

YOUNGSTOWN STATE UNIVERSITY

ORAL HISTORY PROGRAM

Nursing Homes Project

Personal Experiences

O. H. 620

JOHN MASTERNICK

Interviewed

by

Jay Toth

on

May 1, 1979

JOHN MASTERNICK

John Masternick was born on August 11, 1925, in Trumbull Hill, Girard, Ohio, the ninth of ten children. His parents were born in Italy and later came to this country.

John grew up during the Depression. His father died when he was four years of age. The family's only entertainment was a radio, which they were only allowed to listen to on weekends because the radio used electricity.

He received his primary education at Tod Woods School on Trumbull Hill in Girard, Ohio. The school later skipped him through fourth grade. Fear was the guide for learning for him as well as for the other students.

His first job was peddling papers at the age of six. At eight years old, he and his brother helped the janitor clean up the school. He attended Girard High School and in his senior year began working with vending machines. This was to become his first business venture. He graduated from high school in 1943.

In August 1943, he registered for the service. He was in the Marines from October 1943 until July 1946. After the war, he started into the vending machine business with his brothers. Later, he went to school at Loyola University in Chicago. In 1949, after getting married, he left the vending business. He dabbled with a drugstore and grocery store while attending Youngstown University Law School.

His law practice was very profitable, but he had to hold public offices for support while starting out. Later he met Ed Miller, an operator of a nursing home. Ed Miller involved

John Masternick in the nursing home business. After Ed Miller's untimely death, he inherited the whole business.

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INTERVIEWEE: JOHN MASTERNICK

INTERVIEWER: Jay Toth

SUBJECT: education, law school

DATE: May 1, 1979

T: This is an interview with John Masternick for the Youngstown State University Oral History Program on Nursing Homes, by Jay Toth, in Girard, Ohio, on May 1, 1979, at 7:30 p.m.

The first thing I want to start out with is to ask you to give me some of the past history of your family.

M: I was born on August 11, 1925 up on Trumbull Hill in Girard, Ohio. I was number nine in a line of ten. My parents had ten children, eight boys and two girls.

T: Were your parents originally from here?

M: No, they were born in Europe.

T: Where in Europe?

M: My mother was born in Italy and my father was also born in Italy.

T: What prompted them to come to this country?

M: I really don't know.

T: What was your childhood like?

M: Well, I grew up during the Depression. It wasn't very easy; it was kind of rough. And being one of ten kids, it was a very difficult time with no money and half of the time there was no food. My father died when I was four years old, and my mother--God bless her--survived, paying all the bills.

She was a very good manager, very practical woman, a very stubborn woman, would never admit defeat.

T: Can you describe what a typical day was like for you?

M: At what age?

T: Say, six years old.

M: Well, I started school at six. I went to school, came home, did my homework, ate, and went to bed. We had a radio in the living room, but we were only allowed to listen to it on weekends because it burned electricity and your dirtied up the living room.

T: What were your experiences in school, say grade school, high school?

M: Very good, experiences in grade school were very good. I went to Tod Woods School on Trumbull Hill; I found it very easy. About the third or fourth grade, I think, I skipped. During school, I enjoyed. I competed with the kids and usually came out on top.

T: Most people usually have a favorite teacher that they liked to associate with that sort of prompted them along or gave some kind of guidelines. Was there any such person for you?

M: It's true that most kids have a favorite teacher, but I can't say that I did. In the first grade we had a teacher by the name of Miss Armstrong. She gave us, everybody, a licking the first couple of weeks and I didn't get that licking. Either I was well-behaved or for some reason or another she decided not to give me a licking. But the fear of the strong arm of Miss Armstrong was sufficient to keep most of us in line. She was a first grade teacher and the principal was worse. She was all chest and she could swing the hell out of a paddle. And I got one licking from her in the seven years that I was at Tod Woods. Most of the rest of the kids got it two or three times a year.

I think rather than agitation of the teacher, or liking a teacher, that we were propelled by fear, that this was the guide rather than love or kindness or understanding. We learned, because if we didn't, we would get the hell beat out of us. This is the greatest motivator, hunger, and then fear.

