

Madam Chair and Committee:

Seth Miller FWA.

Thank you for your service.

Senator Salling thank you. My views my own.
First Amendment.

Dignity and decorum of government serve not
to elevate governing over governed but to
remind office holders of an oath of office.

Initially, all I asked that every inpatient have
their own outgoing landline at no cost to patient
or family after two attacks on my paraplegic
roommate. The first by a third roommate. The
second by staff. I was not weight bearing.
Fortunately I had an iPhone. There would be no

Police Report had there been no first attack. No report for the second attack. Per their own letter to me, MDH did not make a site visit and took the word of the director of nurses and patient's physician that there was no evidence of physical abuse. Conflict of interest. False. When I discharged Brian's face was black and blue.

There is a class action against MDH for seldom conducting investigations. When they do investigate, they don't have to conduct site visits.

Covid hit. The Washington Post reports MDH fined the site for easily preventable deaths. Had MDH listened when I complained about the attacks on my roommate staff would've turned around. Nobody cares.

MDH is against phones. Concerns about ligature, forensic patients, and cost are pre-textual. My site was private equity owned. They had phone jacks. Charging patients is for money

We do not pay through Medicaid and exchange for patients to be attacked and private equity to be enriched. Get private facility patients phones through the Universal Service Administrative Company subsidy offered by the FCC with sites, making up the difference. And providing phones for ineligible patients. Info. Attached. Rights of action or private rights of action and attorneys fees for OAG, local health departments, patients, families, healthcare providers, and insurance. Deal with state sites later.

MDH's position is inconsistent with the governor's proclamation that October was

patient rights month calling on patients to self-advocate.

How would the governor like his mother who was at his inauguration treated like that? Ditto for long term care lobbyists. Leave no one behind.

<https://www.usac.org/>

Incident Number: P1900221608

Incident Date	Call Source	Incident Started	Call Received Time	Route Closed Time	Time Offered
2019-07-03 22:02:34	911	2019-07-03 21:59:22		2019-07-03 22:58:16	

1st Unit Dispatched	1st Unit Enroute	1st Unit Arrived	Agency Id	Status		Latitude	39.07411074	MAP
2019-07-03 22:04:03	2019-07-03 22:04:38	2019-07-03 22:12:11	P	Closed		Longitude	-77.16046656	

Location		Common Place	Location Description	Location Name	Alt Location	City
1235 POTOMAC VALLEY RD(SNF)	MAP			POTOMAC VALLEY NH (SNF)	AtLoc	ROCKVILLE

Apartment	Building	Floor	Subdivision	District	Beat	PRA
115			RO	1D	1A1	258

Create User Id	Create User	Editing User Id	Initial Alarm Level	Initial Inc Type Code	Initial Inc Type	Initial Inc Type Desc
15944	SAMANTHA SIMPSON	16128		ASLTO	ASSAULT	ASSAULT

Incident Status Desc	Alarm Level	Inc Type Code	Inc Type	Incident Type Desc	Priority
Inactive incident		ASLTO	ASSAULT	ASSAULT	3

Reporting District	Report Number	Agency	Report Number Assigned By	Report Number Inserted

Caller Name	Last	First	Middle	Phone

Caller Address		Caller Apartment	Caller Building	Caller City	Phone Call Type
	MAP				

Primary Unit Agency	Primary Unit	Primary Ofc Agency	Primary Ofc ID	Primary Ofc Badge #	Primary Ofc
P	5C22	P	5539		STEVEN MALKO(RPD)

Disposition	Disposition Desc	All Comments
24131	24131- DISORDERLYCONDUCT	<p>2019-07-03 22:02:34 15944: Pers 2</p> <p>Clothing: gown</p> <p>2019-07-03 22:02:34 15944: CAD RESPONSE: ASLTO IF INJURIES, CONFERENCE FIRE RESCUE DISPATCH LEVEL: 106B05 PROBLEM: ONE OF RESIDENTS ADMITED TO HITTING ANOTHER RESD WHEN THEY FOUND THAT RESD BLEEDING IN THEIR ROOM</p> <p>PERSON 1 INFO -- DESCRIPTION: VICTIM -- RACE: -- SEX: -- AGE: -- CLOTHING: GOWN -- NAME: -- DOB:</p> <p>PERSON 2 INFO -- DESCRIPTION: SUSPECT -- RACE: -- SEX: -- AGE: -- CLOTHING: BLK SHI -- NAME: -- DOB:</p> <p>1. CALLER ON SCENE. 2. 2ND PTY CALLER ON SCENE. 3. PAST INCIDENT. 4. SUSP/VEH NOT IN AREA. 5. ASSAULT 6. VICT DESC: 7. NO MEDICAL NEEDED.</p>

