

# OFFICE OF THE LONG-TERM CARE OMBUDSMAN

EST. WITHIN THE PA DEPARTMENT OF AGING

October 31, 2024

## Second 60-Day Patient Care Ombudsman Report

Re: LaVie Care Centers, LLC  
Case No. 24-55507-PMB

As directed by the court, and pursuant to 11 U.S.C. § 333(a)(2), Fed. R. Bankr. P. 2007.2(c), the following is my second 60-day report for the above-captioned case.

### General Information

#### Pennknoll Village

Pennknoll Village offers short-term skilled nursing rehabilitation and long-term care skilled nursing facility services in Everett, Bedford County, Pennsylvania, under a regular license issued by the PA Department of Health. The population they serve is primarily geriatric.

The home has a capacity of 133 beds, of which 83 beds are currently occupied.

The current occupancy rates are lower than facility census reports over the last year under the current administration.

Local ombudsman records indicate that this census, based on the number of available beds, is similar to other skilled nursing facilities in the area.

Local ombudsmen have made regular facility visits.

#### Environmental Observations

Pennknoll Village is a non-secured unit. An activities calendar is posted with appropriate activities; however, outside and community activities were not detected. Call bells are generally answered promptly. Snacks and beverages are available to residents. The facility and resident rooms appear clean and odor-free; the temperature is comfortable.

#### Staffing/Operations

The facility reports 2.79 nursing hours per resident per day.

Facility staff reported being happier working at the facility at this time; they felt they were being treated better.



## **Resident-Initiated Complaints/Concerns**

Local ombudsmen have initiated five (5) cases for residents during calendar year 2024.

Most recently, a case was opened for all residents regarding broken blinds in resident rooms. The nursing home administrator assured the ombudsman that she would enter each room and see how many blinds needed to be replaced.

## **Regulatory Issues/Department of Health**

Based on a complaint survey completed on 9/9/24, it was determined that Pennknoll Village was not in compliance with the following requirement of 42 CFR Part 483, Subpart B, Requirements for Long Term Care Facilities and the 28 PA Code, Commonwealth of Pennsylvania Long Term Care Licensure Regulations:

- The facility failed to ensure that pressure ulcers were assessed and documented on for two of four residents reviewed.

On 8/20/24, the Department of Health confirmed that a staffing complaint had been received from the Office of the Long-Term Care Ombudsman. The investigators discovered that the facility was currently out of compliance with the staffing regulations. An incidental finding was that the facility did not have a full-time Director of Nursing, and they were cited for this.

The facility has received a ban on admissions.

## **Locust Grove Retirement Village**

### **General Information**

Locust Grove Retirement Village offers short-term skilled nursing rehabilitation and long-term care skilled nursing facility services in Mifflin, Juniata County, Pennsylvania, under a regular license issued by the PA Department of Health. The population they serve is primarily geriatric.

The facility has a capacity of 104 beds, of which 78 beds are currently occupied.

The current occupancy rates are significantly lower than facility census reports over the last year.

Local ombudsman records indicate that this census, based on the number of available beds, is higher than other skilled nursing facilities in the area.

Local ombudsmen have made regular facility visits.

### **Environmental Observations**

As of a facility visit on 10/24/24, there were multiple COVID cases. The facility places “markings” on the doors of COVID-positive residents.

Locust Grove is a non-secured unit. An activities calendar is posted, with appropriate activities. They continue to be held regularly. No outside or community activities were noted, however. The rooms appear clean and odor-free. Call bells are within reach and answered promptly. The temperature is comfortable.

### **Staffing/Operations**

The facility reports 2.43 nursing hours per resident per day.

### **Resident-Initiated Complaints/Concerns**

The local ombudsman visited with an average of three (3) residents per visit. There were no significant concerns reported, and no cases have been opened on behalf of residents since 2022.

### **Regulatory Issues/Department of Health**

Based on a follow-up survey completed on 7/5/24, it was determined that Locust Grove Retirement Village corrected all the federal deficiencies cited during the survey of 6/18/24 under the requirements of 42 CFR Part 483, Subpart B Requirements for Long Term Care Facilities.

The facility has not received a Civil Money Penalty since 5/4/16.

### **The Manor at St. Luke Village**

#### **General Information**

The Manor at St. Luke Village offers short-term skilled nursing rehabilitation and long-term care skilled nursing facility services in Hazleton, Luzerne County, Pennsylvania, under a regular license issued by the PA Department of Health. The population they serve is primarily geriatric.

The facility has a capacity of 104 beds, of which 83 beds are currently occupied.

The current occupancy rates indicate a sharp decline from facility census reports over the last year.