T: Upon graduation, what plans did you have for your future?

M: Upon graduation from where?

T: High School.

M: Well, let's go back a little. You asked me what I did at the age of six.

T: Yes.

M: Probably the first job I had was at the age of six, and that was peddling papers. At the age of eight I started helping the janitor clean up school. I worked five nights a week and Saturday mornings and my brother and I made a half a buck between us, and we were probably the only ones that had any money in our pockets in school. That's hard for kids of this generation to understand, but nobody had any money. If you had a dime in your pocket, you were thought to be wealthy.

I worked; I can't remember not working. If it wasn't peddling papers, cleaning the school, shining shoes in the barbershop on Saturdays, or working in my brother's store, I had very little leisure time. I didn't have time to get into trouble like other kids did. Of course, in those days, we didn't get into much trouble. There wasn't much to get into trouble with or for. But I worked most of the time.

T: So, you would say that your childhood years, your work experience, prepared you for the coming years of your adulthood?

M: Well, any childhood prepares you for an adulthood, it all depends on how it prepares you.

T: Right.

M: Mine was one of fourteen hour days. I got used to them. I always wanted to be a lawyer. I could read before I went to school. My mother tried to send me at the age of five, but the teacher knew how old I was, so she sent me back home. I couldn't go to school until I was six. I always wanted to be a lawyer and that was my goal.

T: To come back to graduation, what took place for you and what did you plan on?

M: My last half year of school I took two subjects. It was war-time. It was 1942, 1943. I had two subjects. I had English from 8:30 to 9:15 and from 9:15 until 10:00 I had Latin because I hadn't finished my Latin. I had a year and a half because I had a half a year to go. I was a half year student because I got skipped and got screwed up on scheduling. So my senior year I was taking tenth grade Latin. I left school at 10:00 and went to work. I had a job servicing vending machines, cigarette vending machines, really. That's all I serviced was cigarette machines. I worked until 5:00 or 6:00, and came home. There was very little homework. English was kind of easy to do and Latin, that last year was mostly reading and interpretation.

It wasn't very difficult. So, as I say, it was wartime and there weren't too many men around and I worked most of the time.

T: You told me one time about your experiences with the vending machines. Can you re-relate that to me?

M: Well, if you want to go chronologically, I registered for the draft in 1943 and I got drafted in October, and went to Camp Flannigan, Florida for basic training. I came home on a ten day delay enroute and then went overseas, up first in North Africa, then in Sicily, then in Italy, then in France, Germany, and Belgium.

I came back home from the service too late to get into college at that time. And I went to college in September. I came home January 27, 1946, and went into the vending machine business because that was what I knew.

T: What were your experiences of the service?

M: Oh, I trained as a message center clerk. They found out I had a high IQ, so rather than going into the heavy weapons or rifleman, I trained as a message center clerk. After I graduated from message center work, that's the last time I heard of it. I never saw one overseas. I went overseas as a rifleman, 745, came out as a clerk and an Army Postal Clerk. My experience as a soldier is, if I had to do it today, I wouldn't. It was a useless, frivolous endeavor.

T: You related an event at one time when you were on the boat?

M: Aboard ship?

T: Yes.

M: I could tell you my experiences about those, a little over two years that I put in the service. Which event was it?

T: The one where they threw you in the shower or something.

M: Oh, yes. Well, I didn't know what seasickness was. I didn't read Moby Dick until I got into college. I didn't get seasick until we were out three days. Naturally, you get seasick, you stay seasick. About one-third of the ship got seasick. There were about 500 men on one ship. You throw up and after you empty your stomach, the green bile starts coming up. And you throw up, and it comes out of your eyes; it comes out of your nose; you get diarrhea about the same time because at 6:00 in the morning they fed us chili--we were on a liberty ship--and at 2:00 in the afternoon they fed us lamb stew. I don't know what it was on board ship, but one-third of the ship was sick. And naturally, I laid

in my bunk and in the 28 days I was on board that ship, I lost 34 pounds. I went from 168 pounds down to 134 pounds.