2019-07-03 22:02:34 15944: Pers 3

Clothing: blk shi

2019-07-03 22:32:55 16128: 5C12 EVENT #]

Units

Unit 1 of 2

Call Sign	Vehicle ID	Officer 1 ID	Ofc 1 Badge	Ofc 1	Officer 2 ID	Ofc 2 Badge	Ofc 2
5C12	55174	5582		DAVID TROGOLO(RPD)			

Trip #	Disposition	Disposition Desc	Status	Primary Unit ?	User ID
1			C	N	16128

Received Time to:

Dispatch	00:05:24
Enroute	00:05:30
On Scene	00:12:49

Hangup Time to:

Dispatch	
Enroute	
On Scene	

Create Time to:

Dispatch	00:02:12
Enroute	00:02:18
On Scene	00:09:37
Cleared	00:39:37

Dispatch Time to:

Enroute	00:00:06
On Scene	00:07:25
Cleared	00:37:25

EnrouteTime to:

On Scene	00:07:19
Cleared	00:37:19

On Scene To Cleared	00:30:00
Enroute Hospital To Arrive Hospital	
Arrive Hospital To Cleared	

Unit 2 of 2

Call Sign	Vehicle ID	Officer 1 ID	Ofc 1 Badge	Ofc 1	Officer 2 ID	Ofc 2 Badge	Ofc 2
5C22	55182	5539		STEVEN MALKO(RPD)			

Trip #	Disposition	Disposition Desc	Status	Primary Unit ?	User ID
1	24131	24131-DISORDERLYCONDUCT	C	Y	16128

Received Time to:

Dispatch	00:04:41
Enroute	00:05:16
On Scene	00:13:40

Hangup Time to:

Dispatch	
Enroute	
On Scene	

Create Time to:

Dispatch	00:01:29
Enroute	00:02:04
On Scene	00:10:28
Cleared	00:55:42

Dispatch Time to:

Enroute	00:00:35
On Scene	00:08:59
Cleared	00:54:13

EnrouteTime to:

On Scene	00:08:24
Cleared	00:53:38

On Scene To Cleared	00:45:14
Enroute Hospital To Arrive Hospital	
Arrive Hospital To Cleared	

People

Roles	Last Name	First Name	Middle Name	Build	Hair Color	Eye Color	Gender
VICTIM							M

Phone	Address		City	Apartment
		MAP		

Dr License	License St	Contact	Primary Caller ?	Active
			No	Yes

Roles	Last Name	First Name	Middle Name	Build	Hair Color	Eye Color	Gender
SUSPECT							M

Phone	Address		City	Apartment
		MAP		

Dr License	License St	Contact	Primary Caller ?	Active
			No	Yes

Roles	Last Name	First Name	Middle Name	Build	Hair Color	Eye Color	Gender
INITIAL CALLER							

Phone	Address		City	Apartment
		MAP		

Dr License	License St	Contact	Primary Caller ?	Active
		Yes	Yes	Yes

Vehicles

History

Timestamp	User ID	Console/ Device ID	Transaction Type	Transaction Description
2019-07-03 21:59:21	15944	CAD011	CALL ASSOC	Call Associated:
2019-07-03 22:02:34	15944	CAD011	PREM/HAZ	Prem/Haz Check: 1235 POTOMAC VALLEY RD
2019-07-03 22:02:34	15944	CAD011	INC CREATE	Incident Created: Location: 1235 POTOMAC VALLEY RD(SNF) Latitude: 39.07411074 Longitude -77.16046656 City: ROCKVILLE Cross Streets: NEW MARK ESP / MARCUS CT Incident Type: ASLTO Priority: 3
2019-07-03 22:02:34	15944	CAD011	PER INFO	Person 1 Added: FirstName: MiddleName: LastName:

