 2020 for additional rehabilitation. Following her 2020 stay at The Villages, my mother returned to living independently in her home and walked, fed, and toileted herself. Unfortunately, she fell and broke her pelvis, and was admitted to Medina Hospital for care. On September 30, 2021, my mother was transferred from the hospital to The Villages, where she has lived ever since. My mother is completely lucid and of sound mind.

6. When my mother was admitted to The Villages in September 2021, she was sent there for rehabilitation from her fall, but was only 61 pounds, and was very weak from her hospitalization. Due to her poor health, our family was permitted to visit with her at The Villages despite COVID visitation restrictions.

7. The day following her admission to The Villages, I noticed that my mother had a large bruise on her ankle. I asked an RN at The Villages about the bruise, and he told me he had done a full body check the day before and the bruise had not been there. Neither my siblings nor I ever received any explanation for this bruise. Photographs of this bruise, taken on October 1, 2021, are attached to this Affidavit as Exhibit 2.

8. After a few weeks at The Villages, my mother began to ambulate with a walker and to toilet herself. Our family was very optimistic that she was regaining strength and would return home.

9. My mother can communicate when she needs to use the restroom. When my mother arrived at The Villages, staff were supposed to help my mother ambulate to the bathroom with a

walker and to assist her in getting onto the toilet. The physical therapy department told my sister that the goal for my mother was to walk and gain strength by ambulating and placing weight on her legs. My mother would press her call bell when she needed to use the bathroom, however, staff rarely responded, resulting in my mother having accidents and having to sit in urine and feces. When staff did respond, instead of taking the time to follow through on the process of helping my mother walk to the bathroom, the staff would often pick my mother up out of bed, put her in a wheelchair and push her to the bathroom. The staff would then pick her up out of the wheelchair and put her on the toilet.

10. My mother's condition has now deteriorated to the point that the staff at The Villages no longer assist her in ambulating to the bathroom. Instead, she stays in bed and goes to the bathroom in a diaper, which is not changed regularly throughout the day

11. During the entire time my mother has been a resident of The Villages, staff have been inattentive to my mother's call bell and requests for help with toileting, which means she often sits or lays for long periods of time in soiled clothes and bedding. Although my mother is capable of alerting staff when she needs to use the bathroom or needs to be changed, she has given up on ringing her call bell for assistance, because she says the staff do not respond to her requests for assistance. On many occasions while visiting, I have pressed the call bell to get assistance for my mom. Sometimes, staff does not respond at all. There have been times when I have gone out into the hall to find staff to assist, but there are no staff members to be found.

12. Since my mother entered The Villages in 2021, at least two times a week my mother has told me she has been "sitting in piss and shit all day." I have frequently arrived at The Villages and found my mother sitting in the hallway in a soiled diaper or in bed in a wet diaper and wet

linens. I have also sat in her wheelchair during visits and found that it was soaked through the seat pad with urine.

13. My mother has been sad while living at The Villages because she misses home, but she has never been severely depressed. A few months after my mother arrived at The Villages, she ^{occasionally had} ~~started to have~~ mild hallucinations. The hallucinations my mother had consisted of things she feared such as the inability to walk, and situations involving water. I requested that my mother be prescribed a medication to help her calm down. My mother was subsequently treated with Seroquel.

14. On October 5, 2021, I visited my mother at The Villages and noticed skin burns from her tailbone to her buttocks. A photograph of this is attached to this Affidavit as Exhibit 3. I believe these burns are a result of my mother sitting in urine-soaked diapers and linens for long periods of time, and a result of a lack of staff attending to my mother. I advised an RN at The Villages about this burn and he attended to it, but I was concerned that The Villages staff had not discovered nor attended to it on their own. My sister told me she informed the DON and Administrator of our concerns.

15. On October 16, 2021, I discovered another large unexplained bruise on my mother's ankle and her bed was soaked with urine, despite the fact that she was wearing a disposable diaper.

16. On October 19, 2021, I discovered a skin breakdown at the top of my mother's tailbone. I never received an explanation from staff about the untreated skin breakdown. Photographs of the skin breakdown are attached to this Affidavit as Exhibit 4.

17. Around this time, I asked The Villages Social Worker, Sarah Woodin, to organize a meeting with administration about my mother's unacceptable care, but she told me through

another staff member that they were “too busy,” and that the “state was there.” I was then told the meeting would be the following week, but no one from The Villages ever reached out to me to follow-up.

18. Also, sometime between October and December 2021, my brother told me that he went to visit my mother and her diaper, which was completely full of feces and urine, was off and in my mother’s bed. When my brother asked my mother what happened, she said, “I took it off because it’s full of shit.”

19. On December 25, 2021, our family brought my mother home for Christmas. She was able to ambulate with a walker and go to the bathroom with our assistance. My mother’s health continued to improve through the beginning of 2022. A photograph of her from May 2022 is attached to the Affidavit as Exhibit 5.

20. During the Spring and Summer of 2022, my mother’s health was so-so as she did not have any major issues. For a short period of time, The Villages staff members would often get her out of bed and bring her to the dining room in her wheelchair to eat her meals and socialize with other residents.

21. On September 27, 2022, I went to visit my mother to help feed her dinner. Staff did not inform me of any concerns about my mother’s health. On September 29, 2022, my sister informed me that my mother had tested positive for COVID-19. My mother was placed on oxygen following her diagnosis and remains on oxygen.

22. On September 30, 2022, I walked into my mother’s room at The Villages and found her face buried in a pillow. I worry that if I did not go to visit her, she could have suffocated. Photographs of this incident are attached to this Affidavit as Exhibit 6.

23. I realized at this time that The Villages was not moving my mother out of bed regularly and decided to keep a closer eye on her. On October 1, 2022, I discovered a pressure area on my mother's right buttock/hip area and reported this to a nurse at The Villages. Two days later, I checked and the pressure area (which did not appear to have been attended to at all) had progressed to an open wound. Photographs of the wound, taken on October 3, 2022, are attached to this Affidavit as Exhibit 7. I alerted a nurse supervisor and a nurse; they began treating the wound by applying ointment and covering it with a bandage. I believe that if the pressure area had been protected with a bandage when I found it on October 1, 2022, it would not have progressed to an open wound.

24. On October 6, 2022, I discovered thrush in my mother's mouth, which had apparently gone undetected by The Villages. A photo of this, taken on October 6, 2022, is attached to this Affidavit as Exhibit 8. I alerted staff and they began treating my mother with Nystatin.

25. On October 8, 2022, I visited my mother at The Villages at 8:45 a.m., my mother had not yet been served breakfast. She told me, "I'm cold, I have coffee all over me!" I found that my mother's bedsheets, gown, and pad were covered in old coffee which she had been laying in since the night before. When I rolled my mother over to change her gown, I noticed horrendous, old, filthy bandages over the wounds on my mother's hip, which were all covered in coffee. I alerted the staff and was told my mother had red bumps on her back and the bandages had been placed there to protect against more sores. Photos of my mother on October 8, 2022, are attached to this Affidavit as Exhibit 9.

26. On the evening of October 9, 2022, I went to visit my mother at about 5:30 p.m. When I arrived, she was lying in bed with her gown and two blankets over her soaked from water that had spilled. A photo of my mother's wet gown taken on this day this is attached to this

Affidavit as Exhibit 10. When I asked a CNA how long my mother had been wet, the CNA told me she did not know, because she had just been called over from another unit to help with passing meal trays and had only been on my mother's unit for 15 minutes.

27. Shortly after the incident on October 8, 2022, when I noticed the bandages that were placed on my mother's back, she received a new mattress. I believe The Villages got my mother a new mattress to "cover their ass" because the staff has not been repositioning her as often as they should be.

28. Years ago, my mother was diagnosed with Kyphosis, a "spinal bump," that occurs with curvature of the spine and rounding of the upper back. This condition has worsened over the past few years. Due to this condition, she needs assistance with positioning and repositioning, as well as with meals.

29. On October 15, 2022, I visited my mother at dinner time, and she was sitting alone in her room, in a Gerry chair, slumped over. I requested that my mother be placed back in her wheelchair because she was unable to prop her head up to eat in the Gerry chair. Photographs of this incident are attached to this Affidavit as Exhibit 11.

30. On October 16, 2022, I went to visit my mother to help her eat dinner. When I arrived, she was alone in her room, attempting to feed herself, but her face was slumped over in a pillow. I believe she might have aspirated had I not come into the room when I did. Photos of this are attached to this Affidavit as Exhibit 12.

31. My sister recently met with The Villages Medical Director who suggested that my mother will be more comfortable in a bed than a wheelchair. He told my sister that my mother is to be repositioned in bed by staff every 45 minutes. I know from my own observations that this is not taking place.

32. My mother is on a pureed diet due to aspiration risks, but the food she is served at The Villages such as green beans, corn, sausage, and coleslaw, is often not adequately pureed, which is dangerous. On October 20, 2022, I arrived at The Villages after my mother had dinner. My mother told me that she choked on her food earlier in the day. I believe she choked on meatloaf.

33. My mother does not receive adequate assistance from staff with meals, so one of our family members attempts to go to The Villages to assist her at breakfast, lunch, and dinner every day. There have been many occasions when I arrived and found that her meal tray was positioned too high and too far away for my mother to reach on her own. Photographs are attached to this Affidavit as Exhibit 13.

34. On October 30, 2022, my sister went to visit my mother in the morning to help her eat breakfast. During the visit, my sister checked my mother's body as we usually do because so many issues have gone unnoticed by staff. My sister noticed an irritated area under my mother's left breast that was dirty and caked with old powder. My sister asked a CNA to wash the old powder off of the irritated area. When the CNA did so, my mother said that the irritated area burned. My sister applied antibiotic cream from my mother's nightstand to that area.

35. On November 2, 2022, I visited my mother at The Villages while accompanied by Detective Jaimie Krzyskoski of the Medical Fraud Control Unit. I arrived at The Villages at approximately 5:45 p.m. to assist my mother with her dinner.

36. Upon arriving at my mother's room, there was a staff member sitting next to my mother with a meal tray. The staff member immediately left as I walked in. Despite the strong and obvious odor of urine in the room, the staff member never changed my mother's diaper, which was soaked with urine.

37. As I assisted my mother with her dinner, she pulled a piece of what appeared to be celery out of her mouth. This was another example of the food not being pureed properly and why my family and I feel the need to assist our mother with every meal.

38. After my mother completed her dinner, a staff member who identified herself as a nurse entered the room to provide my mother with her medication. I asked the nurse about the current staffing levels at The Villages, and the nurse replied that staffing for that shift was comprised of just herself and one additional CNA until 10:00 p.m.

39. Before leaving my mother, I checked the irritated area my sister had previously noticed under my mother's left breast. The uncovered area was topped with old chunky cream and did not seem to have been cleaned. This makes me wonder if my mother is receiving proper hygiene care as she is supposed to be getting sponge baths on a regular basis. A photograph of this, taken on November 2, 2022, is attached to this Affidavit as Exhibit 14.

40. During the afternoon of November 4, 2022, I went to visit my mother to help her eat lunch. When I arrived, I discovered my mother soaked in urine and her call bell on the floor. Attached to this Affidavit Exhibit 15 are photos of this incident.

41. On November 8, 2022, I went to visit my mother. When I arrived, my mother's call bell was not only on the floor, but it was unplugged from the wall.

42. Many of my mother's personal clothing items have been lost by The Villages during the course of her stay there, so my sister now does all of her laundry.

43. The Villages is short-staffed, particularly on nights and weekends, and many of the staff members at The Villages seem to be poorly trained. I am very concerned about the lack of care my mother is receiving at The Villages.

44. My siblings and I are so upset with my mother's lack of care at The Villages that we have discussed trying to have her moved to a different facility. We have decided that we have no choice but to keep her at The Villages because its location is central to our families and there are no other available facilities nearby. Having my mother live close is key to us right now because we go assist her at The Villages almost every day.

Vicki Juckett
VICKI JUCKETT

Sworn to before me this
25th day of Nov. 2022

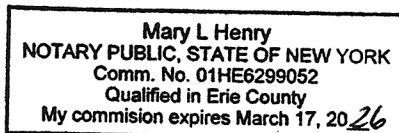
Mary L Henry

Notary Public, State of New York

No. 01HE6299052

Qualified in Erie County

Commission Expires: 3/17/26



CERTIFICATION PURSUANT TO RULE 202.8-b

I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 2,992 words excluding the parts of the Affidavit explicitly exempted by Rule.

