IN THE COUNTY COURT OF THE SECOND JUDICIAL CIRCUIT IN AND FOR GADSDEN COUNTY, FLORIDA

| STATE OF FLORIDA, | CASE NO.: | |
|---|--|----------------|
| Plaintiff, | CHARGES: (1) SECTION § 825.102(3)(c), For the second secon | ₹.S. |
| v. | Office of the Attorney General Case No: | MFC-19-06800 |
| Pamela Lashell Grice DOB, Black/Fem: SSN: Address: 2137 Martin Luther | king Jr Blvd., Midway, FL 32351 | |
| Defendant. State of Florida | | |
| | ARREST WARRANT | |
| | STATE OF FLORIDA, TO ALL AND SINGUATE, AND THEIR DULY CONSTITUTED D | |
| that the defendant, Pamela Lash | re is probable cause to believe, based on the attached Grice, has committed in Gadsden County, Flo Disabled Adult, against the peace and dignity of t | orida, one (1) |
| | nded to arrest Pamela Lashell Grice and bring her arging her with Neglect of an Elderly Disabled A f Florida. | |
| The defendant is to be admitted | to bail in the sum of \$ | |
| Special conditions of release: | | |
| WITNESS my hand and seal th | is day of , 2021 at Quin | cy, Gadsden |
| County, Florida. | | |

| | Circuit Court/Acting Circuit Court Judge Second Judicial Circuit of Florida | |
|---|---|--|
| WITNESS: at Quincy, Gadsden County, Florida, thi | , and the seal of the Clerk of the Court s, 2021. | |
| WITNESS: | (SEAL) | |
| | , 2021, and executed it on the day above-named defendant, Pamela Lashell Grice, and | |
| | Arresting Investigator | |

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT IN AND FOR GADSDEN COUNTY, FLORIDA

STATE OF FLORIDA COUNTY OF GADSDEN MFCU AGENCY CASE # MFC-19-06806

AFFIDAVIT IN SUPPORT FOR AN ARREST WARRANT FOR PAMELA LASHELL GRICE

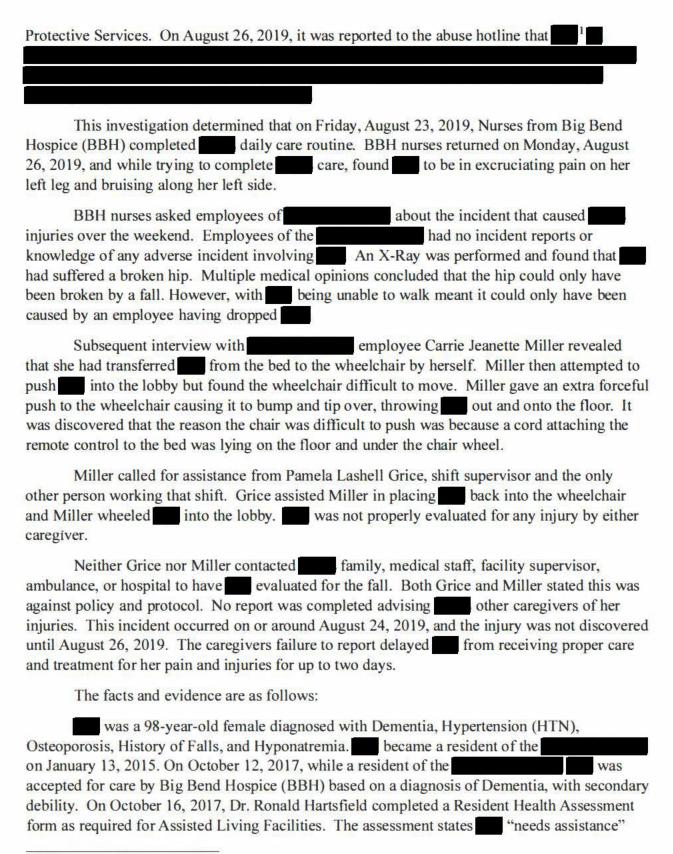
Before me, <u>Hawked Mack Oemeedhe</u> undersigned Notary Public of the State of Florida, personally appeared Jerrod Rigdon, Law Enforcement Investigator with the Medicaid Fraud Control Unit, Office of the Attorney General, who first being duly sworn, deposes and states as follows:

Your Affiant, Jerrod Rigdon, has been employed, as a Law Enforcement Investigator, with the Medicaid Fraud Control Unit, a department within the Attorney General's Office, since April 2019. Prior to that, Your Affiant was employed by the Jefferson County Sheriff's Office, where Your Affiant served as a Patrol Sergeant for a period of two (2) years. Prior to that, Your Affiant was a Deputy with the Jefferson County Sheriff's Office for a period of five (5) years. During this time, your Affiant has conducted investigations involving crimes concerning persons, property and fraud.

