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Pennsylvania Attorney General Cracking Down on Nursing Home Neglect Amid Coronavirus Pandemic

The Pennsylvania Attorney General is cracking down on patient neglect in nursing homes amid the ongoing and ever-evolving coronavirus pandemic. Criminal investigations already have begun, and more can be expected.

Attorney General Josh Shapiro recently [announced](#) that his office has opened criminal investigations into several Pennsylvania nursing homes and affirmed its intent to hold nursing facilities and caretakers accountable. And more can be expected, as the AG's office is encouraging people to submit complaints; to that end, the office launched a public e-mail for complaints and reports of neglect in nursing homes: neglect-COVID@attorneygeneral.gov, an addition to the pre-existing telephone number for reports of neglect: 1.800.254.5164. The office requests individuals to report "concerns relating to wellness checks, adequate PPE, or COVID-19 testing within a facility." Other states, including [New York](#), are engaged in similar initiatives.

Reports of abuse and neglect are investigated by the Medicaid Fraud Control Section within the office of the Attorney General. The crimes that are investigated are Neglect of Care-Dependent Person (18 Pa.C.S.A. § 2713) and Abuse of Care-Dependent Person (18 Pa.C.S.A. § 2713.1). These statutes make it a crime for a caretaker (which includes an owner, operator, manager, or employee of a nursing home) to abuse or neglect a care-dependent person, broadly defined as

"[a]ny adult who, due to physical or cognitive disability or impairment, requires assistance to meet his needs for food, shelter, clothing, personal care, or health care." The grading of the offenses ranges from second degree misdemeanor to first degree felony, depending upon the degree of bodily harm.

The coronavirus pandemic has put a spotlight on nursing homes, where those most vulnerable to the virus reside—and to where, some estimate, nearly half of the deaths from the virus are linked. These patients, our loved ones, depend upon these facilities' remaining vigilant to protect them, and it now appears that the Pennsylvania Attorney General's Office, through its criminal investigative authority, seeks to hold them to it.

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