In August of 2007, the author testified as the medical expert witness on behalf of the State of Louisiana in the St. Rita’s Nursing Home criminal case. Thirty-five residents drowned as floodwaters swept over the nursing home during Hurricane Katrina. For nursing home owners, administrators, and medical staff leadership, there are additional lessons to be learned from this catastrophe. (J Am Med Dir Assoc 2010; 11: 677–679)

Keywords: Administrators; nursing homes; medical directors; disaster preparedness; medical staff; owners; hurricane

In August of 2007, the author testified as the medical expert witness on behalf of the State of Louisiana in the St. Rita’s Nursing Home criminal case. The owners of that home, Sal and Mabel Mangano, were arrested after 35 of the home’s residents—many trapped in their beds, waiting for help—drowned at St. Rita’s when Hurricane Katrina slammed directly into St. Bernard Parish on Monday morning, August 29, 2005.

Ultimately, the Manganos were cleared on all 35 counts of criminally negligent homicide as well as 24 counts of cruelty to the infirm. More than 30 civil suits were also filed. Nonetheless, a little more than 4 years after levees failed and floodwaters overwhelmed New Orleans and neighboring parishes, St. Rita’s Nursing Home remains a horrific reminder of the consequences of an inept response to disaster.

The article, “To Evacuate or Not to Evacuate: Lessons Learned from Louisiana Nursing Home Administrators Following Hurricanes Katrina and Rita,”1 was published in the Journal of the American Medical Directors Association just before this trial took place. Interviewees identified frailty of residents, abandonment by state and federal authorities, and staffing issues as some of the reasons why they did or did not evacuate their facilities during the storm. Other articles published since Hurricane Katrina also examined how nursing homes can better prepare for natural disasters.2–7

In other words, the people most likely to drown were the people requiring the most help—essentially trapped in their own helplessness—and in most dire need of an early, organized evacuation. The couple’s faulty logic had tragic consequences.

DON’T USE FRAILTY AS AN EXCUSE NOT TO GET SOMEONE OUT OF HARM’S WAY

The Manganos reasoned, or offered as an excuse, that residents were too infirm to be transported out of the nursing home. However, after analyzing data from the electronic Minimum Data Set (MDS) (that was all that was left—all paper charts were destroyed in the flood) in preparation for my testimony, those who died in the disaster were precisely the most frail residents because they couldn’t help themselves when the nursing home began to flood. The graphic summaries of MDS data that I presented during my trial testimony on August 23, 2007, showed that the residents who drowned were more dependent on others for transfers (Figure 1); had fallen more frequently in the past 6 months (Figure 2); were less able to clean themselves (Figure 3); and were more likely to have bed rails ordered (Figure 4).

For nursing home owners, administrators, and medical staff leadership (including medical directors, directors of nursing, and attending physicians), there are more lessons to be learned from this single-story nursing home just outside of New Orleans. What should you do—and avoid doing—in the event of a similar catastrophe?

CONSULT YOUR FACILITY STAFF AND MEDICAL LEADERSHIP FOR EXPERT ADVICE

The Manganos made the decision not to evacuate in a vacuum. They never consulted the attending doctors, the medical director, or the director of nursing, all of whom have direct-care duties and best understand the medical conditions of the residents. Rather than making the decision alone, ask your staff—those entrusted with the direct care of the people living in your facility—how the residents will tolerate being
transferred. And staff should proactively offer their insight into how the safety and overall well-being of residents could best be managed, whether through evacuation or not.

CHECK WITH YOUR PEERS

During Hurricane Katrina, the 3 other nursing homes located in St. Bernard Parish evacuated. If, as the Manganos testified, they feared that residents would die in the evacuation, talking with other nursing home administrators may have helped them realize the greater danger posed by remaining. In times of emergency, it’s critical to keep the line of communication open with other administrators in your area. What are they doing, why, and how?

TALK TO YOUR LAWYERS

Discuss the legal ramifications of evacuating versus sheltering in place. Gather as much information as you can to make a knowledgeable decision. Understand the implications for your action—or inaction. Might you be civilly and/or criminally liable?

HAVE AN EVACUATION PLAN THAT MIGHT ACTUALLY WORK AND WHEN OFFERED HELP, TAKE IT

In the case of St. Rita’s, the evacuation plan described a contract with a transportation company (owned by the Manganos) whose entire fleet was one 12-person van, which was grossly insufficient for clearing its residents out of the home. Evaluate your own means of evacuation transportation with an eye to your resident population. Can the transportation accommodate all of your residents? Is it accessible for residents in wheelchairs, the bed-bound, those with feeding tubes and oxygen tanks, and those on dialysis?

Sal and Mabel Mangano were even offered school buses to evacuate residents. They refused them. If you find your own transportation is insufficient to transport residents, accept...
help from the community. Remember, in times of disaster, everyone should pull together.

**CONDUCT DISASTER DRILLS PERIODICALLY**

Every plan must be tested to see how well it will work. Conducting drills gives you firsthand knowledge of the efficacy of the plan, and allows you to remedy weaknesses. Be sure you follow the state and federal code with regard to disaster drills. And in hurricane territory, keep a life preserver under every bed.

**DON’T MESS WITH MOTHER NATURE**

Watch or listen to emergency broadcasting. The Manganos claim they didn’t, even as everyone in the entire country, including residents at St. Rita’s, tuned in to the Weather Channel and other news stations to see what was happening. If the forecast looks bleak, get out. For 2 decades, the Manganos had weathered Louisiana’s hurricanes with back-up generators, medical equipment, and ample stocks of medicine and food. In other words, when Hurricane Katrina struck, they thought history was on their side. If your home has endured violent acts of nature in the past, don’t be lulled into a false sense of comfort. When you’re dealing with the lives of your staff and residents, err on the side of caution rather than fretting about financial losses. If the scenario had been posed to the Manganos as a multiple choice question on a nursing home administrator licensing exam, no doubt they would easily have chosen the correct answer.

**BE HONEST**

As an administrator for a nursing home, you are held to a higher standard; after all, you’re making decisions on behalf of people who are incapacitated—and their families. If loved ones ask about your evacuation plans, reveal what they are rather than simply assuring them that you’ve got matters under control. Above all, don’t promise families that you’ll evacuate if that’s not your intention. Lives would have been saved at St. Rita’s if the Manganos simply told families that they intended to stay put. The son who still suffers unbearable guilt would have had the chance to take his father with him and the rest of his family to safety, rather than seeing on television from a motel room in Florida that his father had perished at St. Rita’s during Katrina.

**INVEST IN SAFETY**

According to a court filing by prosecutors, the Manganos’ combined salaries from St. Rita’s exceeded $1 million in 2004, the last full year before Katrina. Why didn’t they invest some of that money into better disaster planning and preparedness?

**TAKE PERSONAL RESPONSIBILITY FOR YOUR ACTIONS—OR INACTIONS**

Acknowledge what you could do better in the event of a future disaster, express your regret, and make a concrete plan for improvement. Simply put, learn from your mistakes. It’s unclear whether the Manganos ever did. In court, their lawyer argued that the levees failed, not them. I can only imagine that the families of those 35 residents—families who entrusted the couple to care for their frailest relatives—feel otherwise.

I only hope that, more than 4 years after the devastation of Katrina, nursing home administrators, owners, and others entrusted with the lives of people who live in long-term care facilities, have learned from—and will never forget—the tragedy of St. Rita’s.

**REFERENCES**