The Medicaid Fraud Control Unit (MFCU) operates under the supervision of the Florida Attorney General's Office and exists to investigate fraud within the Medicaid Program. The MFCU is authorized to investigate the possible criminal violation of applicable state laws pertaining to fraud in the administration of the Medicaid program, in the provision of medical assistance, or in the activities of providers of health care under the Medicaid program, and to investigate alleged abuse, neglect or exploitation of patients' private funds in healthcare facilities receiving payments under the Medicaid program, pursuant to 42 U.S.C. § 1396b(q) and § 409.920(9), Florida Statutes. The MFCU is also authorized to investigate any other criminal violations uncovered during the course of those investigations pursuant to § 16.59, Florida Statute.

Your Affiant further states that the facts and reliable evidence supporting this Affidavit establish probable cause to believe that, on or between August 24, 2019 and August 26, 2019, PAMELA LASHELL GRICE a black female, whose last known address is 2137 Martin Luther King Jr Blvd., Midway, FL 32351 did commit the following violation: One (1) Felony count of Neglect of an Elderly Person or Disabled Adult, committed within Gadsden County, Florida.

This investigation was predicated upon a complaint called into the Florida Abuse Hotline and an investigation conducted by the Florida Department of Children and Families, Adult



¹ The name of the Medicaid recipient has been reduced to initials to avoid the disclosure of confidential information pursuant to, inter alia, Federal HIPAA regulations and Section 409.920(9)(f), Florida Statutes.

all her Activities of Daily Living (ADL) and noted under the comments section of Ambulation and Transferring, it states "Does Not Ambulate".

On September 9, 2019, at 9:35 PM at the Hospice House in Tallahassee, Florida (1723 Mahan Center Blvd. Tallahassee, Leon County, 32308), was pronounced deceased.

Medical Examiner's Report states that on September 11, 2019, at 11:49 AM, Dr Anthony J. Clark conducted an inspection of body. In the report is states, "I. Superficial lacerations, abrasions and contusions in various stages of healing of the upper and lower extremities. II. Embalming artifact. III. Clinical history of: A. Left hip fracture - history of multiple falls; B. Failure to thrive; C. Dementia; D. Chronic urinary tract infections; E. Hypertension; F. Hyperlipidemia; G. Osteoporosis; H. Traumatic subdural hemorrhage (2017). The cause of death is listed on the report as 'Failure to thrive.' Contributing conditions are 'Left hip fracture; urinary tract infections; dementia; hypertension; hyperlipidemia; osteoporosis."

The official death certificate shows the manner of death as "Accident" and the cause of death as "Failure to Thrive". It also shows "significant conditions contributing to death" as "left hip fracture; urinary tract infections; dementia; hypertension; hyperlipidemia; osteoporosis." The certificate further states, the injury occurred as the result of a fall and in a Nursing Home.

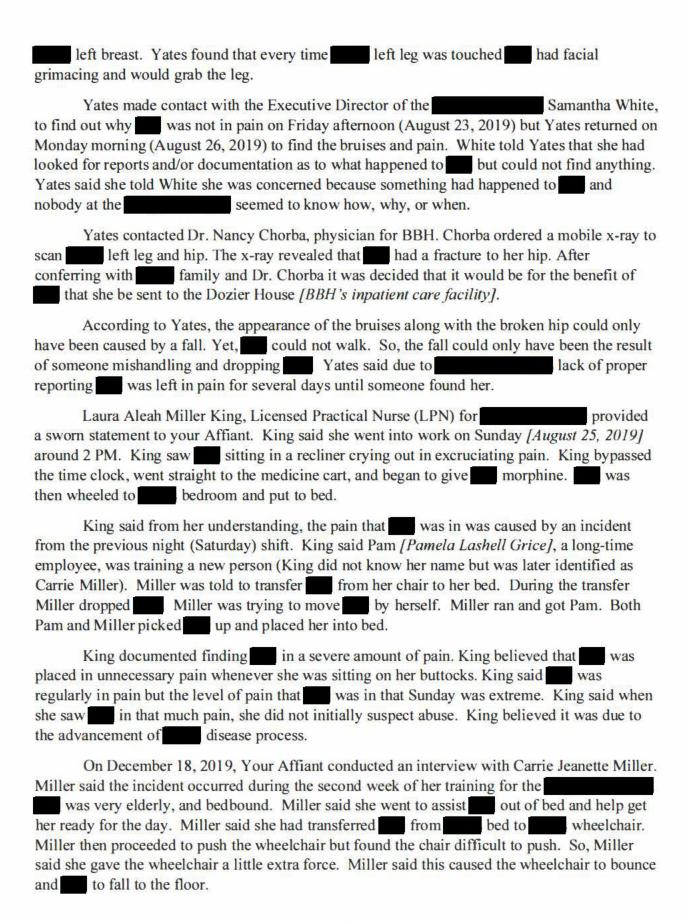
medical records from Tallahassee Memorial Hospital (TMH) dated for Tuesday, August 27, 2019, at 10:11 PM shows that was seen in the emergency room. The records show "[patient] brought via EMS from Nursing staff does not know how [patient] was injured but noticed a bruise on her hip Sunday. An x-ray done, [patient] was sent to hospital for possible left hip fracture."

