

# State Rapid Response Investigative Public Report

*Office of Health Facility Complaints*

**Maltreatment Report #:** HL29621004M  
**Compliance #:** HL29621005C

**Date Concluded:** September 29, 2022

**Name, Address, and County of Licensee**

**Investigated:**

Synergy Homecare  
9298 Central Avenue Northeast #202  
Blaine, MN 55434  
Anoka County

**Facility Type:** Home Care Provider

**Evaluator's Name:** Peggy Boeck, RN,  
Special Investigator

**Finding:** Substantiated, individual responsibility

**Nature of Visit:**

The Minnesota Department of Health investigated an allegation of maltreatment, in accordance with the Minnesota Reporting of Maltreatment of Vulnerable Adults Act, Minn. Stat. 626.557, and to evaluate compliance with applicable licensing standards for the provider type.

**Initial Investigation Allegation(s):**

The Alleged Perpetrator (AP) financially exploited a client when the AP stole the client's credit card and made purchases for her own personal use totaling nearly \$2000.00.

**Investigative Findings and Conclusion:**

The Minnesota Department of Health determined financial exploitation was substantiated. The AP was responsible for the maltreatment. The AP used the client's credit card to pay her utility bill and made purchases for herself through Instacart (an online grocery shopping service), Venmo (an online app that people use to transfer money), and at Walmart. The AP admitted to law enforcement and to her employer she used the client's credit card without his permission for her utility bill.

The investigator conducted interviews with facility administrative staff, the client, and investigating law enforcement officers from two police departments. The investigation included

review of personnel records, client records, policies and procedures related to client care, code of ethics, and maltreatment of vulnerable adults.

The client received comprehensive home care services in their home. The client's diagnoses included fractured femur and a history of stroke. The client's service plan included assistance with preparing grocery lists, grocery shopping, preparing meals/snacks, mailing bills and letters, housekeeping, laundry, assistance with bathing, dressing, transferring, walking, toileting, hygiene, and incontinence care. The AP provided cares for the client in his home.

A police report indicated the client discovered an unauthorized charge to a utility company on his credit card in an amount over \$900.00. The client called the utility company and discovered the payment was for the AP's utility bill. The police report indicated the client checked his credit card statement and found additional unauthorized charges (Instacart, Venmo, and Walmart). The report indicated an officer spoke with the AP, who admitted to using the client's card to pay her utility bill. The AP did not admit to police any other unauthorized use of the client's card.

The police report indicated law enforcement investigated purchases (on two different dates) from Instacart associated with an email address in the AP's name totaling nearly \$400.00. The report indicated the client's card was also used in person at Walmart on another date for purchases over \$250.00. The police obtained a copy of the Walmart receipt and a surveillance photo of the person who made the purchases at Walmart. The client identified the AP in the Walmart surveillance photo and verified unauthorized items on the receipt (such as scrub pants, scrub top). The \$500 sent to Venmo could not be verified as Venmo would not provide records of details of the transaction.

Personnel records indicated the AP worked for the facility for less than one year. The facility provided training to the AP regarding vulnerable adults, maltreatment, and healthy boundaries.

During an interview, an administrative staff stated she spoke with the AP regarding the allegation. The AP admitted she used the client's credit card for her utility bill.

During an interview, the client stated the AP worked in his home assisting the client with cares for about three months. The client stated he gave the AP his credit card so she could buy him groceries and items the client needed twice per month. The client stated he was disabled and unable to leave the house to do his own shopping. The client stated the AP should not do this kind of work anymore because she was a thief. The client stated he received notice from the county attorney they charged the AP with financial exploitation of a vulnerable adult.

During an interview, a police officer verified the charges.

The AP did not respond to multiple phone calls or a subpoena requesting an interview.

In conclusion financial exploitation is substantiated.

**Substantiated: Minnesota Statutes, section 626.5572, Subdivision 19.**

“Substantiated” means a preponderance of evidence shows that an act that meets the definition of maltreatment occurred.

**Financial exploitation: Minnesota Statutes, section 626.5572, subdivision 9**

"Financial exploitation" means:

(b) In the absence of legal authority, a person:

- (1) willfully uses, withholds, or disposes of funds or property of a vulnerable adult.
- (2) obtains for the actor or another the performance of services by a third person for the wrongful profit or advantage of the actor or another to the detriment of the vulnerable adult.
- (3) acquires possession or control of, or an interest in, funds or property of a vulnerable adult through the use of undue influence, harassment, duress, deception, or fraud; or
- (4) forces, compels, coerces, or entices a vulnerable adult against the vulnerable adult's will to perform services for the profit or advantage of another.

