

The Office of Attorney General Obtains Commitments from PA Nursing Homes to Correct Policies Allegedly Discriminating Against Persons with Opioid Use Disorder

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HARRISBURG – The Office of Attorney General announced that it secured commitments from several provider companies — operating dozens of Pennsylvania nursing homes — agreeing to comply with state and federal disability laws by not discriminating against people with opioid use disorder or those using associated medications.

The Office of Attorney General initiative began with a complaint from a man who was prescribed suboxone to treat opioid use disorder and had been denied acceptance at multiple skilled nursing home facilities, despite having a hospital referral.

Ultimately, the Office of Attorney General received commitments from 38 nursing homes across the Commonwealth to comply with laws that prohibit nursing facilities from turning down such patients, based on their opioid use disorder, unless they are engaged in illegal drug use.

The complainant is a 76-year-old man, diagnosed with Lupus, who developed an opioid addiction from his prescribed morphine use for pain associated with Lupus. In December 2022, after a bout with a COVID-19 infection that necessitated hospitalization, surgery, and other medical interventions, the hospital attempted to refer the man to many skilled nursing facilities in the Harrisburg area. None of the skilled nursing facilities would accept him.

The Office of Attorney General's Civil Rights Enforcement Section examined the admission policies of the various skilled nursing facilities to which the complainant had been referred. The Office was able to obtain commitments from them – fashioned as assurances of voluntary compliance, warning letters, or compliance letters – to review and revise their admission policies to conform to the law, and to notify their staff and regular referral sources.

The compliance commitments cover the following Pennsylvania skilled nursing facilities:

- Spring Creek Rehabilitation and Nursing Center, 1205 South 28th Street, Harrisburg, Pa.
- 12 facilities affiliated with Priority Healthcare Group, LLC.
- 6 facilities affiliated with Kadima Healthcare Group, Inc.
- 6 facilities affiliated with Senior Health Care Solutions, LLC.
- 11 facilities associated with ProMedica.
- Londonderry Village, 1200 Grubb Road, Palmyra, Pa.
- The Middletown Home, 999 West Harrisburg Pike, Middletown, Pa.

View a full list of the facilities [here](#). The Office of Attorney General also obtained \$6,000 in restitution and damages for the complainant, and \$4,000 in costs for the office to be used for future public protection and education purposes.

Last year, the U.S. Department of Justice issued [guidance](#) outlining that drug addiction is generally covered by the Americans with Disabilities Act (ADA) if the person is not currently engaged in illegal drug use, and specifically noted that the non-discrimination protections of the ADA extend to individuals in recovery from opioid use disorder who seek admission to skilled nursing facilities.

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