Dated: New York, New York
November 25, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

By:



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Exhibit 1



Exhibit 2





Exhibit 3



Exhibit 4



Exhibit 5



Exhibit 6





Exhibit 7







Exhibit 8



Exhibit 9







Exhibit 10



Exhibit 11





Exhibit 12





Exhibit 13



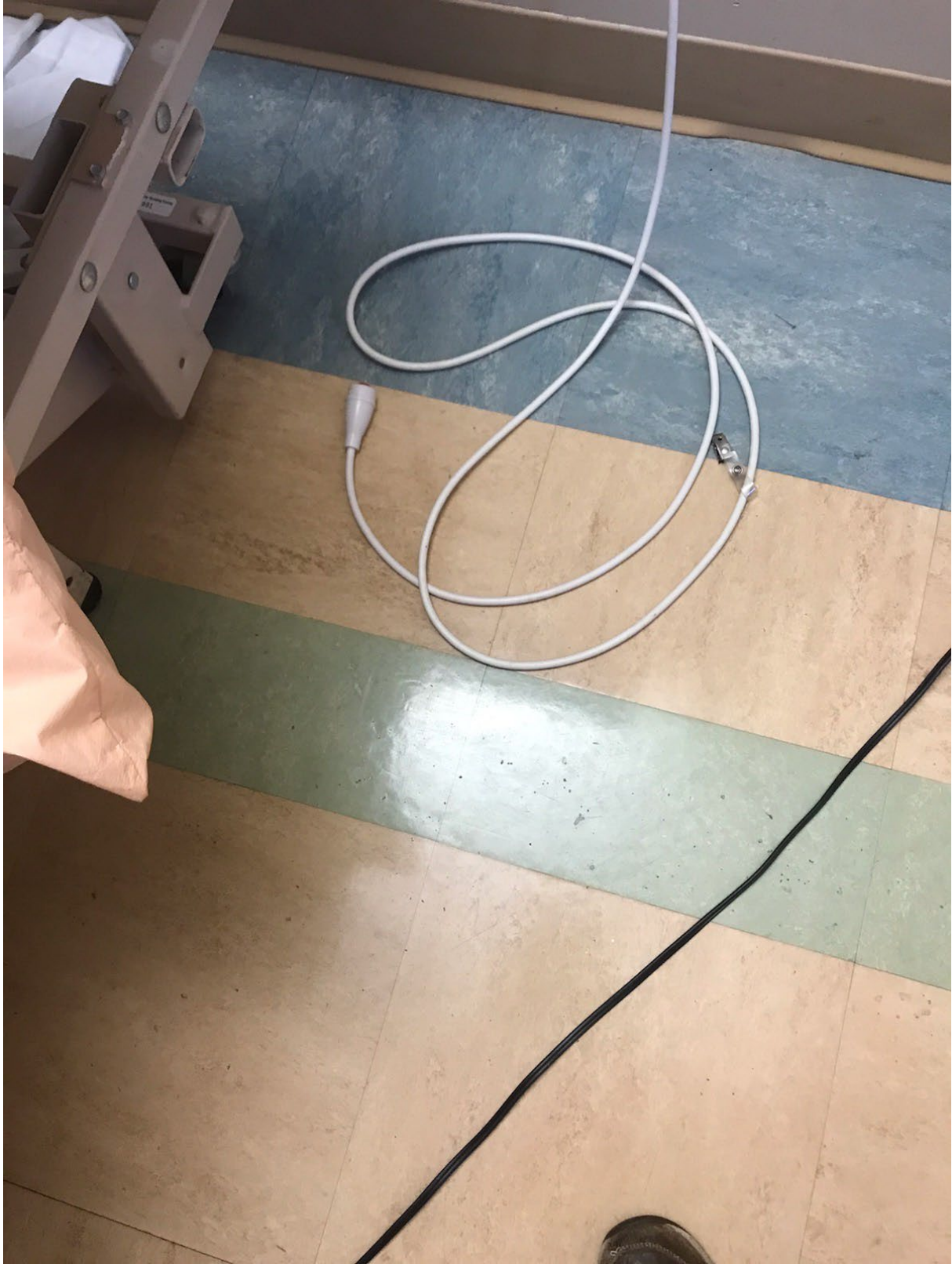
Exhibit 14



Exhibit 15







In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
DONNA KELLY**

STATE OF NEW YORK)
)
COUNTY OF Monroe) ss.:

DONNA KELLY, being duly sworn, attests as follows:

Resident 35

1. I am the mother of [REDACTED], a 45 year-old former resident of the Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 ("Villages").
2. I am 74 years old and currently reside in Fairport, New York, 14450.
3. I was formerly employed as an Administrative Assistant at Xerox for 30 years.
4. I submit this affidavit in connection with the New York Attorney General's investigation into Villages, and I set forth below my experiences and observations while caring for and speaking with my daughter as a resident of Villages.
5. My daughter, K.K., resided at Villages from November 17, 2020 to April 27, 2022.
6. Attached as Exhibit 1 to this Affidavit is a photograph of my daughter when she was 40 years old.
7. At age 29, my daughter was diagnosed with a rare genetic disease called Neuronal Ceroid Lipofuscinosis, also known as Kufs Disease ("Kufs"). Kufs causes severe seizures and causes my daughter's brain and body to deteriorate. Due to her condition, my daughter is nonverbal and has very minimal movement.

8. My daughter had a very high IQ, and prior to her diagnosis, was enrolled in Duquesne University's law program and working for Child Protective Services. She completed two bachelor's degrees from The Pennsylvania State University and a master's degree from Chatham University. My daughter was a brilliant writer and poet and had many of her pieces published.

9. On July 17, 2020, my daughter was admitted to Highland Hospital in Rochester, New York, because of her constant and severe seizures. My daughter stayed at Highland Hospital until she was admitted to Villages on November 17, 2020. Attached as Exhibit 2 to this Affidavit are photographs of my daughter in her room at Villages.

10. Upon her arrival at Villages, my daughter was placed in the dementia unit. When my daughter arrived, Villages did not have any of her required daily seizure medications. On her first night at Villages, my daughter suffered three seizures and was rushed to Medina Hospital. Villages never notified me that my daughter had the seizures or that she was admitted to Medina Hospital. I should have been notified immediately because I am my daughter's health care proxy and power of attorney. I only found out about her hospitalization when Medina Hospital called and informed me.

11. On November 18, 2020, my daughter was transferred from Medina Hospital to Highland Hospital, and was officially admitted to Highland Hospital on November 19, 2020, where she stayed until December 4, 2020. On December 4, 2020, my daughter was released from Highland Hospital and transferred back to Villages.

12. During December of 2020, a male resident with dementia entered my daughter's room and climbed into her bed with her. I was told by Villages staff that the man was confused and thought it was his room.

13. While in the dementia unit, Villages placed an ankle bracelet on my daughter to locate her if she wandered off. I was very confused by this since my daughter is almost immobile. I then requested that Villages move my daughter from the dementia unit to the long-term care unit, which Villages did.

14. On January 5, 2021, my daughter was found bleeding on her bathroom floor from a fall. She was rushed to Highland Hospital, where I found out she suffered a nose abrasion, broken glasses, a loose tooth, and a split lip from this fall. Her split lip required stitches. The hospital also told me that my daughter had an untreated urinary tract infection. She returned to Villages on January 14, 2021, after a nine-day stay at the hospital after the fall.

Low and Untrained Staff and Terrible Conditions at Villages

15. During the COVID-19 pandemic, visitors were not permitted to enter the Villages. The only way I could see my daughter was to go outside of her window in the winter. I went and stood outside of my daughter's window three to four times a week in the cold. It was heartbreaking because my daughter cannot communicate, and she could not hear me through the window.

16. In May of 2021, when in-person visits at Villages resumed, I visited my daughter almost every day to care for her and to feed her. Villages staff members did not monitor those who entered the facility. No one was present with a sign-in sheet or to take the visitor's temperatures. I addressed this with Villages Facility Administrator, Eric Flugel ("Flugel"), and told him I was concerned about visitors bringing COVID-19 into the building. Nothing was ever done to mitigate this risk.

17. During my first visit, I noticed that all of my daughter's socks, sweaters, and Afghan blankets were missing.

18. I observed that Villages was very short-staffed, especially on the weekends. Many of the nurses at Villages did not understand my daughter's disease and did not know how to care for her.

19. Due to the Villages direct care staff's lack of knowledge about my daughter's disease, I placed instructions and information on her room walls at Villages. This information included the status of my daughter's COVID-19 vaccines, call light reminders, dates of hospital and doctor visits, and instructions on what to do if my daughter experienced a seizure, as there were members of Villages direct care staff who had never witnessed a seizure. The notes also described my daughter's health conditions, so the staff at Villages could learn. Those photos are attached to this affidavit as Exhibit 3.

20. I also placed a note on my daughter's wall reminding Villages staff to only send her to Strong Memorial Hospital for medical care and to never send her to Medina Hospital or Batavia Hospital. Attached to this affidavit as Exhibit 4 are photos of instructions and information for staff that I put on my daughter's wall. My daughter did not have a phone in her room. Attached to this affidavit as Exhibit 5 is a photo of my daughter's bathroom wall at Villages, where a phone appears to have been removed sometime prior to her arrival.

21. During my daily trips to Villages, I usually arrived there around 11:00am. I had to clean my daughter's room, make her bed, get fresh sheets and pillowcases, do her hair, get fresh washcloths, take out her garbage and change her bed pads. I did my daughter's morning routine so often that I knew where to put dirty laundry and where to find clean laundry at Villages. I also had to clean the floors of my daughter's bathroom as they were filthy. I completed these duties because it was hit or miss if the Villages staff would complete them themselves. Flugel jokingly offered me a job due to all the work I did for my daughter at Villages.

22. There were times when my daughter needed to use the bathroom and pressed her call light for assistance. Villages staff members did not promptly answer her call light, which caused my daughter to soil herself in urine. Because it took so long to get help, my daughter often tried to get out of her wheelchair by herself and get to the bathroom. My daughter had a posey alarm on her wheelchair that sounded off when she tried to get out of her wheelchair on her own. There were times that she tried to get out of her wheelchair, sounding off the posey alarm, but still no staff members came to assist her, or even to check on her.

23. On March 21, 2022, I received a call from Registered Nurse Katie ("RN Katie") at approximately 6:00am. RN Katie said she called because my daughter wanted to talk to me. I told RN Katie I would be coming to Villages that morning. When I arrived at Villages at 9:00am, my daughter had clean clothes on, but her bed was soiled with urine. It was as if they changed her soiled clothes but did not bother to change the bed sheets.

24. My daughter's room at Villages was in very poor condition and her closet was missing a door. When my daughter arrived at Villages, her windows were so dirty she could not see out of them. I ended up cleaning them and removing the cobwebs myself. Ants often entered through my daughter's windows at Villages because the windows did not seal properly. I purchased ant baits to try to control the problem. I also purchased tissues and antibacterial soap for my daughter's room.

25. My daughter fell many times while at Villages. In addition to the falls and injuries described in this affidavit, my daughter has suffered numerous fractures, a broken nose, and black eyes due to the numerous falls. Attached to this affidavit as Exhibit 6 is a photo of my daughter recovering from a fall with a black eye and bruising on her hand. She frequently fell out of bed. I asked Villages to place her mattress on the floor so she wouldn't fall to the ground. Villages never

moved my daughter's mattress, but they eventually replaced the mattress with a motorized bed. Sometimes I received calls from Villages telling me that my daughter had fallen, but they did not call me every time she fell.

26. On March 6, 2022, I received a call from one of the nurses at Villages. The nurse informed me my daughter fell. I immediately drove to Villages and when I entered my daughter's room, she was a mess. Her front tooth had gone through her lip and there was blood everywhere, including her face, bed, and floor. I was very upset that nobody cleaned the blood off my daughter. I was never able to speak to Villages about this incident because there was never anyone to talk to.

27. It was extremely frustrating trying to get ahold of anyone at Villages. The facility controller gave me a contact list, but whenever I called, the person I was calling was either "in a meeting," or did not have their voicemail set up. Attached to this affidavit as Exhibit 7 is a copy of the Villages staff directory provided to me by the Villages controller. I was able to leave messages for Director of Nursing Kathy Howard ("DON Howard"), but my messages were never returned. I would often go to Flugel's office and knock on his door if I needed something. The facility was short-staffed, and Flugel claimed he was trying to hire new personnel, but new staff were often not trained.

