



**NEW MEXICO  
HEALTH AND HUMAN SERVICES DEPARTMENTS**

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**For Immediate Release**  
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Human Services Department Secretary

**Mary Dale Bolson, PhD**  
Children, Youth and Families Secretary

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Aging and Long-Term Services Secretary

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## **State Seeks To Take Over Clovis Nursing Home**

*<Editors: Hearing is scheduled for 2 p.m. Friday, May 28, at the Ninth Judicial District Court, 700 North Main, Clovis>*

The State will ask Ninth Judicial District Judge Joe Parker for receivership of the Buena Vista Nursing Home on Friday, and will introduce additional evidence that shows serious failings with maintenance, resident care and financial management. The judge granted a temporary receivership May 21.

The Department of Health seeks the receivership of the Clovis facility, but the action is the result of a multi-state agency investigation of the facility and its patient care. The judge granted the State temporary receivership May 21 after separate investigations by the Department of Health and the state Aging and Long-Term Services Department found that patients' safety and health were in jeopardy.

The Department of Health took over the administrative operations of Buena Vista that same afternoon, contracting with Peak Medical Services of Albuquerque. The contractor is in the process of an audit of the facility, including patient care, financial stability, building maintenance and other health and safety factors. These findings will be part of the hearing Friday in Clovis.

"The Department of Health is confident that the hearing before Judge Parker will demonstrate the overwhelming need for the state to continue to operate the Buena Vista Facility," Secretary of Health Patricia Montoya said. "This facility has a number of financial issues that put client health and safety at risk. These issues range from the ability to bring food into the facility to proper maintenance of the building, to the treatment of the clients. As a result, clients have not been cared for appropriately."

“The state’s ombudsman program has tracked Buena Vista’s consistent practice of neglect of its residents and our undercover evaluator experienced it firsthand,” Aging and Long-Term Services Secretary Michelle Lujan Grisham said. “Receivership is an extraordinary step taken in extraordinary circumstances, but under the State’s guidance, the facility’s residents will finally receive the care they require and deserve.”

The Human Services Department (HSD) stopped Medicaid payments to the Buena Vista Nursing Home back in November 2003 and is considering closing their providership due to invalid cost reporting and quality of care issues identified. “It is imperative that Medicaid providers report cost accurately,” said HSD Secretary Pamela Hyde. “It is our responsibility to be accountable to the taxpayers, and we must rely on providers to account for their dollars appropriately.”

The Department of Health studied the evidence gathered in the undercover investigations and conducted its own investigation before determining that a petition for receivership is warranted.

The Department of Health determined that residents, especially elderly residents, served by Buena Vista are not being provided with necessary services. This determination was based on findings in the following areas: quality of care, infection control, staff treatment of residents, and quality of life, among others.

The investigations resulted in a multi-state agency effort to investigate state nursing homes and ensure the care they provide for their clients meets state regulations, which are monitored by the Department of Health.