

## Assisted-living facility at fault for rape, state finds

*A West Kendall assisted-living facility did not properly monitor a man who was later charged with raping a fellow resident, a state report said.*

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A West Kendall assisted-living facility failed to prevent the rape of a 71-year-old Alzheimer's patient by a fellow resident with a history of bad behavior, a state investigation has found.

In a report obtained by The Miami Herald, state investigators faulted the Munné Center for not protecting "vulnerable" residents from Darryl McGee, who was ``allowed to come and go freely while intoxicated and exhibiting aggressive behavior toward others."

The center's administrator, Visel Hernandez, did not return phone calls from The Miami Herald. Earlier, the center's owner, Alejandro Perez, denied that the center was troubled, saying: ``It's a beautiful facility."

McGee, 33, was charged Dec. 1 with sexual battery for the alleged rape of the woman at the center, 17250 SW 137th Ave. He has pleaded not guilty.

His arrest has sparked an ongoing investigation into the center by the state's Agency for Health Care Administration.

According to the report, McGee:

- Was housed in the Alzheimer's disease unit though he was diagnosed with bipolar disorder, psychosis and cognition.
- Was aggressive and threatened to commit suicide on Aug. 24. After four days at Cedars Hospital, he returned to the Munné Center.
- Punched and pushed an elderly resident to the floor on Sept. 6. No staff members were available to intervene.
- Engaged in three fights with another resident, who said McGee "came home drunk late at night and normally got into a fight with other residents," with no staff to intervene.
- Was given a 45-day notice to leave the facility on Aug. 24, as required by law, although no staff members were assigned to monitor him during that time period.
- On Nov. 30, one day before the alleged rape, returned to the Munné Center with a "female visitor." A man tried talking to the woman and McGee tried to hit him. Another resident stepped in because no staff was around.

The report also found that the center failed to properly document McGee's behavior.

The Dec. 27 report validated many claims detailed in a Dec. 3 report by the state's long-term elder care ombudsman, Brian Lee.

The report by the Agency for Health Care Administration described a lack of training for certain Munné Center employees and a failure to provide adequate food for residents.

Last month, the agency ordered the center to draft a plan to correct its problems. So far, no plan has been submitted, said Shelisha Durden, an agency spokeswoman.

This is not the first time the agency has found problems with the Munné Center, which was founded in 1998 by developer Raul Munné. It was sold to Perez two years ago.

In February, the agency cited 63 violations at the facility, including insufficient staff training, shoddy record-keeping and poor conditions for residents. The center later corrected those violations, the state said.

McGee, of Tennessee, suffers from chronic mental retardation. His mother, Delores Coleman, says the center failed to supervise him. She also said McGee is respectful of women. Miami-Dade police say McGee was found inside his bedroom with the woman after having raped her.

"All I wanted was some [sex]," he said, according to a police report.