

Special Act 22-12 Task Force Co-Chairs and Members:

The purpose of this letter is to share my experiences with several CT home companion agencies tasked with the care of my father Franklin A Nott III.

My Father was a proud WWII veteran. He developed a problem with stability which turned out to be ALS. As it became harder to get around he sold his house and bought a condo with 2 levels. He planned to live on the first floor. The second floor was not finished so he had someone put in a Suite. He planned to have a live-in Aide someday.

When he started to lose muscle control & he needed some help, we looked for a part-time aide. He had heard of an "agency" of Polish Caregivers and called to meet the women that ran the agency. She came to his home for the meeting and they discussed the cost and picked a caregiver. I cannot recall the name of the agency, but I believe they are still operating.

She did not give him a contract to sign and we thought that was odd. The caregiver arrived as discussed and my Dad was very happy with him. I called the agency several times to get the contract taken care of and the woman never returned my call. At the end of the week, the caregiver was looking for payment for his time. It turned out that this advertised agency did not use contracts, did not supply workman's compensation for the caregivers, and did not issue payment to them. My guess is they were never licensed for anything, nor did they do background checks. We ended that care.

We then brought on A & D Home Health Solutions out of Newington Ct. At some point, Dad required someone to arrive early each morning to get him out of bed and help with his hygiene routine and food prep. He would be fed breakfast and a sandwich would be left for lunch. He was able to get around in his electric chair for the rest of the day. Then a caregiver would come in the evening to get him some supper maybe do some laundry and get him into bed. After a while, the aides were missing shifts, and no one would call. Consequently, my father was left alone and unable to get out of bed or to take care of himself. One day he called me to say he was stuck in bed and had wet himself. I called the agency and told them to get someone there NOW! I then drove from Ellington to Rocky Hill to check on him. There was an aide (we had never met). She had cleaned him up, dressed him, and got him into his chair. She was enjoying some eggs she had made for herself!

My father often kept a little cash in a bag on his chair & one day the money was missing. I called A & D and told them of the theft. They said they had insurance to cover that, but I had to remind them several times before we received the money. They did not seem concerned with the theft.

A & D started sending different aides all of the time and they arrived untrained regarding Dad's needs. The agency did not communicate a reason why they could not find some key personnel to share these shifts. To make it worse Dad was losing his ability to speak well.

This is the really sad part of ALS, you lose all muscle control but your brain stays very sharp.

I received calls all the time from the agency's caregivers who I didn't know saying they came to take care of my Dad but could not understand what he was saying. There was also the safety issue of not being able to lock his doors because the agency did not know who they would send next. He was very lucky nothing happened to him.

It was clear that it was time to hire a live-in caregiver. We then turned to Right At Home in Wethersfield (RAH) for help. The owner, Robert Scandura was told about my Dad's needs and that we wanted to interview some of his caregivers. He told me that all of his employees were vetted and he wasn't sure why we wanted to interview. I insisted that my Dad should meet with any potential caregivers that would live in the home.

I was not there the day Dad picked someone and signed a contract with the owner of RAH. I did have to call the office the next day because they did not leave a copy at the home. They mailed me the Yellow carbon copy.

The first aide was horrible and was cause for much distress for my Dad and myself. He did not know how to transfer patients, or any general care. He refused to get up at night to assist with the bathroom. One day he left for the store and was gone over 3 hours without any call. Later on he ended up hurting himself moving my dad and claimed workman's compensation for which the owner of RAH blamed me for not denying it to the lawyer. That caregiver was replaced a few times with others that were not trained. A few times I asked for someone to come train some of the aides, but nothing was done. Because my Dad had no muscle control, it was important that the caregivers know how to transfer him properly – it required grabbing him under the arms, lifting him up, then swinging him over to another seat. We then got a Hoyer lift and I asked Bob's mom Eileen (I think they told me she was a nurse) who managed RAH with Bob to send caregivers with Hoyer lift training and they didn't. This is so dangerous to have caregivers with no knowledge of transfers (with or without equipment). It put both my Dad and the caregivers at serious risk for injury.

Over many trials we got a good aide that fit my Dad's needs.

During the time Dad used RAH he often had to request invoices be adjusted for over charging of hours. His mind was very sharp, and he took care of all of his billing. He was very careful to go over everything with the RAH office staff and Robert.

As I recall, Dad stopped using Right at Home in Aug of 2011 and found an alternative care. He passed Jan 2, 2012. On Jan 31, 2012 I found a message from Robert Scandura (owner of Right at Home) on my home phone. It seemed to me to be threatening. He was claiming that I owed an outstanding balance on my account.

I informed Robert that I was not his client and that he should have emailed my father after he ended service. Robert claimed these discrepancies were found as a normal end of year audit. However his office sent me random invoices from over a 3 year period. I tried to settle things by paying for a couple of invoices towards the end of service in 2011 that may have been missed.

He insisted that as a family member my older brother and I should want to clear this all up. I again told him I was not his client and did not owe him a thing. He just would not back off!

Robert had his lawyer issue a summons on Jan 8<sup>th</sup> 2013 for a lawsuit against me. It stated that I had entered into a contract with Right At Home. I DID NOT, it was with my father Franklin Nott. This is when I consulted an attorney. She contacted the attorneys for Right at Home requesting a signed copy of a contract if one existed.

The RAH law office supplied my attorney with a photo copy of my Dad's contract however someone had cut my signature off of a check I had issued to RAH and copied it under my Dad's signature. Remember I had the original yellow carbon copy that was signed only by Franklin Nott. I was able to supply this and the copy of the exact check that my signature was used to alter the contract. The edges of my signature "swoops" were cut off to make this look like I signed.

At the end of Jan 2013 we filed suit against Spinella & Associates, RAH's attorney, (case # 3:13CV). At the end of a very stressful time, Right at Home settled and dropped their suit against me.

Not too long after this incident, my attorney informed me that another former RAH client brought a legal suit against RAH claiming that they also lifted his signature from one of his checks and placed it on a family member's service agreement. I was asked to tell the court what happened in my case however because RAH settled the case, they didn't need my help after all.

As a part of the other former client's legal suit, a handwriting expert reviewed both of our cases and determined based on a reasonable degree of scientific certainty that both his and my signatures were reproduced then cut and pasted onto RAH service agreements.

My Dad's health and safety was compromised because of these events. I am telling my story because it is my hope that we can provide more oversight and proper training to caregivers and agencies to avoid situations like this in the future. Furthermore, I hope that these agencies can be held accountable for their actions.

Sheri Montoya

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