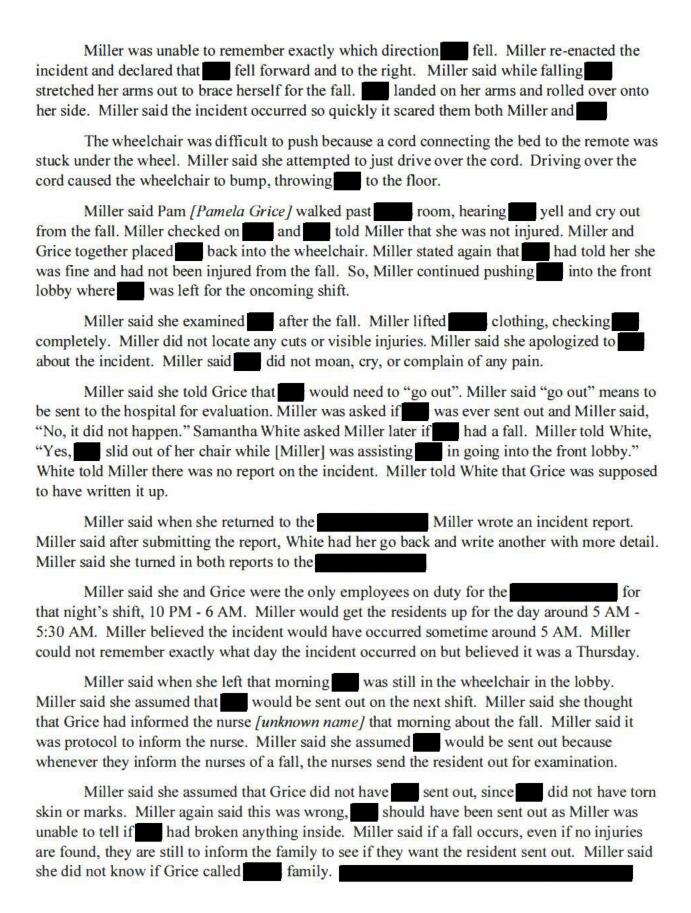
Another portion of the TMH records state, "Hip Injury-Pain The patient presents with hip injury, hip pain and Patient is a 98-year-old with history dementia who arrives from nursing facility after a bruise is noted on the left hip on Sunday. There was no reported fall or report of any injury but when asked the patient does admit that she has some pain in the left hip. Does not appear shortened." The final report states,

FINDINGS: There is a minimally displaced fracture with cortical step-off in the left femoral intertrochanteric region. Fracture predominantly involves the left greater trochanter with comminuted minimally displaced fractures along the cortical margins. Alignment of the femoral heads remains anatomic at the acetabulum. The bones are demineralized with degenerative change in the hips and pubic symphysis.

BBH's records show was admitted to hospice based on a diagnosis of Dementia, with secondary debility. had secondary debilities of "History of subdermal [subdural] hematoma, August 30, 2017, frequent UTI's [Urinary Tract Infections], Sepsis, and HTN [Hypertension]." On August 20, 2019, Dr. Nancy V. Chorba downgraded FAST status from 7B to 7D. Stage 7 of FAST is defined as "Loss of speech, locomotion, and consciousness". 7B as "All intelligible vocabulary lost" and 7D as "Unable to sit up independently". FAST is the