Local ombudsman records indicate that this census, based on the number of available beds, is average for skilled nursing facilities in the area.

Local ombudsmen have made regular facility visits.

#### **Environmental Observations**

The facility is a non-secured unit. An activities calendar is sometimes posted and adhered to. There are appropriate activities, but no outside or community activities. Snacks are available to residents; pitchers of ice water were noted in resident rooms. The facility and resident rooms are mostly clean and odor-free. Residents report the staff is sometimes too loud.

### **Staffing/Operations**

The facility reports 2.62 nursing hours per resident per day.

On 10/23/24, the local ombudsman was notified by residents of an interim NHA now in place. Emily Galasso, formerly NHA at Kadima at Lakeside, is scheduled to take over as the new NHA sometime in November.

On 10/4/24, the local ombudsman spoke to a human resources staffer regarding a posting of many available jobs. The staffer replied they are using agency staff to help out, and they also have a smaller census for which to give proper care, with the federal regulation requiring so many hours per resident.

### **Resident-Initiated Complaints/Concerns**

The local ombudsman visited with an average of 10 residents and two staff per visit.

No casework has been opened for the facility since 2022.

### **Regulatory Issues/Department of Health**

Based on a revisit and abbreviated complaint survey completed on 8/8/24, it was determined that the Manor at Saint Luke Village failed to correct the deficiencies cited during the survey of 5/31/24 and continued to be out of compliance with the following requirements of 42 CFR Part 483 Subpart B Requirements for Long Term Care and the 28 PA Code Commonwealth of Pennsylvania Long Term Care Licensure Regulations.

- The facility failed to provide sufficient nursing staff to provide timely and quality of care to residents, and in accordance with each resident's plan of care, to meet individualized needs and promote the resident's health and well-being.
- The facility failed to provide care in a manner and environment that promotes each resident's quality of life by failing to respond timely to residents' requests for assistance.
- The facility failed to ensure consistent communication between the facility and dialysis center were completed, including weights and vital signs, and failed to monitor fluid intake for residents prescribed on fluid restrictions.
- The facility failed to develop and/or implement an individualized person-centered plan to address a resident's dementia-related behavioral symptoms.
- The facility failed to ensure that residents receive care consistent with professional standards of practice to prevent pressure sore development.
- The facility failed to provide written notices of facility-initiated transfers to the resident and the resident's representative as soon as practicable.
- The facility failed to provide a minimum of one licensed practical nurse (LPN) per 25 residents during the day shift and failed to provide a minimum of 1 LPN per 30 residents during the evening shift and failed to provide a minimum of one LPN per 40 residents during the night shift on 12 out of 63 shifts reviewed.

The facility last received a Civil Money Penalty on 12/7/22.

## **The Pavilion at St. Luke Village**

### **General Information**

The Pavilion at St. Luke Village offers short-term skilled nursing rehabilitation and long-term care skilled nursing facility services in Hazleton, Luzerne County, Pennsylvania, under a Provisional II license issued by the PA Department of Health. The population they serve is primarily geriatric.

The facility has a capacity of 120 beds, of which 107 beds are currently occupied.

The current occupancy rates are higher than facility census reports over the last year.

Local ombudsman records indicate that this census, based on the number of available beds, is higher than other skilled nursing facilities in the area.

Local ombudsmen have made regular facility visits.

### **Environmental Observations**

During a facility visit of 10/29/24, a nurse informed the local ombudsman of a mysterious rash on one wing of the third floor. The ombudsman also noticed some residents scratching and saw a rash on one resident's arm. The nurse said they were testing for scabies. She also mentioned that nurses were informed that they might have to rotate their medication carts rather than having one nurse on each wing with the same residents. The nurse said they do not like this plan and will fight to advocate for the residents, as she said they believe it is better to have the same medication cart and the same residents for better care.

The Pavilion is a non-secured unit. An activities calendar was posted with appropriate activities available. The facility and resident rooms appear clean, and the temperature is comfortable. A designated smoking area was discontinued on 5/11/24, but as of 8/23/24, "grandfathered" residents were still allowed to smoke outside.

### **Staffing/Operations**

The facility reports 3.16 nursing hours per resident per day.

Many staff were seen during the recent facility visits.

### **Resident-Initiated Complaints/Concerns**

The local ombudsmen visited with an average of 10 residents and three (3) staff per visit.

One (1) case has been opened by the ombudsman during calendar year 2024.

### **Regulatory Issues/Department of Health**

Based on a revisit and abbreviated complaint survey completed on 8/29/24, it was determined that The Pavilion at Saint Luke Village corrected the federal deficiencies cited during the survey of 7/19/24, and

identified no deficient practice, related to the reported complaint allegations, under the requirements of 42 CFR Part 483, Subpart B Requirements for Long Term Care Facilities and the 28 PA Code, Commonwealth of Pennsylvania Long Term Care Licensure Regulations.