28. On November 7, 2021, my daughter was admitted to University of Rochester Medical-Strong West Hospital in Brockport, New York, after experiencing two grand mal seizures at Villages. My daughter was supposed to be released back to Villages the following day, November 8, 2021. I called Villages numerous times on November 8, 2021, to see if my daughter arrived back to Villages. I was unable to get in touch with anyone. I drove over an hour from the Rochester area to Villages to see if my daughter had arrived. When I arrived, I was told by the

medical van transporter, Patty Denero, that my daughter was not at Villages. I later found out that my daughter had been transferred to Strong Memorial Hospital in Rochester, New York. I drove back to Rochester to Strong Memorial Hospital and spoke to the hospital's staff and my daughter's doctors. I was told that the hospital tried to call Villages but could not get ahold of anyone at the facility. My daughter was discharged from Strong Memorial Hospital and transferred back to Villages on November 12, 2021.

29. My daughter missed numerous medical appointments while at Villages due to a lack of available transportation. Villages only had one transportation van for the whole facility. I reached out to then Villages transportation scheduler Connie King ("King") to try to schedule appointments. Prior to King quitting at Villages, she told me, "They treat dogs better than they treat people here."

30. Kristin Holmes ("Holmes") took over for King as Villages' scheduler. I was told by a van transporter that my daughter was scheduled for transportation to a mammogram appointment for March 14, 2022, at University of Rochester Breast Imaging Red Creek in Rochester, NY. Prior to the appointment, I received a reminder from the doctor's office at a different location stating that my daughter had another mammogram appointment scheduled for March 17, 2022, at University of Rochester Strong West in Brockport, NY. It has been noted numerous times that my daughter is only to be seen by medical providers within the University of Rochester Medical group. I tried to reach Holmes to cancel my daughter's transportation and appointment at Red Creek for March 14, 2022, but was unable to get ahold of her. Since I was unable to reach Holmes, I went to the Villages on March 11, 2022, to try to find her and ask her to reschedule the transportation for March 17, 2022, to Strong West. I was again unable to find Holmes. I spoke to Van Transporter Patty Denero who stated the transport van was not available

to transport my daughter on March 17, 2022, because it was already scheduled for someone else. I had no choice but to cancel my daughter's appointment for March 17, 2022, at Strong West, which is our preferred location, and keep her appointment for March 14, 2022, at Red Creek. I am unable to transport my daughter on my own due to my own health issues. It got to the point where I asked Holmes in advance for the days the transportation van was available and reserved those days on Villages' schedule. I proceeded to make my daughter's appointments those days.

31. I did all of the work trying to schedule my daughter's doctor appointments alongside the Villages transport van availability. I often provided Villages Social Worker Sarah Woodin ("SW Woodin") with fax numbers and phone numbers to help with scheduling my daughter's appointments, but because I was unable to get ahold of SW Woodin, I ended up scheduling most of my daughter's appointments myself.

32. My daughter had an appointment with her neurologist scheduled for March 23, 2022. The Villages transport van was unable to transport her that day to the appointment, but I could not put off the appointment any longer. Because I am unable to transport my daughter, the neurologist's office made arrangements to transport her. If the neurologist's office did not step in, my daughter would not have been able to go to her appointment.

33. At this point in the early spring of 2022, my daughter's health was severely declining. She was very jerky, unable to control her head and her head often fell into her food. There were many occasions when I arrived at Villages and walked in my daughter's room and found her sitting alone at her table tray with her head in her food. Attached to this affidavit as Exhibit 8 are photos of my daughter when I went to visit with her head in her food on various occasions.

34. On April 18, 2022, I received a phone call from another resident at Villages, E.C. The resident called to tell me that my daughter was physically and verbally abused that evening by the second shift staff. The resident was appalled and wanted to tell me the certified nurse assistant that transferred my daughter that evening was very rough with my daughter.

35. On April 19, 2022, I filed a report regarding Villages with the Department of Health (“DOH”). I was never provided a reference number. After filing the report, I went to Villages to speak to Flugel. I wanted to tell him about the incident from April 18, 2022, and ensure he was aware the Villages staff was not familiar with my daughter’s diagnosis. I then went to see my daughter in her room. When I arrived, her room was in terrible condition. Attached to this affidavit as Exhibit 9 are photos of my daughter’s room when I arrived in disarray on April 19, 2022.

36. Villages has a dentist, Dr. Laura Gatzke, from Buffalo that came every other week to check on residents. My daughter had many dental issues and severe tooth pain. Villages provided her with regular routine dental visits, but never addressed her severe tooth pain. I decided to take my daughter to University of Rochester Eastman Dental Specialty Care in Rochester, NY to see a dentist who identified nine cavities in her mouth. This dentist provided me with a treatment plan to give to Dr. Gatzke at the Villages. I provided the treatment plan to Villages, but Dr. Gatzke claimed my daughter’s teeth were fine. I addressed my daughter’s nine cavities and severe tooth pain numerous times with Flugel, but he never provided any help. I spoke with the Ombudsman in the beginning of March 2022, about my daughter’s dental issues. The Ombudsman later told me Villages had yet to address my daughter’s nine cavities and severe tooth pain.

Transfer to a New Facility

37. I spent months trying to find a different facility to transfer my daughter to. I finally received notice of a facility willing to have my daughter as a resident, but I needed a Patient Review

Instrument (“PRI”) assessment of my daughter completed before the new facility would accept her. Villages claimed they did not have a nurse who was trained to complete a PRI assessment and gave me difficulty in scheduling the assessment with an outside nurse. I also had to pay for the outside PRI assessment out of pocket using my daughter’s limited funds. I finally scheduled the assessment on my own for April 14, 2022 and told Villages.

38. On April 13, 2022, my daughter participated in a physical therapy session at Villages with Physical Therapist Mark. After the session finished, my daughter was shaking uncontrollably for four hours and required three doses of Ativan to return to a calm level.

39. Registered Nurse Laura Dumrese (“RN Dumrese”) from Changing Hands Placement Services met me at Villages on April 14, 2022, to conduct the PRI assessment. I made sure to tell Villages I did not want my daughter to participate in physical therapy the day of the PRI assessment, nor did I want any physical therapy staff around my daughter, as I was afraid they would sabotage the PRI assessment again. RN Dumrese conducted the PRI assessment in my daughter’s room at Villages. After the exam was finished, I waited for a paper hardcopy of the results to personally deliver to the new facility, as I did not trust Villages to send the report. SW Woodin had a folder for RN Dumrese containing my daughter’s medical records and information. SW Woodin told me she would have the folder with records ready for me at 3:00PM. I looked for SW Woodin following the completion of my daughter’s PRI assessment, but I could not find her. I later found out that SW Woodin left for the day. I ended up having to follow a laundry employee into the dementia unit to retrieve the folder from Assistant Social Worker Latisha Jackson to give to RN Dumrese. I felt that Villages was trying to halt the process of transferring my daughter to a new facility. I felt stuck and like I was bleeding inside, dying, not knowing what to do for my daughter.

40. On April 22, 2022, I received notice from the new facility that my daughter was accepted and could transfer to their facility on April 27, 2022. I spent April 23 through April 26 of 2022, cleaning my daughter's room and packing her belongings. SW Woodin scheduled the physical therapy department for April 27, 2022, to assist in transferring my daughter into my vehicle, as Villages did not provide transportation.

41. On April 27, 2022, I arrived at Villages to pick up my daughter. A Villages staff member handed me my daughter's Medical Orders for Life-Sustaining Treatment ("MOLST") documents. The staff member asked me to sign a release allowing Villages to share information with the new facility. I refused to sign the paper and said "Why should I give anyone permission here? Nobody ever shared her medical information with me." My daughter was only ever actually treated by doctors when she was in the hospital. When my daughter and I left Villages, other residents cried because they were sad to see us leave. My daughter and I miss the other residents, too.

42. When it was time to leave, Physical Therapist Mark assisted in putting my daughter in my vehicle. Villages then tried to claim my daughter's wheelchair that I had purchased, belonged to them and not to my daughter. I told them I had purchased it and it belonged to us. Villages told me it would take an hour to disassemble the wheelchair and I would have to come back for it after taking my daughter to her new facility. I drove one hour slowly with my daughter in the front seat, bent over with her head between her legs, the entire drive. My daughter's head was swinging back and forth during the drive. It was a very unsafe situation.

43. When I arrived at the new facility, a Nurse Practitioner informed me that they had been trying to contact Villages for my daughter's medication list to have her medications ready,

but they had been unable to reach anyone. After dropping my daughter at the new facility, I drove one hour back to Villages to retrieve the wheelchair and to ask for my daughter's medication list.

44. While waiting for my daughter's medication list at Villages, a housekeeper named Tim asked if my daughter was leaving. I told him that I had moved my daughter to another facility. He told me he had a few bags of her belongings in storage. I accompanied Tim to storage, and he handed me three (3) large bags containing my daughter's clothes, personal photos, a full-size quilt, socks, and underwear. Tim said these bags had been in storage for a year. If I had not run into Tim, I never would have known my daughter's belongings were in storage. I had asked Flugel many times since my daughter first came to Villages on November 17, 2020, where her belongings were, but I never received any answers.

45. Registered Nurse Pyles ("RN Pyles") at Villages provided me with my daughter's medication list, but also made me take my daughter's controlled substances. I asked what I was supposed to do with them, but RN Pyles insisted I had to take them with me. I then signed a document stating I received the medication list and controlled substances. I left Villages and drove back to the new facility. The new facility said they were not allowed to accept the controlled substances from Villages, they just needed the medication list to order my daughter's new medications. I had to take the controlled substances from Villages to the local Sheriff's department and put them in the controlled substance drop box.

46. The conditions at the new facility are a marked improvement from Villages. My daughter has a radio in her room that she can enjoy. The facility also has free wi-fi. All visitors are tracked upon arrival and temperatures are taken at the door. I was provided with folders containing information about the facility. My daughter has been participating in physical therapy with no issues. Her meals are served at regular times and according to her meal plan. I no longer have to

do my daughter's laundry because the facility does it for her. The facility washes every resident's laundry separately, which prevents my daughter's clothes from getting lost, unlike Villages. The doctors at the new facility meet with me in person or call me regarding my daughter's care. The doctors at the new facility have seen her more often in her short time at the new facility than the doctor at Villages did during my daughter's entire 18-month stay. My daughter has had two falls at the new facility. I received a phone call right away from a nurse and a nurse practitioner to inform me of the falls.

47. The new facility's staff is very interested in learning about my daughter's disease and its manifestation. The facility has made my daughter feel like she is part of a community and has arranged for her to participate in activities like crafts, classes, and a picnic. I love being able to take her for walks in her wheelchair outside at the new facility. Not being able to take her outside at Villages felt inhumane. I am so glad we are here at this new facility. I want to make the best of the time my daughter has left.

Donna A Kelly
DONNA KELLY

Sworn to before me this
1st day of Sept. 2022

Mary L Henry

Mary L Henry
NOTARY PUBLIC, STATE OF NEW YORK
Comm. No. 01HE6299052
Qualified in Erie County
My commission expires March 17, 2026