Reisberg Functional Assessment Staging scale and is used to describe persons with AD (Alzheimer's Disease) and a prognosis of 6 months or less. only Incident Report documenting the incident, dated 8/27/2019, states "Samantha White ED was notified by Sherry [Yates] from Big Bend Hospice that resident's xrays showed a fracture in greater trochanter left side, scratch and bruise on left breast, bruises on left shoulder, bruising and swelling on left knee. Hospice was notified by ED that resident was being transferred by EMS to TMH and her son was also notified by ED, EMS arrived at and transported resident to hospital." The X-rays were completed on August 27, 2019, at 12:57 PM and were performed by Tech Care X-Ray, LLC. The radiology report states "Findings: Age-indeterminate fracture of the greater trochanter is present. Proximal and distal mild degenerative changes are present. No distal fractures appreciated. Overall, osseous mineralization is decreased. This could reflect osteopenia or osteoporosis, in the correct clinical context. IMPRESSION: Age indeterminate fracture of the greater trochanter. Correlate with mechanism of injury." Natalie Melesia Johnson and Melissa Ann Mitchell are Certified Nursing Assistants (CNAs) for Big Bend Hospice and are assigned caregivers for Both nurses provided separate sworn statements to your Affiant. Johnson had been responsible for the care of about two years. Mitchell was assigned to assist Johnson as health continued to decline. Debbie M. Cooper and Ida Loretta Colson are Certified Nursing Assistants (CNAs) for Big Bend Hospice. Both nurses provided separate sworn statements to your Affiant. Colson and Cooper were filling-in with the care of They arrived on Monday August 26 to give bed-bath. They found with a bruise on her left leg, left upper thigh, and upper left shoulder. was clinching her left leg and crying out in a very long agonizing scream of pain. This was the first time either nurse had ever seen react in such pain. On Tuesday, August 27, Johnson and Mitchell went to give her bed-bath. The nurses noticed immediately bruises on left shoulder, left hip, and left leg near her knee. would scream in pain about her leg and this was unusual for her. The nurses knew something was wrong. The nurses said whatever happened to happened on Saturday August 24, or Sunday August 25, because they last saw on Friday August 23 and there were no bruises or complaints of injuries. The nurses believed the injury could only have been sustained from a fall. However, was bedridden and could not walk anymore. Sherry Renee Yates is a Registered Nurse (RN) for Big Bend Hospice. Yates provided a sworn statement to your Affiant. Yates has seen at least once per week for the entire length of her stay on Hospice. On Monday, August 26, 2019, Yates received a call from Debbie Cooper, to report multiple bruises found on the left side of body and that every time they moved her left leg to reposition her, would scream out in pain and grab her leg. Yates noted 2 bruises to left lateral leg, one on left upper arm, and a smaller bruise on left shoulder. Yates said she further found an abrasion on the lateral side of





| | Miller said she never spoke to anyone |
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| other than Grice about the incident that morning. | said she he tel spoke to diffolie |
| outer than office about the includit that morning. | |
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| Time Sheet records from the indicate that both Grice and Miller worked the overnight shifts together on Thursday August 22, Friday August 23, and Saturday August 24. |
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| (Veritas Incare LLC) post fall protocol issued 4/23/2019 and Revised 8/13/2019 states, |
| |

Upon the discovery of a fall, all direct care staff will adhere to the guidelines listed below.

- If the resident is not experiencing pain/injury, provide transfer assistance if the resident is able to transfer.
- If the resident is experiencing pain and/or showing signs or symptoms of pain, DO NOT MOVE THE RESIDENT.
 - Contact 911 upon discovery, then contact the RCD or designee, Shift Nurse, Executive Director (ED), and Responsible Party (in the order listed).
- Take full set of the resident's vital signs (If within your scope of practice, otherwise another staff member will complete this procedure.)
- Remain with the resident until Emergency Personnel arrive.
 - Once Emergency Personnel arrives notify the resident's physician/healthcare provider via phone or fax.
 - Complete Incident Report update the RCD or designee, Shift Nurse, resident's physician/healthcare provider, and responsible party.
 - o Document incident in resident's chart.
 - Place resident on Post Fall Monitoring for three (3) full days.

Your Affiant, who being duly sworn, deposes and says that he has reason to believe and does believe that probable cause exists, on or between August 24, 2019 and August 26, 2019, Pamela Lashell Grice, committed:

One (1) Felony count of Neglect of an Elderly or Disabled Adult: § 825.102(3)(c). Florida Statute, a third-degree felony, by failing to provide an elderly person or disabled adult with the care, supervision, and services necessary to maintain her physical and mental health, by not providing her with adequate medical services that a prudent person would consider essential for well-being.

Wherefore, Your Affiant requests that an Arrest Warrant be issued commanding the Sheriffs of the State of Florida, all or singular, their deputies, the Commissioner of the Florida Department of Law Enforcement, any of his constituted agents, the Attorney General's Medicaid Fraud Control Unit and its duly appointed Law Enforcement Investigators and all Florida Police Officers, with the proper and necessary assistance, to arrest, Pamela Lashell Grice.

Law Enforcement Investigator
Office of the Attorney General
Medicaid Fraud Control Unit

SWORN TO AND SUBSCRIPED BEFORE ME THIS _20 - OF JANUARY 2021.

Notary Public

My Commission Expires:

HOWARD MARK ORMEROD
Commission # HH 004893
Expires June 28, 2024
Bonded Thru Troy Fain beautance 600-385-701