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GOLDEN LIVING NURSING HOMES SETTLE ALLEGATIONS OF SUBSTANDARD WOUND CARE

Golden Living Failed to Provide Adequate Wound Care to Its Nursing Home Residents

ATLANTA - The United States Attorney's Office today announced that the United States and the State of Georgia have reached a settlement with GGNSC Holdings, LLC, of Plano, Texas, the operator of skilled nursing facilities located in Atlanta, Georgia, to resolve allegations under the False Claims Act and the Georgia State False Medicaid Claims Act, that GGNSC provided inadequate and worthless wound care services to residents at two of its Atlanta area nursing homes. GGNSC operates nursing homes under the "Golden Living" name. GGNSC has agreed to pay \$613,300 to resolve these allegations. The United States' share of the settlement is \$423,544.

Sally Quillian Yates, United States Attorney for the Northern District of Georgia, said, "Our office is committed to protecting our most vulnerable citizens and improving the lives of nursing home residents. By failing to provide adequate wound care services to its nursing home residents, Golden Living placed at risk the life and health of individuals who were entrusted to its care. This type of threat to the health and well-being of the elderly in our communities will not be tolerated."

"Golden Living fraudulently billed Medicaid for nursing services which were substandard and, tragically, resulted in harm to patients," said Attorney General Sam Olens. "The nursing home patients depended on Golden Living to provide them with quality wound care services to help them heal, but, instead, were mistreated. We will not stand for such egregious misconduct by a Medicaid provider."

"Quality of care in nursing homes is a top priority for the Office of Inspector General," said Derrick L. Jackson, Special Agent in Charge of the U.S. Department of Health and Human Services, Office of Inspector General for the Atlanta region. "Health care providers need to know that if they provide worthless services to those most in need, they will pay the price."

Mark F. Giuliano, Special Agent in Charge, FBI Atlanta Field Office, stated: "The FBI will continue to dedicate its investigative personnel and resources toward such cases of Medicaid and Medicare fraud as was seen here. These federally funded programs provide much needed services but are limited and healthcare providers that abuse these programs will be held accountable."

"The Defense Criminal Investigative Service is committed to ensuring that TRICARE beneficiaries receive the high quality medical care that they deserve," said John F. Khin, Special Agent in Charge, Southeast Field Office, Defense Criminal Investigative Service. "This settlement sends the message that providers of substandard care will be brought to justice through the collaborative efforts of law enforcement agencies and the Department of Justice."

The government alleges that GGNSC submitted false claims to Medicare, Medicaid, and the Veterans Administration because it provided residents at Golden LivingCenter–Glenwood (GLCG) and Golden LivingCenter–Dunwoody (GLCD), f/k/a Golden LivingCenter–Northside, with inadequate and worthless monitoring, documentation, and prevention and treatment of wounds during the period from January 1, 2006 through May 31, 2011. The claims settled in the civil settlement are allegations only, and there has been no determination of liability.

GGNSC executed a Corporate Integrity Agreement (CIA) with the U.S. Department of Health and Human Services, Office of Inspector General, which will require six GGNSC facilities in the Atlanta area (in addition to GLCG and GLCD, Golden LivingCenter–Briarwood, Golden LivingCenter–Decatur, Golden LivingCenter–Kennestone, and Golden LivingCenter–Medical Arts) to continue to implement certain policies and procedures to ensure compliance with applicable statutes and regulations governing patient care. In addition, an independent monitor was appointed to oversee operations at the six Atlanta-area GGNSC facilities for up to five years to verify that the policies and procedures are working effectively and that patients receive appropriate care.

The civil settlement resolves some of the claims in a lawsuit filed by Dr. Joseph L. Micca under the qui tam or whistleblower provisions of the False Claims Act, which allow private citizens to bring civil actions on behalf of the United States and share in any recovery. The case, pending in the Northern District of Georgia, is filed under *United States & State of Georgia ex rel. Micca v. GGNSC Holdings, LLC, et al.*, No. 1:10-cv-1055-ODE (N.D. Ga. Apr. 9, 2010). Dr. Micca will receive a share of the settlement payment that resolves certain claims in the qui tam suit that he filed.

This case was investigated by Special Agents of the Federal Bureau of Investigation; the U.S. Department of Health & Human Services, Office of Inspector General; the Defense Criminal Investigative Service; and the Georgia Medicaid Fraud Control Unit.

The civil settlement was reached by Assistant United States Attorneys Amy Berne and Lena Amanti.

For further information please contact the U.S. Attorney's Public Information Office at USAGAN.PressEmails@usdoj.gov or (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.justice.gov/usao/gan.