Notary Public, State of New York

No. _____

Qualified in _____ County

Commission Expires: _____

EXHIBIT 1

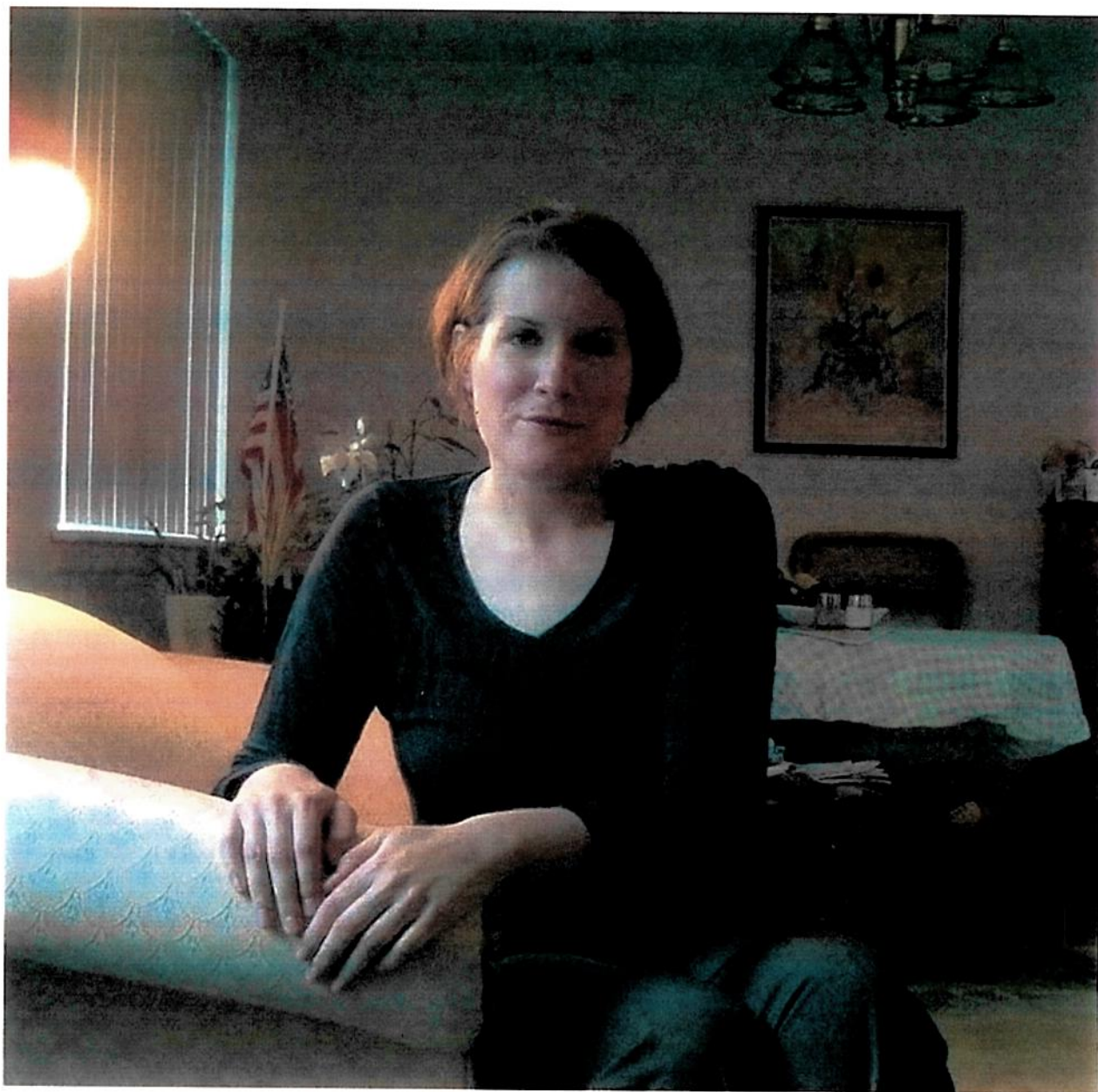
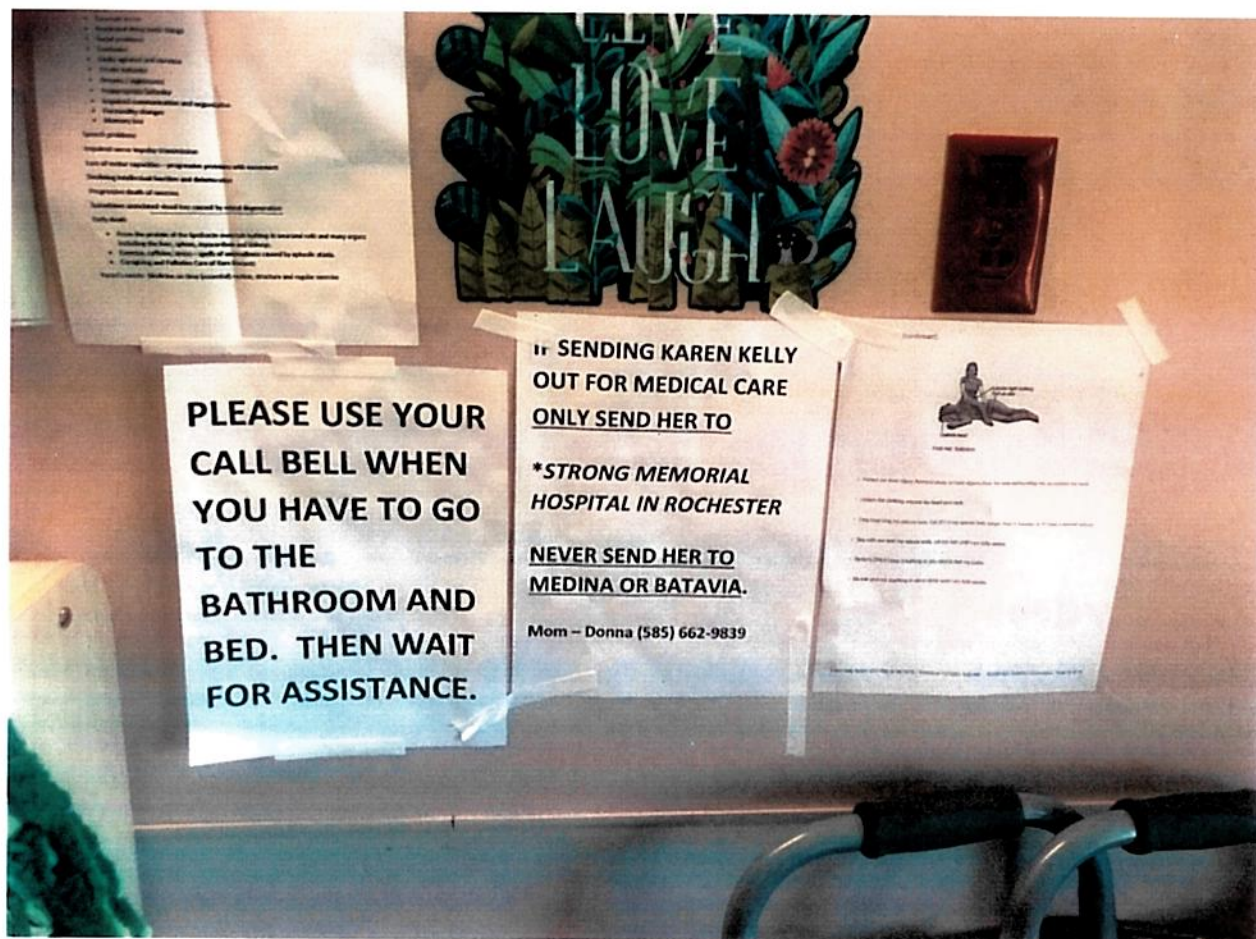
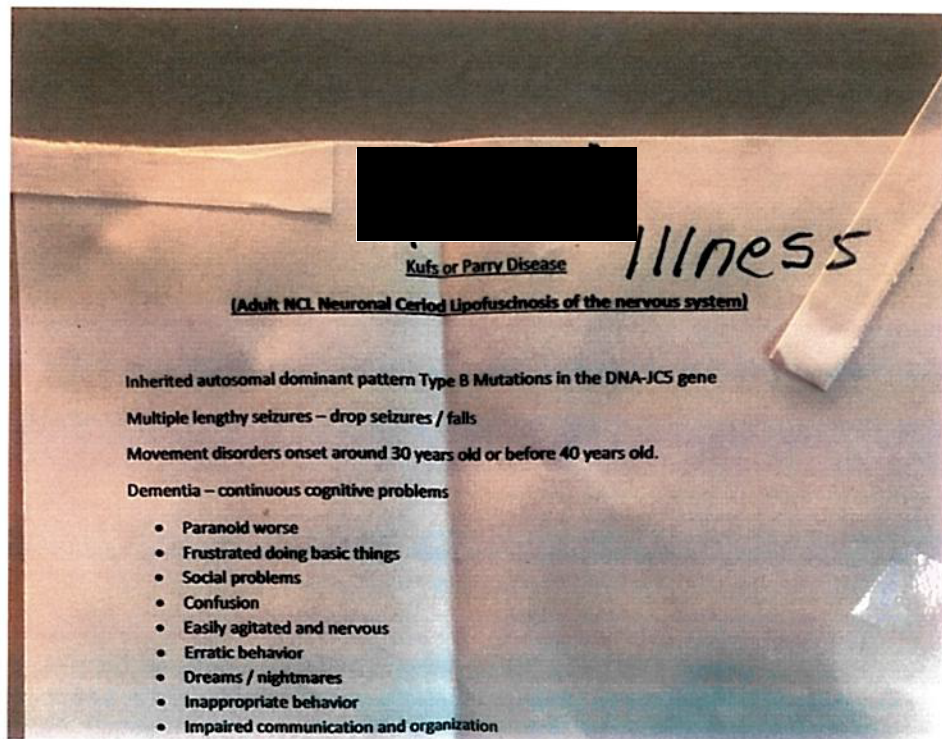


EXHIBIT 2



EXHIBIT 3





CERTIFICATION PURSUANT TO RULE 202.8-b

I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 4,141 words excluding the parts of the Affidavit explicitly exempted by Rule.


Dated: New York, New York
November 22, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

By:



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In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
REBECCA LOCKWOOD**

STATE OF NEW YORK)
)
COUNTY OF Monroe) ss.:

REBECCA LOCKWOOD, being duly sworn, attests as follows:

Resident 53

1. I am the wife of [REDACTED], a former resident of the Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 ("Villages").
2. My husband who is now 66 years old resided at Villages from December 21, 2020, to February 7, 2021.
3. I am 50 years old and currently reside in Rochester, New York.
4. I am employed as an Assistant Nurse Manager at Highland Hospital in Rochester and have been a licensed registered nurse since 1997.
5. I submit this affidavit in connection with the New York Attorney General's investigation into Villages, and I set forth below my experiences and observations while caring for and speaking with my husband as a resident of Villages.
6. My husband was admitted to Villages on December 21, 2020. He has struggled with Aphasia since a stroke five years ago, leaving him permanently disabled. Prior to being admitted to Villages, my husband was at Highland Hospital in Rochester for treatment of aspiration pneumonia and a seizure. My husband was transferred to Villages after his stay at

Highland Hospital to receive rehabilitation services to gain back his strength before being discharged home to receive care from an in-home service aide.

7. Prior to my husband having a stroke, he was a master carpenter and drove tractor trailer trucks. He also enjoyed playing the harmonica, which he taught himself to play. My husband became so good he became a professional harmonica player.

8. The stroke my husband suffered five years ago caused a severe brain injury, leaving him to function emotionally at the level of a six-year-old. The recent seizure caused incontinence, trouble walking, issues feeding himself, and trouble communicating. I set up a program on his iPad, Dynabox. This program allowed my husband to express himself and communicate via the iPad.

9. Villages was the only facility to accept my husband. Due to COVID-19 restrictions, I was not allowed to go with my husband during his transfer to Villages. When he left Highland Hospital, I was told by Villages Director of Nursing, Karrie Mikits (“DON Mikits”), that someone from Villages would contact me after he arrived at the facility, so that I could provide Villages with my husband’s medical history. I never received an arrival notice. I was worried my husband did not arrive safely to Villages and began calling Villages. I called Villages numerous times, but no one answered the phone.

10. I called the Ombudsman who was able to get in touch with a nurse at Villages, who then called me back. The nurse told me, “I don’t have time to make calls to family members, plus he doesn’t say much, does he?” The nurse did not realize my husband could not speak. She stated that she had not received any report regarding my husband’s condition or needs. I was also informed that none of my husband’s medications were ordered, including his seizure and pain medications. My husband was dependent on these medications. The nurse told

me they would not be ordered until the following day. I called DON Mikits on her personal cell phone, and she apologized for the admission issues. My husband ended up receiving his medications around midnight. I was also told that a Villages nurse would call me the following day to do my husband's intake paperwork, but no one ever called. I tried calling Villages many times. A woman finally answered and told me she was a nurse but did not provide me with any information.

11. Within the first few nights at Villages, my husband fell out of bed. A nurse called to tell me that they had found him on the floor. He fell out of bed a second time at Villages, as well. He was not injured in either of the falls, but he had never had issues with falling out of bed prior to being admitted to Villages.

12. During my husband's first week at Villages, his neurologist, Dr. Vivino, ordered a bloodwork panel in part to measure his blood count in relation to his seizure medication and the side effects he was experiencing. Dr. Vivino had to put in a second order for the bloodwork panel because Villages never completed the first request. Dr. Madejski also ordered bloodwork that was never completed by Villages. To my knowledge, no bloodwork was ever completed after I made multiple requests.

13. On December 29, 2020, I took my husband to his neurology appointment with Dr. Vivino at Strong Memorial Hospital in Rochester, New York. Dr. Vivino was unable to conduct her examination due to my husband's level of lethargy and drooling. Dr. Vivino initially wanted to admit my husband to the hospital. Dr. Vivino was eventually able to get some response from my husband, but he was still unable to complete the examination. I addressed my husband's lethargy and drooling with Villages and never received a response or explanation.

