

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

MICHAEL SCHNEYMAN AND ARLENE
PERLSON AS CO-PERSONAL
REPRESENTATIVES OF THE ESTATE OF
ISABEL SCHNEYMAN,

Plaintiff,

v.

BOCA REGENTS OPCO, LLC D/B/A LEGACY
AT BOCA RATON REHABILITATION AND
NURSING CENTER,

Defendant,

Case No.:

_____ /

COMPLAINT

COMES NOW, Plaintiff, MICHAEL SCHNEYMAN AND ARLENE PERLSON AS
CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF ISABEL SCHNEYMAN, by
and through the undersigned counsel and sues the Defendant, BOCA REGENTS OPCO, LLC
D/B/A LEGACY AT BOCA RATON REHABILITATION AND NURSING CENTER
(hereinafter referred to as "Defendant"), and alleges:

GENERAL ALLEGATIONS

1. This is an action for damages that exceed FIFTY THOUSAND (\$50,000.00)
DOLLARS.
2. At all times material, ISABEL SCHEYMAN was admitted to Defendant's
nursing home located in Palm Beach County, Florida.
3. MICHAEL SCHNEYMAN and ARLENE PERLSON have been appointed Co-
Personal Representatives of the Estate of ISABEL SCHEYMAN.

4. This claim arises from a preventable fall that occurred on or around July 5, 2024, that resulted in a distal femur fracture which required surgical intervention and ISABEL SCHNEYMAN's wrongful death on July 15, 2024.

5. Defendant's records regarding the fall was dated July 7, 2024, but written as a late entry on July 11, 2024, four days later.

6. ISABEL SCHNEYMAN was transported to the hospital on July 8, 2024. The AMR records noted a hip FX x 3 days (meaning incident was July 5, 2024). They noted "Fall on same level from slipping/tripping/stumbling." On arrival to the hospital on July 8, 2024, the ER was also notified that she fell 3 days ago (July 5, 2024) and had a confirmed hip fracture. The medics told the triage nurse she fell out of bed.

7. It is impossible she would have been able to weight bear with this fracture so there had to have been a change in her ability to function, yet this is not noted in Defendant's records. In fact, according to the Therapy Minutes Report, she received 42 minutes of OT on July 5, 2024, 40 minutes of PT on July 6, 2024, and 48 minutes on July 7, 2024.

8. Mrs. Schneyman was admitted and seen by an orthopaedist on July 9, 2024. She was medically optimized for the surgery over the next few days and on July 11, 2024, she underwent:

- Left revision total knee arthroplasty, femoral and tibial components
- Open reduction, internal fixation of left distal femur with cerclage cable

9. ISABEL SCHNEYMAN could not survive the trauma and died 4 days later.

10. At all times material hereto Defendant was vicariously liable for all acts and/or omissions of its agents (actual and apparent), employees, servants and administrators.

11. Defendant owned, operated and managed the nursing home during Plaintiff's residency and as such owed Plaintiff a duty to exercise reasonable care in its operation of the nursing home according to §400.023(3), Florida Statutes.

12. Plaintiff has performed all conditions precedent to bringing this action as required by Chapter 400 of the Florida Statutes.

COUNT I – CHAPTER 400 DEATH CLAIM

Plaintiff re-alleges paragraphs 1-12 herein.

13. Pursuant to Section 400.022, Florida Statutes, and the state rules and regulations adopted and promulgated there under, along with all applicable Federal Regulations, all of which constitute a part of the established and recognized standard of care within the community, Defendant owed a duty to Plaintiff to ensure that her rights were not violated, deprived or infringed upon in any way.

14. The foregoing rights include, but are not limited to:

a. The right to receive adequate and appropriate health care and protective and support services, including social services; mental health services, if available; planned recreational activities; and therapeutic and rehabilitative services consistent with the resident care plan, with established and recognized practice standards within the community, and with rules as adopted by the agency;

b. The right to be treated courteously, fairly, and with the fullest measure of dignity; and

c. The right to be free from mental and physical abuse.

15. These statutorily mandated responsibilities include providing appropriate staff with sufficient training to implement the provisions of Section 400.022, Florida Statutes.

16. Defendant owed a duty to Plaintiff to properly hire, retain and supervise nurses on Defendant's staff and to ensure that any such licensed nurses exercised care consistent with the prevailing professional standard of care for a nurse.

17. Defendant's responsibilities and obligations to Plaintiff are non-delegable such that Defendant has direct liability for violations, deprivations or infringements by any person or entity under Defendant's control, direct or indirect including the employees, agents, servants, administrators, consultants, and independent contractors, whether in-house or outside entities, individuals, agencies or pools.

