“Nursing home residents and their families rightfully expect that the care they receive will be competent and professional. Fortunately, the law is on their side—and in New York State, they have the Medicaid Fraud Control Unit of the Attorney General’s office to enforce that law.

Using a team of investigators, attorneys and nursing specialists, the Medicaid Fraud Control Unit (MFCU) has successfully prosecuted negligent and abusive staffers and administrators in nursing homes and other residential facilities. This process has not only taken dangerous providers out of the system, it has helped establish better training and supervising of health care workers and recovered millions of taxpayer dollars.

If you have questions or concerns about the care provided in any residential health care facility, please call our hotline at 866-697-3444. We are here to make sure you and your family receive the care you need.”

Attorney General Eric T. Schneiderman
The MFCU also files criminal charges against providers who fail to report such acts of abuse and neglect to the New York State Department of Health. To help prevent abuse and neglect, our attorneys make presentations to educate residential facilities’ staff members about their legal responsibilities.

As a result of our investigations and prosecutions, the Department of Health and Department of Education frequently suspend or revoke providers’ licenses and certifications, preventing them from endangering patients again.

OUR INVESTIGATIONS

The MFCU regularly receives and reviews reports regarding abuse and neglect of health care facility residents. If there is an indication a crime has occurred, the MFCU conducts an investigation. Attorneys, auditors, investigators and nurse analysts interview residents and facility staff and examine facility records and practices. In some cases, the MFCU has, with the consent of residents’ families, placed hidden cameras in residents’ rooms to investigate the care provided—an innovation New York’s MFCU was among the first to employ. When an investigation uncovers evidence that proves an individual or corporation committed a crime, the MFCU prosecutes the offenders.

THE LAW IS ON YOUR SIDE

It is a crime for health care providers to do any of the following:

- Neglecting residents by willfully failing to provide timely, consistent, adequate and safe services, such as nutrition, therapy and cleanliness;
- Mistreating residents by stealing or misusing medications, or misusing restraints or isolation;
- Physically abusing residents by striking, shaking, or molesting them;
- Falsifying the resident’s treatment or care records.

People—and businesses—committing these crimes can be charged with:

- Assault
- Endangering the Welfare of an Incompetent or Physically Disabled Person
- Willful Violation of the Public Health Law
- Endangering the Welfare of a Vulnerable Elderly Person

OUR PARTNERS

The New York State Department of Health, which is responsible for overseeing residential care facilities to ensure that they meet minimum federal and state legal standards, regularly forwards abuse and neglect complaints to us for our review.

A federal program within the New York State Office for the Aging, the Office of the Long Term Care Ombudsman, is dedicated to advocating on behalf of residents of long-term care facilities.

The New York State Crime Victims Board provides compensation to innocent victims of crime and funds services for crime victims.

FOR MORE INFORMATION

NYS Department of Health
(888) 201-4563
www.health.ny.gov

NYS Long Term Care Ombudsman
(800) 342-9871
www.ltombudsman.ny.gov

NYS Office of Victim Services
(800) 247-8035
www.ovs.ny.gov