14. I asked Villages to provide me with my husband's physical therapy schedule multiple times over a span of a few weeks. I requested this information from multiple Villages staff members, including Eric Flugel ("Flugel"), the only licensed full-time Physical Therapist at Villages. Flugel told me Villages does not provide copies of residents' therapy schedules to family. Many times, when I contacted the Villages physical therapy department, I spoke with Leanna SanFilippo ("SanFilippo"). SanFilippo and Flugel said they do not schedule therapy and there is no set schedule. SanFilippo also told me my husband received physical therapy five times per week for 60-80 minutes each session and that he received occupational therapy five times per week for 45-65 minutes each session.

15. I believe that Flugel did not work directly with the residents at Villages, and that he only signed off on their sessions. Multiple physical therapist assistants or stand-in physical therapists saw the residents. I was able to speak with a stand-in physical therapist named Brandon. He told me that my concerns regarding my husband's physical therapy were valid, but he did not have answers to all of my questions. I emailed Flugel my concerns and mentioned that I had spoken with Brandon. Flugel's only response was that he was glad I was able to speak with Brandon.

16. My husband also required speech therapy, but Villages did not have a speech therapist on staff. I was very frustrated by this and expressed that to Villages. I could not understand why Villages accepted my husband as a resident, knowing he needed speech therapy due to his Aphasia and aspiration pneumonia, without having a speech therapist on staff. After 2-3 weeks, Villages outsourced a speech therapist. On January 4, 2021, Villages called to tell me my husband was receiving speech therapy once per week. On January 6, 2021, Flugel told me that my husband was receiving speech therapy twice per week.

17. Throughout my husband's first month at Villages, I was skeptical that he was actually receiving the amount of physical and occupational therapy I was told. I requested to watch one of my husband's physical therapy sessions through video on his iPad. I was able to watch a session on January 11, 2021. SanFilippo ran this session, which was a combined physical therapy and occupational therapy session. I questioned SanFilippo why it was a combined session, and she said it was so that I could see both. This session lasted less than 60 minutes and wasn't anything more than a normal morning care routine of giving him a bed bath, changing his diaper, and moving him to his chair. My husband required a two-person assist and Hoyer-lift to move him out of bed and was very lethargic. During this combined therapy session, my husband never left his room. I questioned this session and was told my husband was not feeling well. I asked to watch future sessions by video and Flugel told me that my husband did not perform well when I was watching, even though I had only watched the one session. At this point, I felt that Villages had an excuse for everything regarding my husband's care and health.

18. I was able to schedule a second appointment to watch my husband's physical therapy sessions at Villages by video with SanFilippo on January 25, 2021. There was a bad internet connection, so I could only hear the audio. This session lasted around 30 minutes. I asked SanFilippo for my husband's therapy plan but was only provided with his therapy goals. I requested progress notes on my husband's therapy from Villages, but never received them. I asked my husband if he was receiving physical therapy and he said no. I frequently asked the day shift aides and nurses at Villages if my husband had received therapy that day. They responded that they had not seen him do therapy at all during their shift.

19. The only way I could contact my husband while at Villages was by calling the nurse's station. Due to his tremors, my husband could not open his iPad without assistance. If a

nurse answered my call, I asked them to turn my husband's iPad on. There were many times when the Villages staff would not even answer the phone for many hours.

20. Staffing is definitely an issue at Villages. A night nurse at Villages told me Villages only had two certified nursing assistants ("CNAs") for the whole building. When I called one night to try to reach a nurse during the night shift at Villages, a CNA told me that the nurse on duty was in charge of two units, with only one CNA per unit. A CNA also told me Flugel had hired all the aides from a different state and paid for them to stay in a nearby hotel. These aides were provided transportation by Villages to and from work.

21. During the time my husband was a resident at Villages, DON Mikits walked out. I was able to ask DON Mikits if my husband was receiving physical therapy every day and she told me, "absolutely not." DON Mikits told me it is impossible to receive physical or occupational therapy five days per week.

22. I often spoke with Villages Social Worker Sarah Woodin ("SW Woodin"), in an attempt to get answers to some of my questions. One day, I begged her to visit my husband's room while on FaceTime so she could see him, because I had previously been on Facetime with him and saw how lethargic he was. When SW Woodin entered my husband's room with me on the phone, he was lying in bed drooling. SW Woodin said she would talk to the medical department regarding my husband's condition, but I never heard anything back.

23. I often had difficulty contacting the Villages. No one on staff had their voicemails set up, so I was unable to leave messages. I sent countless emails to Flugel, SW Woodin, SanFilippo, and Kathy Howard. I would rarely, if ever, receive a response. My husband's daughter, Sarah Arrowsmith, emailed Flugel, SW Wooden, and Kathy Howard on February 4, 2021, but never received a response.

24. Due to my husband's aspiration issues, he should never be fed lying down. However, many times when I would FaceTime him at Villages, he was being fed while lying down in his bed. When I voiced my concerns to the nursing aides, they said they were uncomfortable moving my husband because he required a two-person assist and there was not enough staff at Villages.

25. A second neurology appointment was scheduled via Zoom for my husband. My husband attended the appointment from his room at Villages, and I attended from my home. I previously requested a Villages staff member to be present during the appointment to assist my husband. When the appointment started, there was no Villages staff member in my husband's room. I had to call Villages and text SW Woodin to ask them to send someone into his room. A Social Worker Assistant ("SWA") was sent to my husband's room. The neurology appointment was not very productive, as the SWA did not know the answers to any of the neurologist's questions, because it was her first day on the job. I do not believe that Villages sent the neurologist any medical information prior to the appointment. There was no nurse from Villages available to answer any of the neurologist's questions.

26. On January 24, 2021, I received a phone call from Villages new Director of Nursing, Kathy Howard ("DON Howard"). DON Howard informed me my husband was being moved from the rehabilitation care unit to the long-term care unit. I voiced concerns with this move and questioned why this decision was made. DON Howard told me if I disagreed with the unit transfer, I would have to appeal it with Livanta. I appealed to Livanta by phone and later received a letter stating my appeal was denied due to documentation from Villages stating my husband had met his rehabilitation goals. Livanta also stated the documentation from Villages reflected that my husband's skills had improved, in that he was supposedly able to "ambulate 10-

feet with a rolling walker,” and perform his ADL’s with minimal assistance. My husband still required a two-person assist and was unable to ambulate on his own. Due to the “improvements” claimed in the Villages documentation, my husband lost his Traumatic Brain Injury (“TBI”) waiver benefits.

27. The TBI waiver program is offered by the State. Through the state, it allows TBI patients to live at home with aide service and community support. It takes approximately six months or more to get approved for this program.

28. When I received the appeal denial letter from Livanta, I immediately called Villages to speak with SanFilippo and SW Woodin. I questioned them on my husband walking on his own, to which they both told me he was unable to do. My husband’s right arm is paralyzed, so I was confused as to how documents stating he could ambulate using a rolling walker were submitted by Villages to Livanta, since he is unable to walk or use both arms. I continued to question SanFilippo and Flugel. I was told it was my husband’s goal to walk independently. I asked SanFilippo to help me with the appeal to Livanta, but she refused. My husband was eventually moved from the rehabilitation care unit to the long-term care unit, but I was not informed of the date he was moved. I did not know until a housekeeper in the Environmental Services Department at Villages notified me.

29. My husband was taking Lovenox while at Highland Hospital to prevent blood clots. While at Villages, my husband was taken off his Lovenox medication and was supposed to be put on a full dose aspirin, as per Highland Hospital’s discharge instructions. However, they did not follow the discharge instructions and never ordered it for him. When my husband was transferred to the new facility on February 7, 2021, his right leg was swollen, painful, and had multiple blood clots.

30. I was told I would receive admission paperwork and a Villages policy handbook when my husband arrived at Villages. I did not receive my husband's admission paperwork until two weeks prior to his transfer to another facility. I submitted the signed admissions paper on January 26, 2021, as Villages said they needed it for my husband's Medicaid. I never signed or sent back the acknowledgement form stating I received all forms upon my husband's admittance to Villages since I did not receive them. I told Villages I would not sign for something I never received. The Villages also never requested a Power of Attorney or Health Care Proxy for my husband. I submitted these on my own.

31. At my request, on February 7, 2021, my husband was transferred to a different care facility in Rochester, New York. Before he could be transferred, my husband needed to undergo a Patient Review Instrument ("PRI") assessment, which would officially allow him to be transferred. Most facilities have PRI trained nurses on staff, but Villages did not. I had to pay \$500.00 out of pocket for an outside, PRI-trained nurse to perform the assessment on my husband.

32. When my husband was transferred out of Villages and arrived at the new facility, he had to be transferred from the wheelchair with a Hoyer lift because he was so weak. He was extremely hypotensive, anemic, malnourished, and had low albumin (liver protein) levels according to his lab work. His right leg was swollen and riddled with blood clots up through his thigh. The new facility sent my husband to the hospital for an evaluation due to these multiple concerns. The hospital told me the severity of the blood clots permanently damaged my husband's right leg, causing permanent pain and swelling.

33. On February 22, 2021, I sent an email to Flugel at Villages, detailing my husband's condition upon arrival at the new facility. I never received a response. Being in the

medical field myself, I know it is common practice to prescribe a daily dose of aspirin to stroke patients. I do not believe Villages ever did so for my husband. My husband did not have any blood clots in his legs prior to being admitted to Villages, but when he arrived at the new facility from Villages, he had so many blood clots that they could not be counted. He has since needed to have surgery on his right leg due to severe drop foot from not walking or wearing his brace while at Villages. He will never walk the same as he did prior to his stay at Villages.

34. I requested my husband's medical records from Villages. When I received the records, there was little to no documentation of my husband's physical therapy sessions. I also requested his weight records due to his extreme weight loss while at Villages. Villages staff members told me he was weighed once per month, but there were no weight recordings in his records except for his admission weight. I also requested the Villages' dietician's information but never received it.

35. When my husband was first admitted to Villages, I sent a list of his personal belongings with him. This was to serve as a checklist to make sure my husband had all of his belongings. When he was transferred to the new facility, my husband arrived without many of his belongings. I called Villages and they told me they never received my list. Two weeks later, SW Woodin called to tell me Villages had found my husband's belongings and they would be dropped off at the new facility. When this drop-off occurred, the box of belongings contained only women's maxi pads, a blow-dryer, and clothes that were not my husband's. I called SW Woodin to tell her and ask her what to do with the box. She said to donate the box.

36. After my husband's stroke, he was unable to use the restroom on his own. He required a urinal or bed pan brought to him. The Villages did not assist him and put him in a diaper instead. My husband put his call light on at the Villages when he needed to use the

restroom, but his calls for assistance were rarely, if ever, answered, and he would go to the bathroom in his diaper.


37. Within four to five weeks at the new facility, my husband was back to being 100% continent. He started walking approximately ten feet with little assistance after 30 minutes per day of regular physical therapy. My husband was now able to use the restroom on his own or with minimal assistance.

38. Even with my husband's improvements at the new facility, I still feel defeated each and every day due to the care my husband received at Villages. When my husband was at Villages, I experienced the worst stress of my life trying to fight for his care, well-being, and dignity.

39. The care my husband received was awful and he has suffered permanent damage due to the lack of care. My husband struggles daily, knowing he is unable to do everything on his own. He lost so many of his functions in his short time at Villages. Some days he just wants to die.


REBECCA LOCKWOOD

Sworn to before me this
22 day of Sept 2022



Notary Public, State of New York
No. 01HA6297647
Qualified in monroe County
Commission Expires: 2-24-2026

TARA A HARNISH Notary Public - State of New York No. 01HA6297647 Qualified in Monroe County My Commission Expires 02-24-2026
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CERTIFICATION PURSUANT TO RULE 202.8-b

I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 3,395 words excluding the parts of the Affidavit explicitly exempted by Rule.

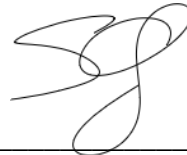
Dated: New York, New York
November 22, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

By:



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In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
ONDREA PATE**

STATE OF ALABAMA)
)
COUNTY OF CULLMAN) ss.:

ONDREA PATE, being duly sworn, attests as follows:

1. I am the daughter of ^{Resident 7} [REDACTED], a former resident of the Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 (“Villages”).
2. My mother, ^{Resident 7} [REDACTED], resided at Villages from March 31, 2020, to April 21, 2020. On May 12, 2020, my mother died at another nursing facility, Orchard Manor, from COVID-19, which she apparently contracted at Villages. She was 80 years old. I was my mother’s Health Care Proxy and Power of Attorney.
3. I am 52 years old and currently reside in Cullman, Alabama. I moved to Alabama after my mother’s death.
4. I am a registered nurse and am employed as a Director of Nursing for Volunteers of America.
5. I submit this affidavit in connection with the New York Attorney General’s investigation into Villages, and I set forth below my experiences and observations while caring for and speaking with my mother as a resident of Villages.
6. Attached to this Affidavit as EXHIBIT 1 is a photo of my mother at home, with her family, on March 11, 2020, a few weeks before she was admitted to Villages.