2019-07-03 22:02:34	15944	CAD011	PER INFO	Person 2 Added: FirstName: MiddleName: LastName:
2019-07-03 22:02:34	15944	CAD011	CMNTS	
2019-07-03 22:02:34	15944	CAD011	PER INFO	Person 3 Added: FirstName: MiddleName: LastName:
2019-07-03 22:02:34	15944	CAD011	CMNTS	
2019-07-03 22:02:34	15944	CAD011	CMNTS	<p>Comments: CAD RESPONSE: ASLTO IF INJURIES, CONFERENCE FIRE RESCUE DISPATCH LEVEL: 106B05 PROBLEM: ONE OF RESIDENTS ADMITED TO HITTING ANOTHER RESD WHEN THEY FOUND THAT RESD BLEEDING IN THEIR ROOM</p> <p>PERSON 1 INFO -- DESCRIPTION: VICTIM -- RACE: -- SEX: -- AGE: -- CLOTHING: GOWN -- NAME: -- DOB:</p> <p>PERSON 2 INFO -- DESCRIPTION: SUSPECT -- RACE: -- SEX: -- AGE: -- CLOTHING: BLK SHI -- NAME: -- DOB:</p> <p>1. CALLER ON SCENE. 2. 2ND PTY CALLER ON SCENE. 3. PAST INCIDENT. 4. SUSP/VEH NOT IN AREA. 5. ASSAULT 6. VICT DESC: 7. NO MEDICAL NEEDED.</p>
2019-07-03 22:02:34	15944	CAD011	INC CREATE	Jurisdiction: Area: 1D, Beat: 258, Sector: 1A1
2019-07-03 22:02:36	15944	CAD011	NOTIF	Notification Associated: -----

INCIDENT DETAILS

LOCATION:

Location: 1235 POTOMAC VALLEY RD(SNF)

Loc Name: POTOMAC VALLEY NH (SNF)

Loc Descr:

City: ROCKVILLE

Building:

Subdivision: RO

Floor:

Apt/Unit: 115

Zip Code: 20850

Cross Strs: NEW MARK ESP / MARCUS CT

Area: 1D

Sector: 1A1

Beat: 258

Map Book:

INCIDENT:

Inc #: 00221608

Inc #: P1900221608

Priority: 3

Inc Type: ASSAULT

Descr: ASSAULT

Mod Circum:

Created: 10:02:34 PM 7/3/2019

Caller:

Phone:

UNITS DISPATCHED:

PERSONNEL DISPATCHED:

COMMENTS:

CAD RESPONSE: ASLTO IF INJURIES, CONFERENCE FIRE RESCUE

DISPATCH LEVEL: 106B05

PROBLEM: ONE OF RESIDENTS ADMITED TO HITTING ANOTHER RESD
WHEN THEY FOUND THAT RESD BLEEDING IN THEIR ROOM

PERSON 1 INFO

				-- DESCRIPTION: VICTIM -- RACE: -- SEX: -- AGE: -- CLOTHING: GOWN -- NAME: -- DOB: PERSON 2 INFO -- DESCRIPTION: SUSPECT -- RACE: -- SEX: -- AGE: -- CLOTHING: BLK SHI -- NAME: -- DOB: 1. CALLER ON SCENE. 2. 2ND PTY CALLER ON SCENE. 3. PAST INCIDENT. 4. SUSP/VEH NOT IN AREA. 5. ASSAULT 6. VICT DESC: 7. NO MEDICAL NEEDED. ----- PREMISE HAZARD: TYPE TITLE Inner/Outer PROX ADDRESS PREPLAN 1235 POTOMAC VALLEY 500/1000 1235 POTOMAC VALLEY RD, ROCKVILLE
2019-07-03 22:02:45	16128	CAD042	REC	Fixed: [PAT] 3C22#[PAT] 5C22, 5C12, 3C12, 3C33
2019-07-03 22:02:46	16128	CAD042	REC	Preferred: [PAT] 4A12 (2:06)#[PAT] 5C22 (2:27), 8E22 (2:36), 5C12 (2:44), 3C22 (5:11)
2019-07-03 22:04:03	16128	CAD042	DPTCH	Dispatch: P/5C22
2019-07-03 22:04:03	16128	CAD042	PRIM UNIT	Primary Unit: Primary:: P/5C22 (NULL)
2019-07-03 22:04:03	16128	CAD042	UNIT STAT	Unit Status: NoNeedDisplay: False, UnitStatusChange: DSP (CLR)

