

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPT

OF THE TRIAL COURT

Civil Action

No.2484CV00824

ADAM OWENS, ALVIN WALKER,

Petitioners,

v.

EDGAR P. BENJAMIN HEALTHCARE CENTER,

Respondent.

AFFIDAVIT OF ELIZABETH MIRANDA

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I, Elizabeth Miranda, make the following declaration based on my personal knowledge, declaring under the penalty of perjury that the following is true and correct:

1. I represent the Second Suffolk District of Boston in the Massachusetts State Senate. The Edgar P. Benjamin Healthcare Center is in my district.
2. The Benjamin is a crown jewel in the Mission Hill/Roxbury community. It was created nearly 100 years ago to serve Boston's Black elderly and frail residents, and today continues to serve primarily people of color. It is a highly valued community resource. Many of us have had family members, friends, and neighbors who have been cared for at the Benjamin.
3. Over the past several months, my office has been inundated with alarming reports about mismanagement at the Benjamin. On multiple occasions, constituents have reported to my office that the Benjamin is unable to meet payroll, with staff at times going for weeks without being paid. Employees' health insurance has also lapsed due to non-payment. Employees, residents, and guardians also report that vendors are not being paid, so supplies are not available when needed and critical medical equipment is not being serviced properly.
4. When the facility misses payroll, that results in the facility being critically under-staffed, putting residents' safety at risk. The failure to pay vendors, and subsequent gaps in supplies and equipment, is also highly problematic from a patient safety perspective. I have attended numerous public meetings and public hearings where families, residents, and employees have expressed extreme concerns and fears about this situation, and I have spoken with many people individually as well.

5. Based on my numerous conversations with residents, families, and employees of the Benjamin, it is my firm belief that the unsafe situation that currently exists at the Benjamin is due to mismanagement by the current Administrator. Meeting payroll is the most basic job responsibility of any Administrator. Failure to do so – not just once but on multiple occasions – is a very clear sign of mismanagement. There are numerous other clear signs of mismanagement that are detailed in the petition that residents, guardians, and staff sent to the Attorney General and the Department of Public Health in February 2024, asking for the appointment of a receiver.
6. Appointment of a receiver is necessary to ensure that residents do not continue to be put in harm's way. If someone does not step in immediately as a receiver to right the ship, residents will continue to be put at risk. This is a very vulnerable population, and missteps can very quickly lead to grave harm – even death. Our seniors are too important to let that happen. The risk is intolerable.

Signed under pains and penalty of perjury this 27th day of March 2024.

/s/ Elizabeth Miranda_____

Elizabeth Miranda