7. Attached to this Affidavit as EXHIBIT 2 is a photo of my mother on May 10, 2020, less than two months later while at Orchard Manor Nursing Facility. She was so weak that it took two staff members to hold her up to see her family through the window.

8. My mother was admitted to Villages on March 31, 2020, with the intention to complete a few weeks of rehabilitation to regain her strength after a hospital stay, due to dehydration and weakness. My mother was supposed to be placed in the Villages rehabilitation unit, but Villages claimed there was an influenza outbreak in that unit and instead placed my mother in the long-term care unit.

9. On April 21, 2020, the day my mother was scheduled to be released from Villages, my father went to pick her up. When he arrived at Villages, he was told by the Villages Director of Nursing, Deb Donnelly ("DON Donnelly"), that my mother had been exposed to COVID-19. My father then called me, and I spoke with DON Donnelly directly. DON Donnelly told me that my mother had been exposed to COVID-19, but that she had tested negative for COVID-19 on April 18, 2020. She did not tell me when my mother was exposed to COVID-19 and did not tell me any other information regarding the exposure. My mother was then released to my father.

10. Within hours of my mother arriving home that day, I saw a news article that Villages had a COVID-19 outbreak. The article stated that 27 residents at Villages had tested positive for COVID-19 and 3 residents had died from COVID-19 at Villages.

11. My mother told me that her roommate had tested positive, and that the facility kept my mother in the same room with her roommate for four days following her roommate's positive test result.

12. Villages never told me that my mother's roommate had tested positive for COVID-19 or about the severity of the COVID-19 outbreak at the facility.

13. On April 25, 2020, four days after her discharge from Villages, my mother started experiencing symptoms of COVID-19. She had a fever and a cough and was admitted to United Memorial Medical Center, consistent with Orleans County's protocol for COVID-19 testing. After she was admitted, we found out that she also had pneumonia and a right lung infiltrate. On April 26, 2020, five days after being discharged from Villages, my mother tested positive for COVID-19 at the hospital.

14. On April 28, 2020, my mother was transferred to a different facility, Orchard Manor, in Medina, New York. On May 10, 2020, I visited my mother through the window at Orchard Manor and saw how frail she looked. On May 11, 2020, I spoke with Dr. Madejski, a doctor who works at both Villages and Orchard Manor, and was my mother's primary care physician. He told me my mother's health was failing and she would likely not make it much longer.

15. On May 12, 2020, my mother at the age of 80 died from COVID-19, which I am sure she contracted at Villages. After her death, I became an advocate for other residents by organizing a Facebook page "Fix the Villages of Orleans." Our group wrote letters to the Governor, Senators, Legislators and newspapers. We also bought pizza for staff as a show of support to both the staff and residents of the Villages.

16. Though the employees at Villages were awesome, they were severely understaffed. My mother was incontinent and often had to wait long periods of time before she was cared for, due to the low staffing.

17. I will always cherish the relationship I had with my mother. She loved to read, walk, watch television, and spend time with her family. Her favorite television shows were soap operas. My mother and father were married for over 60 years at the time of her death.


ONDREA PATE

Sworn to before me this
22nd day of Sept 2022



Notary Public, State of Alabama

No. _____

Qualified in Cullman County

Commission Expires: 1-04-26

EXHIBIT 1



EXHIBIT 2



CERTIFICATION PURSUANT TO RULE 202.8-b

I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 849 words excluding the parts of the Affidavit explicitly exempted by Rule.

Dated: New York, New York
November 22, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

By:

A handwritten signature in black ink, appearing to be 'SG' with a stylized flourish.

SOO-YOUNG CHANG
Special Assistant Attorney General
Medicaid Fraud Control Unit
Main Place Tower
350 Main Street, Suite 300 B
Buffalo, New York 14202-3750
(716) 249-5147
Soo-young.Chang@ag.ny.gov

In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
CHRISTINE SEVOR**

STATE OF NEW YORK)
)
COUNTY OF Orleans) ss.:

CHRISTINE SEVOR, being duly sworn, attests as follows:

Resident 12

1. I am the wife of [REDACTED], a current resident of the Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 ("Villages").

2. My husband has resided at Villages from late April 2018 to July 2018 and from September 2020 to the present.

3. I am 72 years old and currently reside in Albion, New York.

4. I was formerly employed at Lake Ontario Fruit.

5. I submit this affidavit in connection with the New York Attorney General's investigation into Villages, and I set forth below my experiences and observations while caring for and speaking with my husband as a resident of Villages.

6. My husband, who is 65 years old, was formerly employed by CP Ward, where he fueled semi-trucks and prepared the trucks for their drivers. He has a son from a previous marriage. He enjoyed spending time outdoors and mowing lawns for his neighbors in his spare time.

7. My husband was diagnosed with Multiple Sclerosis ("MS") 22 years ago. Seven years later, he had a brain tumor removed. The removal of the brain tumor caused my husband to

show no emotion; he only sees me as a close friend. After the tumor removal, my husband fell outside and hit his head, causing him to suffer a stroke. The stroke caused my husband to fall several times. In 2018, my husband fell and broke his leg. He was admitted to Villages to undergo rehabilitation, in hopes of strengthening his leg and gaining the ability to return home.

8. I was pleased with the quality of the care that my husband received at Villages during the first time he was there. At the time of my husband's first residency at Villages, Eric Flugel ("Flugel") was the physical therapist who provided physical therapy to my husband. Flugel was great with my husband. He was not overbearing and explained the therapy in ways my husband understood.

9. During his first time at Villages, my husband completed his physical therapy and returned home for one year. Initially, he did well and had additional physical therapy at home. Ultimately, though, my husband declined and began to fall multiple times per week. Eventually, he stopped walking and needed to use an electric wheelchair. It got to a point where I was unable to transfer him from his chair to the bed or toilet, so we decided to re-admit him to Villages in September 2020.

10. The staffing levels at Villages during my husband's first residency there were good. Every room in the facility was filled and there were always nurses available. Prior to the COVID-19 pandemic, during his first residency, I had approximately three care plan meetings with Flugel, Social Worker Sarah Woodin ("SW Woodin"), the charge nurse, and a few aides. Now, during his second residency at Villages, staffing levels have drastically decreased. There is only one aide on each unit. There was one time when an aide named Becky told residents to be in bed by 2:00 PM because there were no staff available.

11. Due to his disability, my husband requires assistance to go to the bathroom, assistance he rarely gets at Villages. My husband rings his call light when he needs to use the restroom. Nine out of ten times, he uses the restroom before staff assist him, as they take too long to respond to his call light. The staff's repeated failure to timely respond to my husband's request for assistance to use the bathroom has resulted in my husband needing to wear pull-up adult diapers, which he finds degrading. In the mornings, my husband says that he is unable to receive assistance as the staff members are helping older residents.

12. In September 2020, when my husband was readmitted to Villages, he was placed on the long-term care unit, known as Canal View. He is currently on the Orchard Unit. There was no care plan meeting scheduled after his re-admittance. My husband's own goal was to complete rehabilitation and use a walker on his own in hopes of being able to return home. However, my husband received physical therapy for three sessions before refusing to continue. My husband's physical therapist, Jim, told me there is "no point" in attempting sessions if my husband is not going to participate. My husband is a very stubborn man and has not attended physical therapy since the fall of 2021.

13. Around this time, Flugel had been promoted to be the facility's Administrator. I now have nothing nice to say about Flugel. My biggest issue with Flugel is how difficult it is to communicate with him. Whenever I call him, I don't receive return calls.

14. There was a COVID-19 outbreak at Villages in approximately Spring 2021. During this time, I continuously contacted Flugel to ask about visitation guidelines. After many contact attempts, he finally responded and said visitors were not allowed due to state guidelines. The only other communications I received were automated voice calls informing me of staff members who had tested positive for COVID-19.

15. I speak to my husband twice per week on the phone, but only when he calls me. He does not have a phone in his room as there is only a communal phone in the hallway. I have a special phone number to call a Villages employee named Christine. She will answer my call and go to my husband's room and let him know I called. I purchased my husband an iPad so we could FaceTime, but he does not know how to use it. My husband does not recall new things, but he can remember old memories.

16. My husband tells me the CNAs do not treat him well, especially the CNAs who are from out of state but are temporarily located near Albion by the facility.

17. I don't have to worry about transporting my husband to doctor's appointments because the Villages doctor, Dr. Madejski, has been his primary doctor. However, if I need to speak with Dr. Madejski, I call his private office and not Villages. I am upset regarding the doctors' visits my husband has been receiving with Dr. Madejski. Dr. Madejski only pops his head in to say hi to my husband, and I am then notified by mail that a claim for \$187 for a 15-minute doctor visit was submitted.

18. My biggest concern regarding my husband's care at Villages is his hygiene. I recently asked my husband when he last took a shower, and he said it was two to three weeks ago. When I address this issue with staff, they tell me they have to check the schedule, but I never hear back, nor does my husband get a shower. I never had an issue with hygiene during my husband's 2018 residency, as he received a shower at least once per week.

19. In early 2022, my husband's nails were not cut for several months. His nails were very thick and very long. He also did not see a podiatrist for a period of approximately six months. I tried to address this with a Villages staff member and was told the podiatrist had lost

their contract with Villages. I was also told a new podiatrist would be coming to the facility soon, and one did recently see my husband.

20. My husband wants to be transferred to an adult living facility. SW Woodin told him he can't be transferred because he can't take care of himself. My husband is unable to stand on his own for more than one minute and needs to be assisted for any transfers.

21. My husband tells me the food at Villages is nasty, though I recognize that he is stubborn and finicky about what he will eat. My husband has lost 50 pounds while residing at Villages.

22. My husband prefers to receive his nighttime medications around 9:00 pm to 9:30 pm before going to sleep. However, his medication is frequently late, and the nurses wake him in the middle of the night to take them.

23. Between April 27, 2022, and May 6, 2022, I received automated voice call notifications from Villages stating that twelve residents and four or five aides had tested positive for COVID-19. My husband's roommate tested positive for COVID-19. My husband was immediately moved to a different room. When my husband told me his roommate tested positive, he also told me his roommate had not had any visitors recently. My husband and I believe his roommate contracted COVID-19 from someone else in Villages.

[This space intentionally left blank.]

24. My husband's health has declined since being at Villages. I feel Villages has not adequately addressed his needs. He is stubborn, but would benefit from motivation and assistance from Villages, which he does not receive. My husband is also nervous about contracting COVID-19 while at Villages. My husband is progressively becoming more depressed every day at Villages.

Christine A. Sevor
CHRISTINE SEVOR

Sworn to before me this
21st day of Sept. 2022

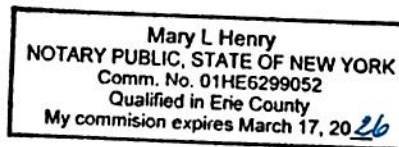
Mary L Henry

Notary Public, State of New York

No. 01HE6299052

Qualified in Erie County

Commission Expires: 3/27/2026



CERTIFICATION PURSUANT TO RULE 202.8-b

I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 1,496 words excluding the parts of the Affidavit explicitly exempted by Rule.

Dated: New York, New York
November 22, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

By:



SOO-YOUNG CHANG
Special Assistant Attorney General
Medicaid Fraud Control Unit
Main Place Tower
350 Main Street, Suite 300 B
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Soo-young.Chang@ag.ny.gov

In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
DARLENE STEVENS**

STATE OF NEW YORK)
)
COUNTY OF Monroe) ss.:

DARLENE STEVENS, being duly sworn, attests as follows:

Resident 34

1. I am the sister of [REDACTED], a former resident of the Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 ("Villages").
2. My brother resided at Villages from December 30, 2020, to September 2021.
3. I am 64 years old and currently reside in Red Creek, New York.
4. I am retired from the Red Creek Central School District, where I worked as an Attendance Clerk for approximately 17 years.
5. I submit this affidavit in connection with the New York Attorney General's investigation into Villages, and I set forth below my experiences and observations while caring for and speaking with my brother as a resident of Villages.
6. My brother was born on October 15, 1961, with a mental disability. He had the cognitive functioning of a five-year-old. He lived with our parents until they passed and then in an apartment located in the Village of Wolcott, New York. While living in the apartment, my brother had an aide that visited for about 28 hours per week to help him. My brother became a danger to himself, often trying to hitch-hike, or would sit in others' vehicles in the building's parking lot and wait to ask them for a ride. He also started calling an ambulance for himself,

stating he needed to go to the hospital. After three calls in one week, the hospital admitted him. The doctor on staff at Newark Wayne Hospital made clear he could no longer live independently. I tried to secure him residential housing, but in New York, my brother could say no if he did not want to go, and he said no. Overall, my brother was in good health. There was a question whether he may have had early onset of dementia, but nothing was ever formally determined.