Timestamp	User ID	Console/ Device ID	Transaction Type	Transaction Description
2019-07-03 22:04:03	16128	CAD042	UNIT MGMT	Unit Location: Apartment: : 115, City: : ROCKVILLE, Loc Name:: POTOMAC VALLEY NH (SNF), Location:: 1235 POTOMAC VALLEY RD(SNF), Subdivision: : RO, Zip Code: : 20850
2019-07-03 22:04:03	16128	CAD042	DPTCH	Dispatch: AlarmLevel: 0, AssignedUnitsWithOfficers: P/5C22 (Officers: P/MALKO(RPD) STEVEN), DispatchedTime: 2019-07-03 22:04:03
2019-07-03 22:04:03	16128	CAD042	INC STAT	Incident Status: IncStatName: Active (Pending)
2019-07-03 22:04:38	5539	PR0026	UNIT STAT	Unit Status: Submitted:: 2019-07-03 22:04:37, UnitStatusChange: ENR (DSP)
2019-07-03 22:04:46	16128	CAD042	DPTCH	Dispatch: P/5C12
2019-07-03 22:04:46	16128	CAD042	UNIT STAT	Unit Status: NoNeedDisplay: False, UnitStatusChange: DSP (CLR)
2019-07-03 22:04:46	16128	CAD042	UNIT MGMT	Unit Location: Apartment: : 115, City: : ROCKVILLE, Loc Name:: POTOMAC VALLEY NH (SNF), Location:: 1235 POTOMAC VALLEY RD(SNF), Subdivision: : RO, Zip Code: : 20850
2019-07-03 22:04:46	16128	CAD042	DPTCH	Dispatch: AlarmLevel: 0, AssignedUnitsWithOfficers: P/5C12 (Officers: P/TROGOLO(RPD) DAVID), DispatchedTime: 2019-07-03 22:04:46
2019-07-03 22:04:46	16128	CAD042	REC	Not Requested: Recommendations not requested
2019-07-03 22:04:52	5582	PR0027	UNIT STAT	Unit Status: Submitted:: 2019-07-03 22:04:51, UnitStatusChange: ENR (DSP)
2019-07-03 22:12:11	5582	PR0027	UNIT STAT	Unit Status: Submitted:: 2019-07-03 22:12:11, UnitStatusChange: ONS (ENR)
2019-07-03 22:13:02	5539	PR0026	UNIT STAT	Unit Status: Submitted:: 2019-07-03 22:13:02, UnitStatusChange: ONS (ENR)
2019-07-03 22:32:55	16128	CAD042	CMNTS	Comments: 5C12 EVENT #
2019-07-03 22:33:04	16128	CAD042	TIMEOUT	Unit Timeout Reset: Timeout Value:: 30
2019-07-03 22:33:04	16128	CAD042	TIMEOUT	Unit Timeout Reset: Timeout Value:: 30
2019-07-03 22:42:11	5582	PR0027	FREE UNIT	Unit Freed: P/5C12
2019-07-03 22:42:11	5582	PR0027	UNIT STAT	Unit Status: UnitStatusChange: CLR (ONS)
2019-07-03 22:42:11	5582	PR0027	UNIT MGMT	Unit Location: Apartment: : NULL (115), City: : NULL (ROCKVILLE), Loc Name:: NULL (POTOMAC VALLEY NH (SNF)), Location:: NULL (1235 POTOMAC VALLEY RD(SNF)), Subdivision: : NULL (RO), Zip Code: : NULL (20850)
2019-07-03 22:58:16	5539	PR0026	INC UPDT	Disposition: Dispo:: 24131

Timestamp	User ID	Console/ Device ID	Transaction Type	Transaction Description
2019-07-03 22:58:16	5539	PR0026	INC UPDT	Disposition: DispoFields: 24131, UnitIDFields: P/5C22
2019-07-03 22:58:16	5539	PR0026	FREE UNIT	Unit Freed: P/5C22
2019-07-03 22:58:16	5539	PR0026	UNIT STAT	Unit Status: UnitStatusChange: CLR (ONS)
2019-07-03 22:58:16	5539	PR0026	UNIT MGMT	Unit Location: Apartment: : NULL (115), City: : NULL (ROCKVILLE), Loc Name:: NULL (POTOMAC VALLEY NH (SNF)), Location:: NULL (1235 POTOMAC VALLEY RD(SNF)), Subdivision: : NULL (RO), Zip Code: : NULL (20850)
2019-07-03 22:58:16	5539	PR0026	INC STAT	Incident Status: IncStatName: Closed (Active)



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

November 15, 2023

Seth Miller
11404 Woodington Ter
Potomac, MD 20854-2066
sethm125@aol.com

Dear Mr. Miller:

Thank you for your correspondence to the Maryland Department of Health (MDH) and MDH Secretary Laura Herrera Scott, M.D., M.P.H., regarding your complaints against Potomac Valley Nursing Home (Potomac Valley) and Manor Care Potomac. Your correspondence was shared with the Office of Health Care Quality (OHCQ) as the appropriate agency to respond.

