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State recommends takeover of Clovis nursing home

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New Mexico Gov. Bill Richardson's administration has recommended that the Buena Vista Retirement Center in Clovis be taken over by the state's Department of Health after an investigation by that agency showed deficiencies in patient care at the facility.

Richardson has also directed the state's Department of Health to continue investigations into two other nursing homes: The Ruidoso Care Center in Ruidoso and El Centro Villa Nursing Home in Albuquerque.

The Department of Health has issued citations to the Buena Vista home, Richardson's office said in a news release.

Buena Vista owner Dr. Ali Ghaffari said Friday morning that he had not seen the allegations that the anonymous investigation by the Department of Health generated.



Katrina Hotrum, the state ombudsman with the state's Aging & Long-Term Services Department, said the investigation into Buena Vista uncovered allegations of food and staff shortages, residents complaining about the lack of activities, and "just benign neglect."

The Department sent an undercover employee into the facility who posed as a patient suffering from alcoholism. The undercover employee stayed at the facility for four days in January.

"There was very poor supervision, the food quality was poor and there was no sort of hydration program in place," Hotrum said. "Without the proper hydration and nutritional components in place, there is an increased chance of skin breakdown and bed sores, and the chance for the decline in the resident's health drastically increases."

Richardson said that his administration has "zero tolerance for elder abuse."

"I will not allow any business that is receiving state money to slide on its obligations to the health and safety of its customers," Richardson added.

Dennis Domrzalski
NMBW Staff



Nursing home owner tells his side of story

May 8, 2004

By Darrell Todd Maurina: CNJ staff writer

When Dr. Ali Ghaffari and his wife moved to Clovis in 1985, starting a facility to help older people was among their goals.

"I like helping people," Ghaffari said. "Me and my wife are both in the medical field; she is a pharmacist, I am a physician. This is our line of work, and basically we don't know anything else."

After 14 years as owners of Buena Vista Nursing Home in Clovis, the Ghaffaris said they never expected to become the topic of a press conference by Gov. Bill Richardson criticizing their nursing home as an example of "elder abuse."

Michelle Lujan Grisham, secretary of the Aging and Long-Term Services Department, said Ghaffari's facility has already received two complaints. "The owner of Buena Vista was fully aware that he has been operating his facility with two immediate jeopardy citations," Grisham said. "They have absolute knowledge of the basic conditions and they have a responsibility to address that."

Ghaffari disagreed.

"This report is a bunch of lies, that is what I am going to tell you," Ghaffari said. "We spent all our money to build this facility to help people, and then this happens."

While state officials have said they will seek a court order to place Buena Vista into receivership — meaning the state would take over the nursing home and appoint new administrators — Ghaffari said he's received no information from the state and all he knows comes from the news media.

Ghaffari said he spent much of Friday giving tours of the facility to reporters and arranging media interviews with his staff and residents, but some of those interviews were interrupted by crying residents worried they might have to leave.

"Our facility is very beautiful, very nice, very clean," Ghaffari said. "Our residents are very well taken care of."

Gloria Garcia, whose father-in-law and two other relatives live in Buena Vista, agreed with Ghaffari.

"He doesn't want to leave this place. He's very happy, and he's got tomatoes growing out back," Garcia said. "(Staff members) are always checking his feet, his blood sugar, his weight. It's like family here."

Stephen Romero, the facility's dietary cook, said complaints about food were unwarranted.

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"We've never had any problem with the food even one time in 12 years," Romero said. "I'd rather eat here than in a restaurant. We take some of our residents out to eat and they come back complaining about the restaurants."

State officials, however, said some residents claim the care at Buena Vista is inadequate.

"We are continuing to get complaints about the level of care at that facility continuing to deteriorate," Grisham said. "Buena Vista is in a situation that suggests to us that we need to manage it to restore the safety of those residents and we are bearing that out right now."

Grisham said her agency's request to place Buena Vista into receivership is unusual.

"It is among the more serious remedies," Grisham said.

Here are some allegations made by state officials and responses by Buena Vista's co-owner:

State complaint: Quality of food and activities declined markedly after Department of Health Licensing and Certification surveyors left. Activities that included a good half-hour of stretching, range of motion exercises were replaced by TV. Care standards should be maintained regardless of the presence of state evaluators.

Ghaffari: State licensing officials were at Buena Vista from Jan. 13 to 23, according to Ghaffari, but undercover staff left before state licensing officials left.

State complaint: Food intake not monitored. No action taken when resident did not eat. Dehydration and malnourishment are life-threatening problems among a frail population. Consumption should be tracked and encouraged.

Ghaffari: "We don't have problems with dehydration or malnutrition.... In the last two years, we have not sent any patient to the hospital for dehydration."

State complaint: Two-hour delay in notifying family about elopement. Staff should know residents' whereabouts at all times.

Ghaffari: "It is impossible to know where everyone is all the time. There is a law which says to check the residents every two hours unless specifically asked by the physician to check every 15 minutes or half hour." According to Ghaffari, the undercover patient was found missing after an hour, administrators were called, the facility was searched, attempts were made to contact the family, and police were called within the two hours required by law.

State complaint: Bed-bound residents appeared to be left in beds. Bed-bound residents should be turned every two hours and provided one-on-one activities or other stimulation.

Ghaffari: "We have received people with pressure sores from other facilities, and we don't have that problem here."