

March 30, 2023

Nicole Godburn, Fiscal Manager  
State of Connecticut  
Department of Social Services  
55 Farmington Avenue  
Hartford, CT 06105

RE: Petition for Closure

Dear Ms. Godburn:

This letter serves to inform you that Hughes Health and Rehabilitation, Inc. has decided after over 50 year of operations to close the facility located at 29 Highland Street, West Hartford, CT. This decision has not come lightly and comes after numerous attempts to revitalize the center's declining census. The declining census as well as staffing needs and excessive cost increases have directly attributed to increased losses not covered by Connecticut's reimbursement program and the growing trend towards the use of home and community-based services.

Pursuant to 17b-352 (c), we are filing a petition for closure of Hughes Health and Rehabilitation, Inc. based on the following:

1. The Facility is not viable based upon actual and projected operating losses. Extreme decline in census and inflated costs has resulted in a loss of approximately \$687,000 for FYE 2022. The Facility has seen a loss of approximately \$695,000 in the first four months of FYE 2023 and these losses are projected to continue throughout the year.
2. The Facility has an occupancy rate of less than 70% of the facility's licensed bed capacity. For FYE ending 2022, the Facility's occupancy rate was 57.16% and more currently, the first four months of FYE 2023 have seen an occupancy rate of 51.47%.
3. Closure is consistent with the strategic rebalancing plan developed in accordance with section 17-b-369 (Money Follows the Person Demonstration Project), including bed need by geographic region. Based on the most recent census data available on the DSS website, which is as of February 28, 2023, the average census of nursing facilities within 10 miles of Hughes Health and Rehabilitation, Inc. was 84.14%. A copy of the census report used has been attached with the facilities in the area highlighted (Attachment #1). With almost 40 Facilities in the area, this demonstrates that there will be both availability and choice in the area for the residents of Hughes Health and Rehabilitation, Inc. (see attached analysis).
4. The Facility is in compliance with the requirements of Sections 1128I(h) (Notification of Facility Closure) and 1819(h)(4) (immediate termination of participation for facility where secretary finds noncompliance and immediate jeopardy) of the Social Security Act and 42 CFR 483.75 (Quality Assurance and Performance Improvement). The Facility has demonstrated compliance with Section 1128I(h) by giving proper written notice to all mentioned parties within the regulation of the impending closure, has not and will not admit any new residents to the facility since the date of the written notice, and will ensure that all residents are successfully relocated prior to closure.

The Facility has demonstrated compliance with section 1819(h)(4) as there have been no noted instances of noncompliance at the facility and therefore no noncompliance that would put residents in immediate jeopardy. Attached is the most recent survey report, dated October 27, 2023, which further shows no noncompliance has been noted and that all inspection deficiencies have been corrected in a timely manner (Attachment #2). The Facility has demonstrated compliance with section 42 CFR 483.75 by keeping up with their quality assurance and performance improvement plans. See attached for a copy of the minutes for the most recent quality assurance and performance improvement meeting that was held in February of 2023 (Attachment #3).

5. Hughes Health and Rehabilitation, Inc. is a 170 bed Chronic and Convalescent Home and does not provide any special services which would go unmet if the facility closes.

In addition to the above, the following notice requirements of 17b-352 (c) have been met:

The Office of the Long-Term Care Ombudsman has been notified by the facility at the same time as this petition for closure was submitted to the department.

1. The facility has provided written notice, on the same date as this petition for closure, to all patients, guardians, conservators, legally liable relatives and or other responsible parties at facility. A copy of the post-marked receipt of an example of these letters (Attachment #4) as well as a photograph of the locations these letters will be on display in the Facility (Attachment #5 & #6) are attached. In total, 82 letters were post marked and mailed at 5:15PM on March 30, 2023 by Sam Flaxman, the President of the Facility. The remaining 11 residents are being e-mailed in lieu of being mailed. In addition, these letters were hand delivered to each resident at the Facility between the hours of 3PM and 4PM by the Director of Recreation and a CNA in training. This notice stated the following:
  - A. The date the facility submitted the petition for closure.
  - B. The Commissioner has the authority to grant or deny the petition for closure.
  - C. The Commissioner has up to thirty days to grant or deny the petition for closure.
  - D. A description of the reason for submitting the petition for closure.
  - E. That no patient shall be involuntarily transferred or discharged within or from the facility pursuant to state and federal law because of the filing of the petition for closure.
  - F. All patients have a right to appeal any proposed transfer or discharge.
  - G. The name, mailing address and telephone number of the Office of the Long-Term Care Ombudsman and local legal aid office.
2. A copy of the aforementioned notice has been posted in the family room as well as the front hall bulletin board located at the entrance to the building.
3. An informational letter issued jointly from the Office of the Long-Term Care Ombudsman and the Department of Rehabilitation Services on patients' right and services available as they relate to the petition for closure has been included with the written notice.

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Should you have any questions concerning the above and or attached, please do not hesitate to contact me directly at (203) 781-9632.

Very truly yours,

**MARCUM LLP**

*Timothy Mikita*

Timothy Mikita, CPA, MBA  
Senior Manager

cc: Andrea Barton, Commissioner  
Gui Woolston, Medicaid Director  
Betsy Bujwid, Principal Cost Analyst  
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