



## PRESS RELEASE

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### **Severna Park Assisted Living Facility Agrees to Be Excluded from Maryland Medicaid Program**

#### ***First Ever Failure of Care Case Against an Assisted Living Facility in Maryland***

**BALTIMORE, MD (December 19, 2017)** – Maryland Attorney General Brian E. Frosh announced today that Kris-Leigh Catered Living of Severna Park, LLC (Kris-Leigh) has agreed to be excluded from participation in the Maryland Medicaid program and to pay \$110,000 as part of a settlement agreement. The agreement resolves allegations that Kris-Leigh violated the Maryland False Health Claims Act by submitting or causing claims to be submitted to the Medicaid Program for services that were not provided or which were so grossly substandard that the care was effectively without value.

The State's allegations relate to claims submitted by Kris-Leigh since January 2013 for care provided to residents that was grossly substandard in multiple material ways:

- Hazardous living conditions such as broken air conditioners during the summer, pervasive mold, and a massive bed bug infestation.
- Security failures such as unlockable exterior doors and no effective automated device/system to alert staff to individuals entering or leaving the facility.
- Inadequate staffing to care for and meet the needs of residents.
- Untimely and inadequate assessments of residents by qualified personnel.
- Untimely and inadequate service plans to meet the needs of the residents.
- Mismanaged administration of residents' medications.

In a complaint filed by the Office of Attorney General on May 18, 2017 in the Circuit Court for Baltimore County, the State alleged that since January 2013, Kris-Leigh billed Medicaid for services it did not provide, such as legally mandated resident health and medical assessments and implementing resident medication plans. The complaint alleged that the services Kris-Leigh did provide were so substandard that the care was essentially worthless. Since January 2013, heart attacks went undiagnosed, pleas for help went unheeded, residents were not given adequate nourishment, and unattended residents had falls necessitating emergency room visits. In one tragic incident, a resident suffering from dementia was allowed to wander out of the facility and onto the highway, where she was struck by an automobile and killed. Bed bugs were allowed to infest the facility and black mold endangered the health of residents and staff.

The complaint also alleged that Kris-Leigh is chronically understaffed and that the staff it does employ are often underqualified and untrained. Kris-Leigh frequently ignored numerous material deficiencies plaguing the facility, ignored numerous citations it received from the

Maryland Office of Health Care Quality, and largely ignored complaints from staff and residents. Yet, Kris-Leigh knowingly misled the Medicaid program by falsely certifying that each of the claims it submitted to the Medicaid program for reimbursement was for services that were medically necessary, actually provided, and in full compliance with all state and federal regulations as to the requisite standard of care owed to the residents in their charge. Kris-Leigh has denied the State's allegations.

“Wrongfully submitting for reimbursement of services not provided is illegal,” said Attorney General Frosh. “This assisted living facility failed to provide appropriate care and services to its patients, and in some cases, the living conditions in which Kris-Leigh patients were forced to endure were inhumane. My office will continue to pursue facilities that wrongfully treat their patients and break the law.”

Attorney General Frosh thanked the Medicaid Fraud Control Unit, particularly Assistant Attorney General Adam T. Sampson and Investigator Aaron Stewart, for their work on this matter. Attorney General Frosh also thanked the Maryland Department of Health for its assistance.