7. On December 30, 2020, my brother was admitted to Villages, as it was the closest facility that had a room for him. On December 31, 2020, I took bags of his clothing and belongings to Villages. Due to the COVID-19 pandemic, I was not allowed to enter the facility and left the bags with a Villages staff member, hoping they would get to my brother.

8. A few months passed, and I still was unable to visit my brother. I reached out to the Ombudsman, who informed me I should have been granted access to Villages this whole time due to my brother's condition and mental state. I was told the level of my brother's special needs should have allowed me access to see him, despite the COVID-19 regulations.

9. After I was finally able to visit my brother at Villages in approximately July 2021, I noticed he was not wearing any of the clothes I had dropped off for him. His closet and drawers were empty, and he was always in the same dirty shirt. I questioned the staff and was told his other clothes were in the laundry. Villages told me they would investigate as to where his belongings went, but they never did. Social Worker Sarah Woodin ("SW Woodin") told me the facility was going to buy my brother new clothes, but there was no evidence if they did so or not. SW Woodin eventually sent me a list of my brother's clothes that she apparently found. All the clothes on the list were a size "XL," which was not my brother's size of medium or large. I had to bring my brother more clothes, but I never brought in a lot at one time, as his things were still going missing.

10. My brother's care while at Villages was subpar at best. Prior to being admitted to Villages, he was walking six miles per day, talking in clear and understandable sentences, and eating on his own. My brother weighed 167 pounds when he was admitted to Villages (See Exhibit 1), but over the nine months he resided there, he dropped down to 129 pounds (See Exhibit 2). I noticed he was often choking and aspirating on his food.

11. When my brother was first admitted to Villages, I was able to FaceTime with him once per week, but that quickly changed. It became very difficult to get in contact with anyone at Villages. I would constantly call to try to speak with a nurse, Certified Nurse Assistant ("CNA"), or anyone I could get a hold of, but it didn't matter because no one answered the phones. It didn't matter if I tried to call the floor, the receptionist, accounts receivable, or even the Administrator's office – no one answered. I would go days without any communication. I asked to speak with the Administrator and the Director of Nursing and was able to sit down and speak with them on one occasion. However, they never followed up on any of my concerns.

12. Villages placed my brother on the dementia unit, so that they could lock him in to prevent him from escaping the facility. My brother was bound and determined to leave Villages and did succeed twice, despite being locked in. The first time, in January 2021, my brother had been gone for quite some time before Villages staff noticed. My brother left out of an unlocked door at night, crossed the highway, and walked to the maximum-security prison nearby, where he was found at the gate. He was brought back to Villages by the New York State Police. Shortly after the first incident, there was a second time Villages staff noticed my brother had left the facility again but noticed before he had the chance to get too far.

13. My brother was overmedicated while he was at Villages. He was given Depakote at its highest efficacy rate twice a day, along with other behavioral medications. After my brother

suffered aspiration and pneumonia a few times and was sent to the hospital twice, I asked Villages to discontinue the Depakote. They did, but they immediately stopped giving it to my brother instead of tapering him off the Depakote. During the late summer of 2021, my brother subsequently suffered a seizure, even though he did not have any history of seizures.

14. I don't know if the staff at Villages was not trained or knowledgeable on how to treat and care for my brother or someone with a similar diagnosis, did not care, or was just so understaffed that they did not have the manpower to care for my brother properly. I believe the Villages staff did not know how to properly deal with a resident that was mentally disabled and had cognitive issues. I suggested many things for staff to do to keep him occupied. My brother was very defiant when he was first admitted, and I begged the staff to redirect him and not take "no" as an answer. I reminded the staff to treat my brother as you would a young child, but they never put any of my suggestions into place.

15. During one of my visits with my brother at Villages, I was able to walk right into the facility, sign myself in and take my own temperature, walk through the facility, and walk into the dining room in the dementia unit before seeing a staff member. When I arrived in the dining room, I observed one CNA attempting to feed a room of at least ten residents on their own. I pointed out a resident to the CNA that had not eaten any of her food yet and received a response that they (Villages) would just give the resident a snack later.

16. There was one time when my brother needed to be transferred to Rochester General Hospital ("RGH") for an appointment to check on his abdominal aneurysm. I was unable to transport him on my own, so Villages was supposed to assist and set up the transportation. On the day of the appointment, I arrived at the doctor's office and met my brother and his aide. When I saw my brother, he was absolutely filthy, and did not have his shoes or his

glasses on. The wheelchair he was in was also filthy and looked like it would be able to crawl away on its own from the amount of food and debris on it (See Exhibit 3). I questioned where his shoes were and was told by the aide my brother did not have any shoes. My brother was cognitively declining to the point where he could not tell me things and would only respond with "I don't know." My brother also had a large red mark on his face when I met him at his doctor appointment. (See Exhibit 4)

17. Hygiene at Villages was one of my biggest concerns. My brother looked as if he never received a bath during his entire residency at Villages. I believe there was an aide who tried to give him a haircut, but it did not come out well.

18. My brother was also supposed to receive physical therapy once per week while at Villages, but that never happened. He was never offered any occupational therapy or follow-up after being admitted to Villages. Whenever I questioned Villages staff about my brother receiving physical therapy and occupational therapy, they would always tell me that my brother was receiving both. When Villages staff told me that my brother was receiving physical therapy and occupational therapy, it was never documented or relayed back to me after I would raise my concerns. There was never any communication from Villages staff after I raised concerns.

19. Villages staff told me that my brother could not get out of bed by himself, and he was incapable of walking. The staff called me on the phone and told me they lowered my brother's bed for safety and put mats on the floor. However, when I went to visit my brother after the phone call, his bed was raised up, there were no mats on the floor, and there was a walker next to his bed.

20. My brother was sent to the hospital multiple times while at Villages, and once for aspiration pneumonia. At the time of this incident in September 2021, I demanded that my

brother be sent to RGH. Villages sent my brother to RGH where he was admitted. As soon as the hospital caseworker became involved in my brother's case, she immediately called Villages and told them we would not be returning. A team of neurologists reviewed my brother's records and came to the conclusion that he was possibly suffering from Lou Gehrig's Disease, or ALS. My brother stayed at RGH until he passed away on January 26, 2022.

21. Had Villages seen the signs of my brother's decline, I believe he would have had a better quality of life in his last few months. Instead, Villages and its staff just didn't give a shit and no one knew what was going on. I cannot even recall the facility's doctor's name, as I never met him. While at Villages, my brother was left alone to feed himself, choke, aspirate, develop pneumonia, lose weight, and end up in the condition he was in. I wish Villages had a more competent staff. If they did, I feel my brother's last few months would have been much happier, too. I believe if my brother had been placed anywhere besides Villages, his quality of life would have been very different.


DARLENE STEVENS

Sworn to before me this
22 day of Sept 2022



Notary Public, State of New York
No. 01HA6297647
Qualified in Monroe County
Commission Expires: 2-24-2026



EXHIBIT 1

Photos of my brother prior to being admitted to Villages.

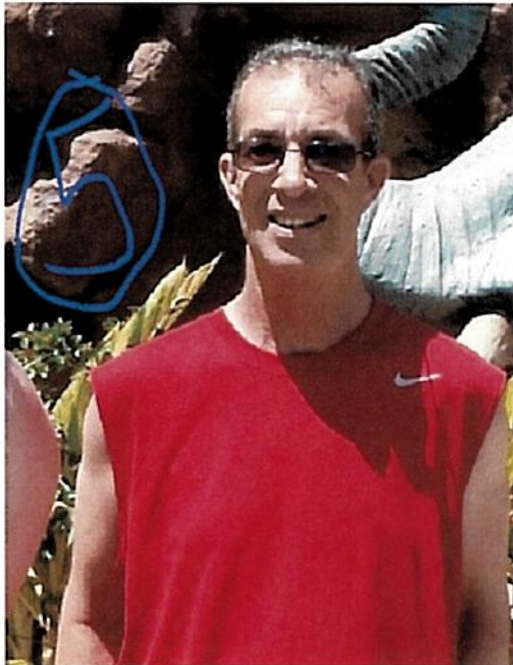
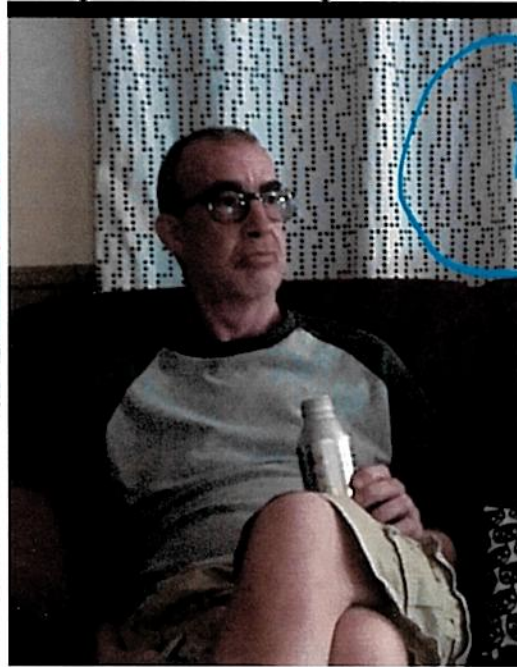
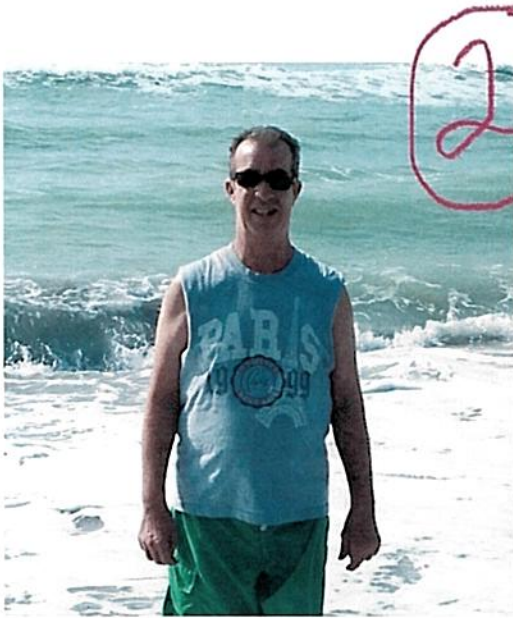
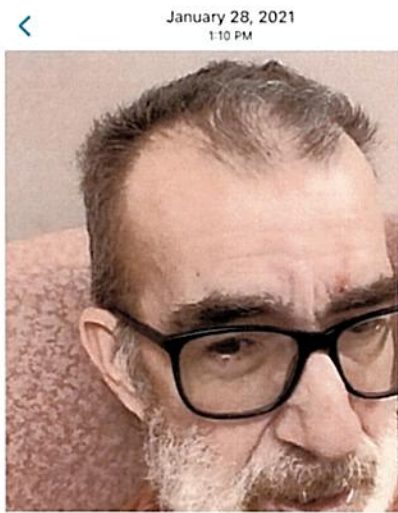


