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***The News UpFront: (TOP STORY) as of Friday, July 17, 2009***

San Diego City Attorney Jan I. Goldsmith puts it succinctly: "We must make sure those people entrusted to care for the elderly and disabled are held accountable". With that, the crackdown came, netting two members of a Filipino family that has been operating care facilities in San Diego County, some of which were found to be "public nuisance" and are in violation of existing codes. While the law stipulates the sentence, the authorities found certain circumstances that mitigate the punishment, e.g., one day instead of one year in jail.

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**For Operating Unlicensed Care Facility, Mrs. Remy Broas, Care-Facilities Owner, Gets Jail Term, 3-Year Probation**

By Romeo P. Marquez

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The writer is a member of the Investigative Reporters and Editors (IRE), Asian American Journalists Association (AAJA) and the National Press Club of the Philippines-USA.

SAN DIEGO – A prominent Filipino care-facilities owner evaded spending a year in prison after authorities agreed to cut her jail term to just one day.

Mrs. Remy Broas, 72, reported to the Las Colinas Detention Facility in San Diego on the morning of June 27, served her time, and was released in the afternoon of the following day (Sunday, June 28), according to officials.

Ten days earlier on June 17, she pleaded guilty to operating an unlicensed healthcare facility at 6377 Division St., San Diego. She was sentenced to one-year imprisonment and three years' probation.

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Authorities said Mrs. Broas already paid the investigative costs (more than \$1,000) and made a \$1,000 charitable contribution to the San Diego Police Foundation. The payment was part of the deal that substantially reduced her sentence.

According to Deputy City Attorney Danna Nicholas, Mrs. Broas "had illegally housed a number of tenants" at the facility on Division St. and "failed to provide them with adequate care and supervision". She was also charged with operating another unlicensed facility at 3560 Majestic Drive

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San Diego

Another family member, Alberto Broas, was accused of maintaining a "nuisance facility" and zoning violations at 2231 Fowler Drive. Officials said he pleaded no contest and paid investigative costs.

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The Broas family owns 18 other properties and operates numerous community care facilities throughout San Diego county, documents show.

"This office agreed to allow Mrs. Broas to only serve one day of custody based on a number of mitigating factors, including her: age, lack of criminal history, level of cooperation during the course of the investigation, agreement to completely withdraw from the residential-care (board-and-care) industry, and agreement to correct code violations at all of

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her other facilities and properties she owns," said Gina Coburn, spokeswoman for the City Attorney's Office.

Editor's Note: The Broas case is just one of the several criminal cases filed by authorities against Filipino-American operators of healthcare facilities in Southern California

. Just last week, 42 Filipino Americans and overstaying Filipino workers were arrested in the Los Angeles County for Medicare fraud involving unlicensed healthcare workers who possessed neither the training nor the license to practice nursing and/or vocational-nursing assistants. The culprits charged the Medicare with the regular rates being billed by licensed nurses or nurse practitioners. To our limited knowledge, Mrs. Broas is the third Filipino-American healthcare operator in Southern California who has gone to jail for various criminal violations.

From quiet obscurity, Mrs. Broas shot to relative prominence in the Filipino community when she lent some money to the cash-strapped Council of Philippine American Organizations (COPAO) that was used as a down-payment for a four-room house in National City.

The rooms are now being rented out. The property's two-car garage had been converted into an office and is euphemistically called the 'COPAO Buil

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". Currently, the structure is considered a fire trap and needs improvement.

Because of the loan, Mrs. Broas was awarded with a citation by COPAO. "Remy Broas has a heart of gold and she helped people in their time of need," said Mrs. Aurora S. Cudal, a former COPAO president, who was also Broas' employee at another facility in the City of Lemon Grove.

The charges slapped on Mrs. Broas included "causing or permitting a dependent adult to reside in an unsupervised residential facility such that the person's health and safety was endangered; maintaining public nuisance and various building and electrical violations".

Mrs. Broas was not immediately available for comment. However, Mrs. Cudal, her close friend, said Mrs. Broas was apparently contesting her conviction.

"According to Remy," Mrs. Cudal said, " they pinned her down not on her residential care facilities which are all licensed but on her independent living

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facility which by law do (sic) not need any license to operate."

In a press statement after Mrs. Broas was convicted, City Attorney Jan I. Goldsmith said: "We must make sure those people entrusted to care for the elderly and disabled are held accountable.

"These vulnerable members of society deserve safe and decent housing. Many care facilities are well run but we will hold accountable those operators who fail to meet proper standards".

**(This Breaking News is sent by Romeo P. Marquez, editor, Philippine Village Voice, San Diego, California. Mailing address: P.O. Box 2118, La Jolla, CA. 92038. Volume 3, Issue no. 11, July 17, 2009).**

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