

At Troubled Adult Home, a Troubled New Boss

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Ocean House, a 125-bed repository of last resort for New York City's impoverished mentally ill, and its dispiriting history are not all that remarkable in the world of the state's adult homes.

Eight years ago, its operator went to prison for stealing residents' money and using the accounts of the home, which is in Queens, as a personal million-dollar slush fund. The state then inexplicably let his brother-in-law, a disgraced lawyer with no mental-health credentials, take over. Last month, he pleaded guilty to a scheme to steal more than \$2 million from the home.

And now, though the Pataki administration has vowed to reform the state's adult home system, the new operator it installed at Ocean House also has a checkered background. The adult home he runs in Albany was recently cited by inspectors for violations that endangered residents, and last fall, officials seized two nursing homes he operated in Connecticut after charging widespread financial malfeasance, including the mishandling of residents' and workers' money.

Connecticut officials are conducting a civil inquiry into the nursing homes and the operator, Meyer Weber. Asked about Mr. Weber, the Connecticut attorney general, Richard Blumenthal, said in an interview, "Our experience with his nursing homes in Connecticut would give us great reservations about his operating any other homes."

The change at Ocean House raises concerns about the Pataki administration's commitment to ensure that competent operators of good character run the adult homes, an issue that arose decades ago after the state drastically scaled back its psychiatric wards and had nowhere to place discharged patients.

More than 100 privately run adult homes in New York State shelter 15,000 mentally ill people, and the system has long been troubled. Residents who are so ill that they are unable to dress themselves wander the halls at all hours unsupervised, janitors are sometimes discovered distributing medication, and state regulation has often proven lax.

For years, residents died under questionable circumstances without any inquiries by the state, and negligent operators went unpunished. Mental-health experts portray the homes as little more than psychiatric flop houses.

Asked whether it had reviewed Mr. Weber's record and was aware of what had happened in Connecticut, the State Health Department said through a spokesman, Robert Kenny, that Mr. Weber had been granted only a temporary license at Ocean House and that his application for a permanent one was pending. Mr. Kenny acknowledged the problems at Mr. Weber's Albany home, Pearl of Wisdom.

"We are concerned with the investigative findings in our latest inspection of the Pearl of Wisdom adult home, and we continue to closely monitor the situation to ensure that residents are receiving quality service and care," he said. "We are now completing an extensive review of the latest surveillance in the case, as well as the temporary operator's (Weber's) track record as an operator of health care facilities in other states. This information will serve as a significant factor in our decision."

The department allowed Mr. Weber to take over the Albany home in November 2003, a month after officials in Connecticut had taken over his nursing homes there, records show. Two months ago, New York inspectors issued a scathing report on the 88-bed Albany home, charging that its medication practices were so inept and disorganized that residents' lives were in danger. One resident, for example, missed 28 doses of a drug used to treat seizures. Despite the report, Mr. Weber was installed at Ocean House this month.

A reporter who went to Ocean House last week to survey conditions was escorted from the home by Mr. Weber and one of the home's supervisors, who said they would not allow a visit. The supervisor also made clear to a resident being interviewed that the resident should end the interview, which he immediately did.

In front of the home, which is on Heyson Road in Far Rockaway not far from the beach, Mr. Weber said he would not discuss his record. "You will have to deal with my attorney," he said.

His lawyer, M. Joshua Aber, also would not respond to questions about Mr. Weber's record. Asked about Mr. Weber's qualifications, Mr. Aber said, "He's presented them to the state and they have reviewed them."

State officials in Connecticut had no such reluctance to talk about Mr. Weber, who ran the nursing homes there with another operator. Last fall, the officials took the unusual step of getting a court order to seize the homes, Coleman Park in Bridgeport, which has 123 beds, and Rosewood in Waterbury, which has 84 beds. They documented what they said were numerous financial problems that left the two homes near collapse and jeopardized "the health, safety and welfare" of residents.

According to court records, the homes had more than \$3 million in liabilities, issued paychecks that bounced, and failed to pay property taxes, utilities and vendors. Investigators charged that tens of

thousands of dollars in residents' accounts had been transferred to the homes' operating accounts and that the homes collected money from workers for health insurance without providing coverage.

At one point, Connecticut Light and Power asked the Connecticut Department of Public Health to move residents from Rosewood because it wanted to cut off its electricity because of unpaid bills, the records show. Money was then apparently paid to keep the power on.

Workers at Coleman Park told the state that they even used their own money to pay for health care supplies like gloves and adult diapers.

"The nursing homes were financial wrecks," Mr. Blumenthal, the attorney general, said.

Brian Courtney, a Connecticut lawyer representing Mr. Weber in the nursing home cases, said his client disputed some of the allegations but ultimately agreed to the state takeover. He blamed the Connecticut state government for many of Mr. Weber's problems, saying that it had not provided sufficient Medicaid money to run nursing homes that served needy populations.

"I am not aware that there were ever any issues with patient care," Mr. Courtney said. "We are talking about dollars here. They were wonderful operators as far as I know. They did their best trying to manage these homes in a very difficult economic climate." He said any money transferred from residents' accounts had been restored.

Still, the allegations against the homes would resonate with anyone who has examined the history of Ocean House. In two reports nearly a decade apart, a New York State watchdog agency, the Commission on Quality of Care for the Mentally Disabled, has documented a sweeping array of misdeeds at the home.

The first report, issued in 1992 when the home was called Hi-Li Manor, was titled, "Exploiting the Vulnerable." The report said the home's operator, Beryl Zyskind, improperly diverted millions of dollars in revenue from the home, which is technically a nonprofit entity. The money went to investments, interest-free loans, excessive salaries, tuition payments for relatives, jewelry and furs, the report said. Mr. Zyskind also stole \$120,000 from a resident who had received the money in back veteran's benefits. As a result of the report, Mr. Zyskind was convicted on federal charges and sentenced to 30 months in prison. His brother-in-law, Sherman Taub, then took over, though he was a lawyer who had resigned from the bar after being accused of billing his law clients \$232,000 for his personal expenses. Mr. Taub renamed the home Ocean House and wasted little time in following in Mr. Zyskind's footsteps, according to court records and a second report by the quality of care commission. That report, issued in December 2001, detailed how Mr. Taub had engaged in a scheme to siphon more than \$2 million from the home through improper mortgage transactions and other maneuvers.

All the while, inspectors said, conditions at Ocean House were among the worst in New York. They found rooms infested with cockroaches, residents sleeping on soiled sheets, the kitchen floor rotted and widespread hazardous conditions because of a dilapidated structure and poorly supervised renovations.

After pleading guilty in July in a case brought by the Manhattan district attorney's office, Mr. Taub is facing one to three years in prison.

At Ocean House, residents said Mr. Taub would not be missed. "You would say hello to him, and he would not even acknowledge that you were there," said a resident, Gary Levin.

Others said that whatever Mr. Weber's record, they wanted changes, especially more security. They said that at night, strangers entered the home, dealt drugs and drank alcohol, making some residents afraid to leave their rooms.

"Things have been getting more and more broken down here," said Ernest Nelson, vice president of the residents council. "We all hope that he is going to improve things."