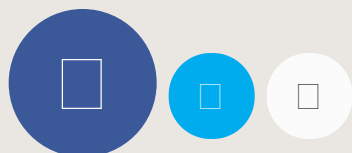


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**Hayward nursing home's large COVID-19 outbreak preceded by long history of neglect and abuse, lawsuit claims**



**SAN LORENZO, CA – JUNE 28:** Nancy Sanchez holds a picture of her parents Jose and Alma Sanchez on Sunday, June 28, 2020, in San Lorenzo, Calif. Jose Sanchez has joined a lawsuit against Parkview

## Healthcare Center alleging neglect and elder abuse. Jose Sanchez is currently hospitalized with COVID-19. (Aric Crabb/Bay Area News Group)

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**HAYWARD** — The problems at Parkview Healthcare Center started long before dozens of its patients and employees came down with COVID-19, a lawsuit filed against the skilled nursing facility suggests.

And those problems have been rooted in persistent staffing shortages the last few years, according to the suit, which also names the facility's parent company, Mariner Healthcare. The suit was filed earlier this year by 16 current or former patients or their families.

The staffing shortage has resulted in patients going without proper wound care or bathing, the lawsuit claims. Linens, towels and diapers are constantly in short supply, leaving residents sitting in filth.

In 2018, at least four patients were sexually or physically assaulted by another resident who was allowed to roam freely around the facility, according to the lawsuit. The patients screamed for help, sometimes for more than half an hour as they were assaulted. One resident pressed her call button next to the bed repeatedly — but no one came.

“Mariner Healthcare has failed on many levels to protect their residents,” said Sophia Achermann, who represents the patients along with attorneys Susan Kang Gordon and Jennifer Fiore. “The people in charge have the power to keep residents safe. They are choosing to sit back and let their residents suffer.”

Melody Chatelle, a spokeswoman for Parkview, issued a response statement Wednesday that says, “While we do not comment on pending litigation, we strive to provide quality of care at all times, and are continually implementing and updating our COVID-19 emergency response plan while working in close partnership with public health authorities and in keeping with national, state and local COVID-19 guidelines.”

When it became clear in March that the coronavirus was sweeping through skilled nursing facilities via mostly asymptomatic healthcare employees who work at multiple facilities, families of Parkview patients began worrying that the short-staffed facility with insufficient supplies wouldn't be able to stop the disease from invading and spreading.

According to Chatelle, 58 patients and 20 employees at Parkview have tested positive for COVID-19 as of June 29. Six of those patients have died.

Tony Chicotel, an attorney with California Advocates for Nursing Home Reform, said that when he looked at past state inspection records of facilities with the worst COVID-19 outbreaks, they generally tended to be those cited for the most deficiencies and rated lowest.

“Whether COVID gets into the building or not is sort of random and even the best facility can’t really isolate or protect residents from getting COVID-19,” Chicotel said. “But there’s a huge correlation between a facility’s ability to handle infection and the extent of the outbreak.”

Nancy Sanchez said her father Jose Sanchez told her he had been tested for COVID-19 in mid-June. Sanchez said she called Parkview frequently and left messages that weren’t returned. Finally, one of the attorneys who had filed the lawsuit in February called to tell her that her father had tested positive. Days later, he was rushed to the emergency room with a high fever and low oxygen levels and remains there almost two weeks later.

It’s the latest harrowing experience Jose Sanchez has had at Parkview. During his two-year stay there, staff has neglected to properly care for wounds he suffered, according to the suit. He also has suffered sores from being in bed and from multiple scabies outbreaks within the facility, the suit says.

His diabetic foot ulcers got worse without proper care, Nancy Sanchez added.

“It was immediately obvious that they were short-staffed,” she said, explaining that her father would call for nurses using his call button and no one would come.

According to the lawsuit, multiple residents at the 121-bed facility suffered from scabies and head lice outbreaks. Many were left unattended, including one man who fell while trying to get into his wheelchair. The wheelchair’s brakes had not been applied, and he broke his hip and developed a respiratory infection as a result of the fall, the suit states. He later died from multiple complications.

Another resident fell out of a wheelchair in April 2019 while unattended and suffered traumatic brain injuries, the lawsuit also contends. That’s when his family discovered he had sores on his leg and had developed a gangrene infection. His leg had to be amputated, and he died in August 2019 of complications from his poor care, according to the lawsuit.

One patient was assaulted by his roommate in June 2018, the lawsuit states. When the family complained about lack of security at the facility, administrator Johnson Okere told them the victim had provoked the fight and suggested they take him to a more “fancy” facility, the lawsuit says. A different patient was physically assaulted by a roommate the following year.

Almost all the patients included in the lawsuit allege that staff entered their rooms without knocking and

failed to deliver their mail. Some have accused the facility of redirecting their Social Security benefits. Others said the facility did not give them the correct diet for their diabetic needs.

That includes Russell Taylor, said his partner, JoAnn Somerville, who noted his health was endangered by a fried food diet and non-treated leg wound.

She used to bring him healthy snacks and check in, but her visits were halted when Parkview, like other nursing facilities across the state, closed their doors to visitors in March in a move aimed to prevent the coronavirus from entering the facility. In telephone conversations with him, however, she learned he was moved into different rooms about three times. At one point, he told her someone with COVID-19 became his roommate and he subsequently tested positive for the disease too.

Somerville said the facility is “shrouded in secrecy.”

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For now, she and others can only hope from a distance that their loved ones can beat COVID-19.

Sanchez, who has helped her father navigate skilled nursing home care for years, has herself worked in such facilities when training to become a nurse. She notes that staffing shortages remain a big cause of patient neglect.

Medical experts agree, pointing out that low pay often pushes certified nursing aides to work at different facilities to make ends meet, enabling COVID-19 to spread among asymptomatic, overworked employees who aren't all trained to treat infections.

“These places take away patients’ dignity,” Sanchez said, adding that the neglect at Parkview and other facilities “deteriorates their health more. It takes away their sense of being able to speak or express themselves appropriately and have reciprocation from the person in a nice way ... it makes you feel like, man, you’re never going to get help.”

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## Annie Sciacca | Contra Costa County reporter

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August 13, 2020 at 5:00 p.m.

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