18. Notwithstanding the duties and obligations of Defendant to prevent violations, deprivations and infringements of Plaintiff's statutorily mandated resident's rights, such rights were violated, deprived or infringed by the acts and omissions of Defendant. The rights violated, deprived or infringed upon include, but are not limited to:

a. The right to receive adequate and appropriate health care and protective and support services, including social services; mental health services, if available; planned recreational activities; and therapeutic and rehabilitative services consistent with the resident care plan, with established and recognized practice standards within the community, and with rules as adopted by the agency;

b. The right to be treated courteously, fairly, and with the fullest measure of dignity; and

c. The right to be free from mental and physical abuse.

19. As a direct and proximate result of Defendant's violations, deprivations or infringements, ISABEL SCHEYMAN died on July 15, 2024.

20. The beneficiaries for Plaintiff's wrongful death are:

- a. The Estate,
- b. MICHAEL SCHNEYMAN, son;
- c. ARLENE PERLSON; daughter.

21. As a direct and proximate result of Defendant's violations, deprivations or infringements, medical and funeral expenses were incurred.

22. As a direct and proximate result of Defendant's violations, deprivations or infringements, the Plaintiff's survivors identified above have suffered loss of companionship along with extreme mental pain and suffering.

WHEREFORE, Plaintiff, MICHAEL SCHNEYMAN AND ARLENE PERLSON AS CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF ISABEL SCHNEYMAN, demands judgment against Defendant for damages in excess of FIFTY THOUSAND (\$50,000.00) DOLLARS, costs, interest and further demands trial by jury.

COUNT II – CHAPTER 400 SURVIVAL CLAIM

Plaintiff re-alleges paragraphs 1-12 herein.

23. Pursuant to Section 400.022, Florida Statutes, and the state rules and regulations adopted and promulgated thereunder, along with all applicable Federal Regulations, all of which constitute a part of the established and recognized standard of care within the community, Defendant owed a duty to Plaintiff to ensure that her rights were not violated, deprived or infringed upon in any way.

24. The foregoing rights include, but are not limited to:

- a. The right to receive adequate and appropriate health care and protective and support services, including social services; mental health services, if available; planned recreational activities; and therapeutic and rehabilitative services consistent with the resident

care plan, with established and recognized practice standards within the community, and with rules as adopted by the agency;

b. The right to be treated courteously, fairly, and with the fullest measure of dignity; and

c. The right to be free from mental and physical abuse.

25. These statutorily mandated responsibilities include providing appropriate staff with sufficient training to implement the provisions of Section 400.022, Florida Statutes.

26. Defendant owed a duty to Plaintiff to properly hire, retain and supervise nurses on Defendant's staff and to ensure that any such licensed nurses exercised care consistent with the prevailing professional standard of care for a nurse.

27. Defendant's responsibilities and obligations to Plaintiff are non-delegable such that Defendant has direct liability for violations, deprivations or infringements by any person or entity under Defendant's control, direct or indirect including the employees, agents, servants, administrators, consultants, and independent contractors, whether in-house or outside entities, individuals, agencies or pools.

28. Notwithstanding the duties and obligations of Defendant to prevent violations, deprivations and infringements of Plaintiff's statutorily mandated resident's rights, such rights were violated, deprived or infringed by the acts and omissions of Defendant. The rights violated, deprived or infringed upon include, but are not limited to:

a. The right to receive adequate and appropriate health care and protective and support services, including social services; mental health services, if available; planned recreational activities; and therapeutic and rehabilitative services consistent with the resident

care plan, with established and recognized practice standards within the community, and with rules as adopted by the agency;

b. The right to be treated courteously, fairly, and with the fullest measure of dignity; and

c. The right to be free from mental and physical abuse.

29. As a direct and proximate result of the failure of Defendant to comply with the requirements of Chapter 400 of the Florida Statutes, ISABEL SCHEYMAN suffered damages including loss of dignity; humiliation; bodily injury; pain and suffering; mental anguish; discomfort; aggravation of an existing disease or physical defect; medical, hospital and nursing expenses.

WHEREFORE, Plaintiff, MICHAEL SCHNEYMAN AND ARLENE PERLSON AS CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF ISABEL SCHNEYMAN, demands judgment against Defendant for damages in excess of FIFTY THOUSAND (\$50,000.00) DOLLARS, costs, interest and further demands trial by jury.

Dated this 19th day of June, 2026.

/s/ Scott M. Fischer

Scott M. Fischer Esquire

Florida Bar No. 0301530

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