

United States Senate

WASHINGTON, DC 20510

February 09, 2023

VIA ELECTRONIC TRANSMISSION

Mr. Larry Johnson, Jr.
Director
Iowa Department of Inspections & Appeals

Dear Director Johnson:

I write today regarding the tragedy that occurred at the Glen Oaks Alzheimer's Special Care Center in Urbandale, Iowa, on January 3, 2023, when a female nursing home resident was mistakenly declared dead and transported to a funeral home.¹ When workers at the funeral home unzipped the body bag, the woman was discovered alive, gasping for air.² According to news reports, the Iowa Department of Inspection and Appeals proposed a \$10,000 fine based on the facility's failure to provide adequate end-of-life care and a rule that requires nursing homes to preserve the dignity of residents.³ Glen Oaks is run by Dallas-based Frontier Management, LLC, one of the nation's largest senior housing managers.⁴ Since its opening in 2001, news reports and records from the Iowa Health Department show that Glen Oaks has been fined more than a dozen times for violations ranging from a lack of staff training in memory care and a lack of infection control during the pandemic.⁵

Unfortunately, what happened at Glen Oaks was not an isolated event. These alarming errors have occurred at assisted living facilities around the country. Based on other recent news reports, just days ago a similar incident occurred at Water's Edge Rehab & Nursing Center in Port Jefferson, New York. There, an 82-year-old woman was pronounced dead but found to be breathing three hours later at the funeral home where she had been taken.⁶ These facilities are entrusted with some of our nation's most vulnerable at a time when they don't have the ability to advocate for themselves.

In order to better understand the facts and circumstances of what happened at Glen Oaks, please provide answers to the following questions no later than March 1, 2023.

¹ Emily Schmall, *A Patient Declared Dead Is Found in a Body Bag Gasping for Air*, The New York Times (Feb. 5, 2023), available at <https://www.nytimes.com/2023/02/05/us/iowa-presumed-dead-body-alzheimers.html>.

² *Id.*

³ Iowa Department of Inspections and Appeals, Health Facilities Division Citation, (Feb. 1, 2023), available at https://dia-hfd.iowa.gov/Home/GetPublicComplianceFile?fileName=ScannedFC_2728_2023-02-01_121650.pdf&fileType=Citation%20Report&compId=5986.

⁴ <https://frontiermgmt.com/communities/glen-oaks-alzheimers-special-care-center/>

⁵ Schmall, *supra* note 1.

⁶ Bill Chappell, *She was declared dead, but the funeral home found her breathing*, NPR (Feb. 7, 2023), available at <https://www.npr.org/2023/02/07/1155114433/long-island-living-woman-declared-dead-nursing-home>.

1. When did the Department first become aware of potential rule violations at Glen Oaks or its parent company/operator, Frontier Management, LLC? What is the current status of the Department's involvement? Please explain.
2. Please list all complaints or citations received by the Department regarding Glen Oaks or its parent company/operator, Frontier Management, LLC, in the last five years and the current status of each.
3. Does the Department currently have a plan in place to employ corrective action at Glen Oaks or with its parent company/operator, Frontier Management, LLC? If so, what is that plan? If not, please explain.

I look forward to working with you to make sure that what occurred at Glen Oaks never happens again.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Budget