The facility last received a Civil Money Penalty of \$6,750 on 2/7/24.

### **Luther Ridge at Seiders Hill**

#### **General Information**

Luther Ridge at Seiders Hill offers assisted-living services in Pottsville, Schuylkill County, Pennsylvania, under a Provisional II license issued by the PA Department of Human Services. The population they serve is primarily geriatric.

The facility has a capacity of 135 beds, of which 64 beds are currently occupied.

The current occupancy rates are on the decline over the last year.

Local ombudsman records indicate that this census, based on the number of available beds, is higher than other assisted-living facilities in the area.

Local ombudsmen have made regular facility visits.

#### **Environmental Observations**

In the facility visit of 10/3/24, the local ombudsman reported an activities calendar is posted, with appropriate activities available. Weekly trips are available for residents. At last visit the room had an extremely notable odor, according to the ombudsman. The administrator said she had attempted to purchase air fresheners, but due to the current bankruptcy state, this is not considered a necessity and cannot be purchased.

The facility is a non-secured unit.

As of 10/3, there was one (1) active case of COVID in the building; the resident was recuperating in their single occupancy room.

#### **Staffing/Operations**

The facility reported 93 total daily staff and 70 waking staff in its latest inspection. This is slightly less than its previous inspection.

The ombudsman noted outstanding staff interaction with residents.

#### **Resident-Initiated Complaints/Concerns**

The local ombudsman visited with 22 residents and five (5) staff during their routine visit. There were no significant concerns reported.

Two (2) cases have been opened by the local ombudsman for residents during calendar year 2024, involving reimbursement and medication-change issues.

### **Regulatory Issues/Department of Human Services**

The PA Department of Human Services made its latest licensing inspection on 8/7/24, at which time the surveyors determined that the facility's submitted plan of correction had been fully implemented.

### **The Manor at Penn Village**

#### **General Information**

The Manor at Penn Village offers short-term skilled nursing rehabilitation and long-term care skilled nursing facility services in Selinsgrove, Snyder County, Pennsylvania, under a regular license issued by the PA Department of Health. The population they serve is primarily geriatric.

The facility has a capacity of 159 beds, of which 100 beds are currently occupied.

The current occupancy rates indicate 18 fewer residents than the previous report.

Local ombudsman records indicate that this census, based on the number of available beds, is higher than other skilled nursing facilities in the area.

Local ombudsmen have made regular facility visits.

#### **Environmental Observations**

The local ombudsman reported an activities calendar is posted, with appropriate activities available. Water, beverages, and snacks are available to residents. The rooms appear generally clean, but there is a slight odor on the second floor. Call bells are answered promptly. There is a designated smoking area. The facility is a non-secured unit.

In a visit of 10/15/24, a local ombudsman reported food trays from breakfast were sitting in carts along the second-floor hallway at 10:45 a.m.

#### **Staffing/Operations**

The facility reports 3.07 nursing hours per resident per day.

On the facility visit of 10/23/24, Nursing Home Administrator Christopher Bowes reported everything was going well, and that he had no new updates regarding the bankruptcy proceeding. Both the director of nursing and the business office manager reported no issues or concerns.

#### **Resident-Initiated Complaints/Concerns**

The local ombudsman visited with an average of five (5) residents and three (3) staff per visit.

Nine (9) cases have been opened by the ombudsman during calendar year 2024. Three (3) of those dealt with the quality of food.

### **Regulatory Issues/Department of Health**

Based on an abbreviated survey to review three (3) complaints completed on 9/12/24, it was determined that The Manor at Penn Village was not in compliance with the following requirements of 42 CFR Part 483, Subpart B, Requirements for Long Term Care and the 28 PA Code, Commonwealth of Pennsylvania Long Term Care Licensure Regulations as they relate to the Health portion of the survey process:

- The facility failed to develop and implement an effective discharge planning process for one of two residents reviewed.
- The facility failed to investigate an incident of elopement and reassess and implement measures to ensure resident safety for one of five residents reviewed for resident safety.

The facility has not received a Civil Money Penalty in the past decade.

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We trust that the information included in this report is satisfactory to the Court. We will continue to have the local ombudsman conduct weekly site visits and meet with residents to ensure their quality of care and life continue to be positive.

For additional information or should you have any questions, please do not hesitate to contact the PA Office of the Long-Term Care Ombudsman at (717) 783-7096.

Sincerely,



Margaret Barajas  
State Long-Term Care Ombudsman