



DR. BERNARD BERGMAN
... takes 5th Amendment

Rabbi Silent At Nursing Home Probe

United Press International

A New York rabbi who operates a nationwide string of nursing homes invoked the Fifth Amendment yesterday when senators attempted to question him about alleged fraud in the billion-dollar nursing home industry.

Dr. Bernard Bergman pleaded unsuccessfully on other constitutional grounds against testifying before he invoked his Fifth Amendment right to refuse to answer questions on the grounds of possible self-incrimination.

Sen. Frank E. Moss, (D-Utah), acting chairman of the Senate Special Committee on Aging, refused to accept Bergman's first objections but said he had no choice but to accept the refusal to answer under the Fifth Amendment guarantee.

Bergman's lawyer, Nathan Lewin, said it would be "improper" and "simply unfair" to compel Bergman to testify, because his operation of the Towers nursing home in New York is under criminal investigation by both state and federal agencies.

Even after Bergman's refusal to testify, Sen. Charles H. Percy (R-Ill.) pressed him to explain how he had "parlayed" \$30,000 into more than \$24 million through nursing homes operations. Bergman declined to answer.

Bergman said he would eventually provide the committee with all these answers, after criminal proceedings against him are resolved.

Bergman is a central figure in more than a dozen federal, state and local investigations of charges ranging from oversedation of elderly patients to padding payrolls.

A New York State Assembly committee has said Bergman controls a nationwide empire of more than 100 nursing homes.

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