EXHIBIT 2



12:11 📶 🔋

< September 26, 2021 11:45 AM Edit



< May 12, 2021 1:40 PM Edit



EXHIBIT 3

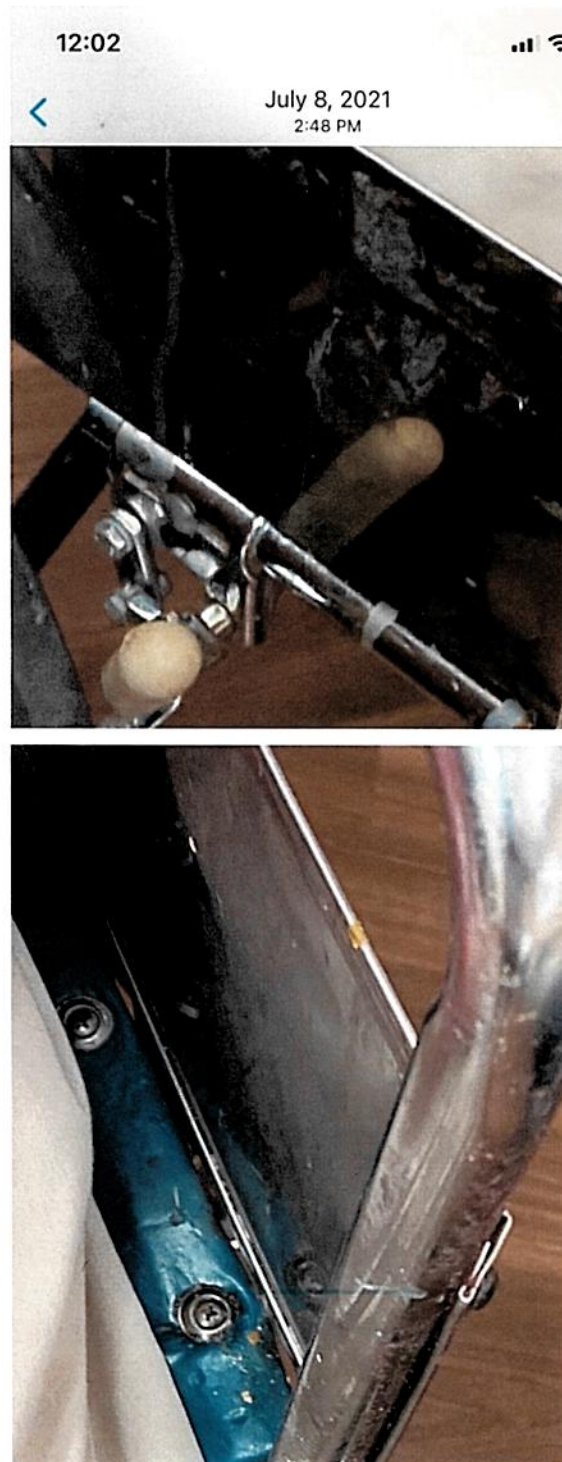


EXHIBIT 4



CERTIFICATION PURSUANT TO RULE 202.8-b

I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 1,914 words excluding the parts of the Affidavit explicitly exempted by Rule.

Dated: New York, New York
November 22, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

By:



SOO-YOUNG CHANG
Special Assistant Attorney
General Medicaid Fraud Control
Unit Main Place Tower
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In the Matter of an Investigation Pursuant to
N.Y. Exec. Law § 63(12) re: VILLAGES OF
ORLEANS, LLC.

**AFFIDAVIT OF
MARGARETTE VOLKMAR**

STATE OF NEW YORK)
)
COUNTY OF Monroe) ss.:

MARGARETTE VOLKMAR, being duly sworn, attests as follows:

Resident 50

1. I am the wife of [REDACTED], a former resident of the Villages of Orleans, LLC, a nursing home located at 14012 NY-31, Albion, New York, 14411 ("Villages").
2. My husband resided at Villages from December 2020 to March 2021. He died on November 4, 2021 from Covid-19 at the age of 85. We had been together for 45 years and married for 19 years. He had four children and two stepchildren.
3. I am 75 years old and currently reside in Rush, New York.
4. I was formerly employed at Zion Episcopal Church in Avon, New York, as the Parish Administrator.
5. I submit this affidavit in connection with the New York Attorney General's investigation into Villages, and I set forth below my experiences and observations while caring for and speaking with my husband as a resident of Villages. I am my husband's Health Care Proxy and Power of Attorney.
6. My husband was an Operating Engineer and a Master Mechanic. He was a member of the Operating Engineer Mechanics Union Local #832 for over 40 years. The union placed my husband at many job sites throughout this time, including John Luther and Company

for 15 years. My husband was very active, enjoyed antique cars, and enjoyed going to flea markets and garage sales. He was a very smart and knowledgeable man.

7. My husband's stay at Villages was a living nightmare. My husband was a resident at Villages following a knee surgery and was supposed to be placed in a rehabilitation unit to regain his strength. He was never placed in a rehabilitation unit at Villages and was placed on the dementia floor, even though he was only in very early stages of dementia. My husband was able to speak clearly and feed himself. Prior to his surgery, he was able to walk on his own with a walker.

8. From the time my husband was admitted to Villages in December of 2020 and transferred to a different facility in March of 2021, his dementia progressed from mild to severe. He had lost 60 pounds and his hair grew past his shoulders. I had to repeatedly ask Villages staff members to cut his hair and his fingernails, as well as bathe him. I wouldn't put a dog in Villages. A dog would get better care than he did.

9. I am unsure if my husband ever received physical therapy. Within one month of living at Villages, my husband's health started to decline. When I would ask him if he was getting physical therapy and walking, he was hard to understand but he was able to say "No." I asked Administrator Eric Flugel if my husband was receiving physical therapy. Flugel told me he was. However, I never saw any evidence that my husband was participating. With his declining health, he no longer wanted to get up and eventually stopped walking. My husband became dependent on a wheelchair and never walked again.

10. Because my husband was admitted to Villages during the COVID-19 pandemic, I was never able to visit him inside the building. I was never able to see his room and did not even know if he had a roommate at Villages.

11. I was able to video call my husband two times a week while he was at Villages. These calls were always at the nursing station and were never private. Often, a staff member was listening in on our video calls. I could tell that my husband wanted to tell me things, but that he felt uncomfortable saying them in front of the Villages staff. There was one male staff member that I could really tell my husband was afraid of. My husband would cower, like a dog cowers away from their abuser, when he saw this male Villages staff member and other Villages staff members pass by him. I don't know what this male staff member did to my husband to make him so afraid. I wish I did.

12. Often during our video calls, I could hear Villages staff members yelling at the other residents of the dementia floor. I would also often see other Villages residents passing in the background of our calls wearing my husband's clothes while my husband was in someone else's clothing. During one of our calls, I witnessed a nurse spin around a wheelchair with a resident in it. It looked as if the nurse was angry at the resident. Luckily, the resident was able to hold on as the wheelchair hit the wall and did not fall out of the wheelchair.

13. On December 31, 2020, I had a scheduled video call with my husband. When I called, a Villages staff member answered and said my husband was sleeping. I called back many times throughout the day and was still told my husband was sleeping. This was very odd because I knew he did not sleep that long. I finally asked a staff member to take the call into my husband's room at the Villages so I could see him sleeping. When the staff member showed me my husband, he was lying in bed naked with only a diaper on. He had no sheets or blankets on his bed. My husband was awake but seemed to be drugged out because he was slurring his words and was difficult to understand. The staff member tried to move my husband so he could see me

on the video call. When the staff member went to move him, he yelled "Leave me alone!" and pulled away from the staff member. I asked why he was naked, and the Villages staff member claimed he had just been changed and promptly disconnected the call.

14. In January of 2021, I was able to see my husband during window visits at Villages. He looked drastically different than when he was admitted to Villages just a month earlier. During these visits, my husband looked very aged. He was drooling, could not communicate, and was unable to get out of his wheelchair.

15. Also in January of 2021, I received a phone call from Villages telling me that my husband had fallen out of bed. I asked if he had any injuries and was told no. At our next video call, I noticed my husband's face was covered in bruises.

16. About a month later, my husband fell a second time. The nurse on his floor told me that they had found my husband on the floor. I demanded that the Villages send him to the hospital for a head x-ray. The Villages sent my husband to the emergency room at United Memorial Medical Center located in Batavia, New York. The Villages did not make him quarantine when he arrived back from the hospital. I kept telling Villages to only send my husband to University of Rochester Hospital, but they continued to send him to United Memorial Medical Center. Villages told me it was too expensive to transport my husband from Albion, New York to Rochester, New York. About one week after his second fall, my husband had a doctor appointment with his urologist who identified he had a leaking bladder. When I arrived at the urologist to meet him, I saw my husband had bruises on his head, face, and arms (See Exhibit 1). These injuries looked much worse than what they should have been from a fall. I asked Villages how my husband got the bruises on both sides of his head from a fall. I never received an explanation from Villages about the second fall or the bruises. Whenever I would ask Villages

staff members a question, they would always say they were going to look into it, but I never heard back.

17. When my husband was at the hospital, I found out that his dementia medication had been cut in half while at Villages. My husband's doctor was not aware of the change. I asked the Villages why his medication was cut in half, but I never received an answer.

18. When my husband was discharged from the hospital and sent back to Villages, he told me "I would never do this to you." I felt terrible knowing there was nothing I could do to help the man I have loved for over 44 years.

19. In March of 2021, my husband was choked by another resident at Villages. I was not informed of this until a nurse casually mentioned it approximately two days after the incident on the phone while discussing my husband's medications. I should have been notified because I am my husband's Health Care Proxy and Power of Attorney. The Villages nurse said my husband was wheeling himself down the hallway when he accidentally bumped into another resident's door. The Villages nurse did not know if my husband got injured. The resident thought my husband was trying to get into his room and subsequently choked my husband. I immediately called the social worker, Sarah Woodin ("SW Woodin"), who told me I should have been notified and she was not sure why I wasn't. I am unaware if my husband suffered any injuries from being choked, as I was never informed by Villages.

20. When nursing homes were re-authorized by New York State to permit in-person visits to residents, Villages refused. I asked why they were not allowing in-person visits when other facilities were. I was told Villages had not yet received the standards and regulations from New York State. During the first week of March 2021, I was finally able to see my husband in-person. However, the visit was only allowed to be 15-minutes long and through plexiglass. In

this visit at Villages, my husband seemed like a stranger to me and could barely verbally communicate with anyone.

21. It was consistently impossible to get in touch with anyone at Villages. I had to make an appointment for everything, even to talk to the staff members. I called the main telephone line and selected the right prompts. Once I got to the extension for my husband's floor, the phone would ring mostly with no answer. I would call Villages approximately three times before a staff member answered the phone. If someone did answer, it was often SW Woodin. If I tried to directly contact SW Woodin by email and phone, I never got an answer and rarely received a call back. One time, I asked my daughter to call Villages. She went through the prompts until the phone line began to ring. My daughter let the phone ring for over an hour with no answer.

22. My husband's drastic 60-pound weight loss was never explained. I did not know if he was eating or what types of food he was served. I asked the Director of Nursing if any medication changes were made that might be playing a role in such dramatic weight loss. The Director of Nursing said she would look into it, but I never heard back from her.

23. During my husband's stay at Villages, I filled out over twenty nursing home applications to try to get him out of there. My husband was finally accepted into another facility and was scheduled to be transferred out of the care of Villages and its staff members. On the day of the transfer, the ambulance driver assigned to my husband had difficulty contacting Villages to let the facility know he was present and ready to transfer my husband.

24. While in Villages, I purchased my husband a new wheelchair of his own. When he was transferred out of Villages, he was in an old wheelchair that was not his. The wheelchair I

purchased my husband had gone missing and was never found. Other personal items belonging to my husband, including shoes, pictures, and razors, also went missing while he was at Villages.

25. I filled out a Department of Health complaint form by hand, front and back during March 2021. I received a letter from the Department of Health in April 2021 stating my complaint was received and someone would contact me. I have yet to hear back from the Department of Health.

26. My husband lived out the remainder of his life at a different nursing home facility. He never fell at the new facility, and he gained back some of the weight he lost while at Villages. A photo of my husband at the new facility is attached as Exhibit 2. At the new facility, his communication abilities drastically improved, and he would often call down the hallway "Here comes the boss!" when he would see me. I visited my husband at the new facility daily for lunch. We would eat, talk, and laugh. My husband's favorite thing to do was visit the on-site ice cream parlor at his new facility.

27. My husband died at the new facility on November 4, 2021 from Covid-19.


MARGARETTE VOLKMAR

Sworn to before me this
22 day of Sept 2022



Notary Public, State of New York
No. 01HA6297647
Qualified in Monroe County
Commission Expires: 2-24-2024

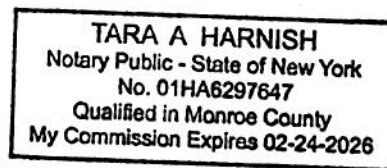


EXHIBIT 1



EXHIBIT 2



CERTIFICATION PURSUANT TO RULE 202.8-b

I, Soo-young Chang, an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that this Affidavit complies with the word count limit set forth in Rule 202.8-b, as it contains 2,159 words excluding the parts of the Affidavit explicitly exempted by Rule.

Dated: New York, New York
November 22, 2022

Respectfully submitted,

Letitia James

Attorney General of the State of New York

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