OHCQ is the agency within MDH charged with monitoring the quality of care in certain health care facilities and community-based programs. OHCQ conducts licensure, certification, and survey activities to determine compliance with federal and State law.

OHCQ received your complaint (MD00144700) against Potomac Valley on September 5, 2019, alleging that the facility did not provide an appropriate discharge for you and that you heard what you believed was a staff person slapping your roommate. OHCQ's investigation was unable to substantiate your complaint about discharge. The OHCQ surveyor found that the facility took your report seriously and reported the alleged abuse to the Ombudsman, the resident's physician, the Director of Nurses, the family and the Montgomery County Police Department. The police conducted an investigation and spoke with the victim who denied the incident occurred. The medical staff examined the patient and did not find evidence of any injury. The surveyor reviewed the reports and other documents and found the facility acted appropriately following all regulations in regard to the allegations. The police did not pursue a criminal case against any staff after their investigation.

OHCQ received your complaint (MD00157343) against Manor Care Potomac on August 20, 2020, regarding the care you received at this facility in March of 2019. OHCQ's investigation cited two deficiencies relating to your care that included a failure to follow the physicians' order. The facility was required to file a plan of correction, which was reviewed and accepted by the surveyor. A follow-up survey was conducted on October 9, 2020, that determined the plan of correction had been implemented. You were notified of the findings of the complaint investigation at the time of the survey.

Lastly, you filed a complaint (MD00158015) against Manor Care Potomac on September 14, 2020, relating to billing issues. OHCQ's investigation was unable to substantiate this complaint.

As explained in the letter sent to you from OHCQ Executive Director, Dr. Patricia Nay, on December 14 2020 (attached), a review was made of the complaints you filed. OHCQ's response to your complaints were conducted timely and in accordance with the procedures of the Centers for Medicare and Medicaid

Services. OHCQ staff have communicated to you about these investigations on numerous occasions, both by phone and email. OHCQ's investigation of the complaints related to Potomac Valley and Manor Care Potomac are complete and no further action will be taken. However, OHCQ welcomes the opportunity to investigate any new complaints you may have about these or other health care facilities in the future.

If you would like to file a new complaint, you can file the complaint online by visiting <https://app.smartsheet.com/b/form/483176a200fc44858f42772adb9283d1> or by calling 1-877-402-8219.

Best regards,

Alexandra Baldi

Alexandra Baldi
Director of Operations
Office of Health Care Quality



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

December 5, 2023

Seth Miller
11404 Woodington Ter
Potomac, MD 20854-2066
sethm125@aol.com

Dear Mr. Miller:

Thank you for your correspondence to Maryland Department of Health (MDH) Secretary Laura Herrera Scott, M.D., M.P.H., regarding the handling of your complaints by the Office of Health Care Quality (OHCQ). Your correspondence was shared with MDH's Public Health Services Administration as the appropriate agency to respond.

I have reviewed your email correspondence to Secretary Scott dated November 5, 2023. The police report that was attached to your email was from an incident that occurred at the Potomac Valley Nursing Home on July 3, 2019. I understand that you submitted a complaint to OHCQ regarding the same incident on September 5, 2019. On July 11, 2019, the nursing home had reported to OHCQ the same allegations of abuse that you raised. OHCQ investigated the incident on August 2, 2019 and were unable to substantiate any of the allegations of abuse. OHCQ shared the results of their investigation with you, in writing, on September 17, 2019.

While you may not be satisfied with the outcome of OHCQ's investigation, the OHCQ team did investigate the issue and interviewed the relevant people involved in the complaint. I am confident that OHCQ staff fully investigated this incident in 2019.

I understand that the incident that occurred in 2019 was upsetting to you and I'm truly sorry that you had to witness the incident. Please be assured, OHCQ staff care about the health and well being of nursing home residents and they work diligently to investigate each complaint that is submitted to their agency.

Page 2
Seth Miller

Thank you again for your correspondence. If you would like to file a new complaint, you can file the complaint online by visiting <https://app.smartsheet.com/b/form/483176a200fc44858f42772adb9283d1> or by calling 1-877-402-8219.

Sincerely,

A handwritten signature in black ink, appearing to read 'Niles Kalyanaraman', with a stylized flourish at the end.

Niles Kalyanaraman, MD, FACP
Deputy Secretary
Public Health Services