



Protecting, Maintaining and Improving the Health of All Minnesotans

State Rapid Response Investigative Public Report

Office of Health Facility Complaints

Maltreatment Report #: HL214003863M

Date Concluded: October 11, 2024

Compliance #: HL214004332C

Name, Address, and County of Licensee

Investigated:

Sholom Community Alliance Home
3620 Phillips Parkway
St. Louis Park, MN 55426
Hennepin County

Facility Type: Home Care Provider

Evaluator's Name:

Maerin Renee, RN, Special Investigator

Finding: Substantiated, individual responsibility

Nature of Investigation:

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 the client when the AP stole cash from the client's purse and cashed two of the client's checks for herself.

Investigative Findings and Conclusion:

The Minnesota Department of Health determined financial exploitation was substantiated. The AP was responsible for the maltreatment. The AP stated the client paid her for uncontracted private pay work while the AP was employed by the client's home health agency. A family member said two missing checks were forged by the AP. One of the checks was cashed for \$660.00, but the family member was able to stop payment on the second check.

The investigator conducted interviews with facility staff members, including administrative staff and nursing staff. The investigator consulted law enforcement. The investigation included review of the client records, death record, facility internal investigation, facility incident reports, personnel files, and related facility policy and procedures.

The client received comprehensive home care services in her home. The client's diagnoses included peripheral vascular disease. The client's services included assistance with medication reminders, meal preparation, laundry, and housekeeping. The client's assessment indicated the client was independent in life enrichment and socialization activities.

The agency's internal investigation indicated a family member reported two of the client's checks had been written from her checkbook. Both checks were signed with the client's first and last name. The family member said the client did not write checks anymore, and when she did, she never signed checks with her full name, but always as "Mrs. [client's last name]". One check for \$660 had already cleared, but the family member had been able to stop payment on the second check. The family member could not read the writing on the checks of who the check was written out to. An agency administrator asked the family member to read the writing, letter by letter. The family member, reading the individual letters, spelled out the AP's name. The administrator recognized the name as the AP who had recently been terminated for an unrelated matter. The agency filed a police report.

The police report indicated the AP was charged with the offence Check Forgery-Offer/Possess W/Intent to Defraud, statute 609.631.3. The police report indicated when interviewed, the client's family stated she noticed two suspicious checks written from the client's account. The first check was written for \$660 and was cashed. The second check was written for \$860, and the family member was able to stop payment on that check. The family member notified the agency, and although she could not clearly read to whom the check was written, when she spelled it out letter by letter to an agency administrator, it turned out to be the name of the AP. The family member also reported she received notification from Apple the client's credit card had been used in association with an unknown Apple identification. The family member said another staff member told her she had witnessed the AP previously going through the client's purse. The police officer interviewed the agency staff who said she caught the AP looking through the client's purse. The staff stated the AP stated she was looking for the (nonexistent) "med book." The staff member looked through the client's purse to see if it had been rummaged through and observed an envelope with a large amount of cash inside. A couple days later, the staff member looked again and noticed there was only \$30.00 left in the envelope.

When interviewed, an agency administrator said the AP worked for the licensee for less than a year. The AP was termed before the family member reported the client's stolen checks. The family member called the administrator with concerns about suspicious checks. Both checks were signed with the client's first and last names, and the client never signed her checks that way. The client always signed her checks "Mrs. [husband's first name] [last name]". The family member said one check for \$660 had already cleared. The family member was able to cancel the second check, for \$860, before it cleared. The family member said the writing on the check was garbled, but when she read each individual letter to the administrator, the administrator recognized it as the AP's name.

When interviewed, a staff member said she found the AP looking through the client's purse and asked what she was looking for. The AP responded, "The med book." The staff member said there was no "med book." The staff member was suspicious and emailed her supervisor about the concern. The staff member checked the client's purse and noticed a large number of bills in it. When the staff member returned a few days later, she checked the client's purse and noticed a significant decrease in the amount of cash. The staff member reported her concern to her supervisor and said the client was disturbed by the information.

When interviewed, the AP stated the client asked her to provide services for her outside of the hours worked by the AP at the home health agency, as private pay. The AP said she and the resident arranged for him to pay her by check and the family was not involved in the arrangement. The AP did not recall how many checks she received from the client, nor the amount of money written on the checks.

In conclusion, the Minnesota Department of Health determined financial exploitation was 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: No, deceased.

Family/Responsible Party interviewed: No, declined interview.

Alleged Perpetrator interviewed: Yes.

Action taken by facility:

The agency completed an internal investigation and provided staff with retraining regarding client finances and vulnerable adult statutes.

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.

You may also call 651-201-4200 to receive a copy via mail or email.

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
Hennepin County Attorney
St. Louis Park City Attorney
St. Louis Park Police Department

Minnesota Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: H21400	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 08/27/2024
NAME OF PROVIDER OR SUPPLIER SHOLOM COMMUNITY ALLIANCE HOME HEALTH CARE		STREET ADDRESS, CITY, STATE, ZIP CODE 3620 PHILLIPS PARKWAY GOLDEN VALLEY, MN 55426		
(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
0 000	<p>Initial Comments</p> <p>*****ATTENTION*****</p> <p>HOME CARE PROVIDER</p> <p>In accordance with Minnesota Statutes, section 144A.43 to 144A.482, these correction orders are 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>#HL214004332C/#HL214003863M</p> <p>On August 27, 2024, the Minnesota Department of Health conducted a complaint investigation at the above provider, and the following correction orders are issued. At the time of the complaint investigation, there were 46 clients receiving services under the provider's Comprehensive Home Care license.</p> <p>The following correction order is issued/orders are issued for #HL214004332C/#HL214003863M, tag identification 0325.</p>	0 000		
0 325	<p>144A.44, Subd. 1(a)(14) Free From Maltreatment</p> <p>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>	0 325		

Minnesota Department of Health

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Minnesota Department of Health

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0 325	<p>Continued From page 1</p> <p>This MN Requirement is not met as evidenced by:</p> <p>The facility failed to ensure one of one resident reviewed (R1) was free from maltreatment.</p> <p>Findings include:</p> <p>The Minnesota Department of Health (MDH) issued a determination maltreatment occurred, and an individual person was responsible for the maltreatment, in connection with incidents which occurred at the facility. Please refer to the public maltreatment report for details.</p>	0 325		