



**NEW MEXICO  
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*Governor*

**For Immediate Release**  
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## **Hearing on State Control of Nursing Home to Continue**

A daylong hearing on the state's petition to keep control of the Buena Vista Nursing Home in Clovis will continue on Monday, June 14.

In the meantime, District Judge Steven Quinn has requested the Department of Health to prepare an order directing the owners of the Buena Vista Nursing Home, Ali and Linda Ghafarri, to consent to the release of their bank records.

Although Court proceedings began at 10 a.m. June 7, only three witnesses had been heard as the court wrapped up proceedings for the day shortly after 6 p.m. Judge Quinn announced that the hearing would continue next Monday.

If successful, the state would maintain receivership of the Clovis Facility. Judge Joe Parker granted the Department of Health a temporary receivership May 21 and extended that receivership the following Friday, May 28, for another 10 days after issues arose in the case, causing Judge Parker to recuse himself. A new hearing was scheduled June 7.

The receivership is the result of a multi-state agency investigation into the operations of the Buena Vista Nursing Home. The state sought a temporary receivership of the facility after Aging and Long-Term Services conducted an undercover investigation of the facility that brought into question patient safety and care. The Department of Health studied the evidence gathered in the undercover investigations and conducted another investigation before determining that a petition for receivership is warranted.

In addition, 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.

Peak Medical Services of Albuquerque, the firm the state hired to operate the nursing home, discovered a number of health and safety issues once taking over the facility. Those issues included: poor building maintenance, such as filthy conditions leading to the presence of roaches, a leaky roof resulting in mold and wet ceiling tiles, hot water temperatures ranging from 90 degrees to 116 degrees; and financial issues causing non-payment issues throughout the facility, including an inability to have food delivered to the home, and tax liens against the facility; both of which negatively impact proper client care.