**Vulnerable Adult interviewed:** Yes

**Family/Responsible Party interviewed:** None identified

**Alleged Perpetrator interviewed:** No, the AP did not respond to requests for an interview or a subpoena.

**Action taken by facility:**

The AP no longer works for the facility.

**Action taken by the Minnesota Department of Health:**

The facility was issued a correction order regarding the vulnerable adult's right to be free from maltreatment.

The responsible party will be notified of their right to appeal the maltreatment finding. If the maltreatment is substantiated against an identified employee, this report will be submitted to the nurse aide registry for possible inclusion of the finding on the abuse registry and/or to the Minnesota Department of Human Services for possible disqualification in accordance with the provisions of the background study requirements under Minnesota 245C.

cc:

The Office of Ombudsman for Long Term Care

The Office of Ombudsman for Mental Health and Developmental Disabilities

Washington County Attorney

Forest Lake City Attorney

Forest Lake Police Department

North Branch Police Department

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>H29621</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>09/07/2022</b>
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NAME OF PROVIDER OR SUPPLIER  <b>SYNERGY HOME CARE NORTHEAST METRO</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>9298 CENTRAL AVE NE, STE 202 BLAINE, MN 55434</b>
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(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
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0 000	<p>Initial Comments</p> <p>*****ATTENTION*****</p> <p>HOME CARE PROVIDER CORRECTION ORDER</p> <p>In accordance with Minnesota Statutes, section 144A.43 to 144A.482, this correction order is issued pursuant to a complaint investigation.</p> <p>Determination of whether a violation is corrected requires compliance with all requirements provided at the statute number indicated below. When a Minnesota Statute contains several items, failure to comply with any of the items will be considered lack of compliance.</p> <p>INITIAL COMMENTS:</p> <p>#HL29621005C/#HL29621004M</p> <p>On September 7, 2022, the Minnesota Department of Health conducted a complaint investigation at the above provider, and the following correction order is issued. At the time of the complaint investigation, there were 88 clients receiving services under the provider's Comprehensive license.</p> <p>The following correction order is issued for #HL29621005C/#HL29621004M, tag identification 0325.</p>	0 000	<p>Minnesota Department of Health is documenting the State Licensing Correction Orders using federal software. Tag numbers have been assigned to Minnesota State Statutes for Home Care Providers. The assigned tag number appears in the far left column entitled "ID Prefix Tag." The state Statute number and the corresponding text of the state Statute out of compliance is listed in the "Summary Statement of Deficiencies" column. This column also includes the findings which are in violation of the state requirement after the statement, "This Minnesota requirement is not met as evidenced by." Following the evaluators' findings is the Time Period for Correction.</p> <p>PLEASE DISREGARD THE HEADING OF THE FOURTH COLUMN WHICH STATES, "PROVIDER'S PLAN OF CORRECTION." THIS APPLIES TO FEDERAL DEFICIENCIES ONLY. THIS WILL APPEAR ON EACH PAGE.</p> <p>THERE IS NO REQUIREMENT TO SUBMIT A PLAN OF CORRECTION FOR VIOLATIONS OF MINNESOTA STATE STATUTES.</p> <p>THE LETTER IN THE LEFT COLUMN IS USED FOR TRACKING PURPOSES AND REFLECTS THE SCOPE AND LEVEL ISSUED PURSUANT TO 144A.474 SUBDIVISION 11 (b)(1)(2).</p>	
0 325	<p>144A.44, Subd. 1(a)(14) Free From Maltreatment</p> <p>Subdivision 1.Statement of rights. (a) A client who</p>	0 325		

Minnesota Department of Health  
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_ (X6) DATE \_\_\_\_\_

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>H29621</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>09/07/2022</b>
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0 325	<p>Continued From page 1</p> <p>receives home care services in the community or in an assisted living facility licensed under chapter 144G has these rights: (14) be free from physical and verbal abuse, neglect, financial exploitation, and all forms of maltreatment covered under the Vulnerable Adults Act and the Maltreatment of Minors Act;</p> <p>This MN Requirement is not met as evidenced by: Based on interviews and document review, the facility failed to ensure one of one clients reviewed (C1) was free from maltreatment. C1 was financially exploited.</p> <p>Findings include:</p> <p>On September 7, 2022, the Minnesota Department of Health (MDH) issued a determination that financial exploitation occurred, and that an individual staff person was responsible for the maltreatment, in connection with incidents which occurred. The MDH concluded there was a preponderance of evidence that maltreatment occurred.</p>	0 325	No Plan of Correction (PoC) required. Please refer to the public maltreatment report (report sent separately) for details of this tag.	