After about three weeks out at sea they said that everybody had to take a shower. Of course, nobody was taking a shower. I didn't know why at that point, because I didn't much give a damn either. They announced, "Now hear this," over the intercom, "Everybody is taking a shower," and they called out the names and you were supposed to go to take a shower.

Well, I was sick. Pretty soon the corporal came over and said, "Masternick, you're supposed to take a shower." I said, "Yes, I know." And he left. Pretty soon the sergeant came over and he said, "I understand you don't want to take a shower." I said, "Sergeant, I'm sick. It's not that I don't want to take a shower. Christ, I can't even get up." About two hours later the lieutenant came over and he said, "Masternick, I understand you don't want to take a shower. I've got a good notion to court-martial you." I looked at him and I said, "Lieutenant, I'm eighteen years old. I don't know where the hell I'm going, when I'm going to get there. I don't care whether I live or die and you're going to court-martial me? Go ahead!" Well, about another hour later four guys came and picked me up out of the bunk--whatever you call those damn things they had in the Navy--and threw me in the shower with a bar of Lux Soap. It was salt-water, that's why the guys weren't taking any showers. You can't take a shower in saltwater unless you had special soap. Lux doesn't work. It won't even melt. The next morning after I dried out, I was stiff as a board. I couldn't even move. The salt water and the Lux Soap. Well, that was one experience. I had a lot of experiences on that ship. It was interesting. You look back on the humorous parts. The sad parts sort of tend to fade away, but the humorous parts stand out in my mind. And that was funny.

T: Then after the service you started school?

M: I went into the vending machine business. The first thing we bought was a peanut machine. That was right after the war. They were made out of aluminum and glass and they had hot peanuts in them. And half of the time we found more peanuts in the money changing drawer than we did money. That was a real bust. We lost about \$1,500 bucks there, and that was hard to come by.

Then, I borrowed one cigarette machine. A friend of mine was going into business; he was opening a sandwich shop and I put a cigaretter machine in there. And in a year I had twenty cigarette machines out. And they paid off, at that time, about \$4 or \$5 in each one. So, I was making it while I was going to school. I was making \$80 to \$100 a week just

on the vending machines. I could do it in between classes. I could do it after classes. It wasn't hard work, and I knew it.

Then my brother thought that was a good idea, so he came in. And after another year we had about forty machines out. And my other two brothers thought that was a good idea and they came in and we had 126 machines out, after about three and a half years; we were all making a living.

Then I decided to go away to school to Loyola University. When I came back we couldn't get along. In the meantime, I had started a drugstore. When I came back from school, from Loyola University, a year later I didn't have the drugstore; my brothers took that. We divided up the vending machine business and I was back to 25 or 30 machines. Had I stayed in that business, today I would probably be the biggest vending machine operator in this area. I could still be if I wanted to be. (Laughter) That's an easy business.

T: You say you went to school out in Chicago?

M: Loyola University. At that time Youngstown had maybe 1,400 to 1,500 students. I just have to tell you, I had registered in the summer of 1943 to go to college, and they had 385 students at that time. So, in 1949 I went from Youngstown to Loyola University, and I went from a school of about 1,400 students to a school of about 15,000. Chicago is a cold city. There was very little campus life, very little friendship. It was a good school. It was a Jesuit school. I never studied so hard in my life as being at that school of Loyola.

T: After the vending machines, where did your life lead to from there?

M: After I came back from Loyola University, my brothers had cut up the vending machine business and kept the drugstore. I could have sued them, but I decided not to. I got married in 1949. I got a job with the Department of Commerce before I got married. That lasted for about two years. And we went from a business survey to a logging, sawmill survey, and then into the general census. And when the general census was over, I left the Department of Commerce.

In the meantime, I took one semester off and got married and then went back to college. And in the Fall of 1940 I got into law school.

T: At Youngstown?

M: Yes, at Youngstown State University. It was Youngstown College then.

T: What were your experiences within law school at Youngstown?

M: It was hard working in the daytime and going to school at night. They only had a night school. They didn't have a day school. That's how Youngstown State achieved its university status, because of its law school. At one time, that was the only advanced degree they had. While I was in law school, they went from a college to a university. It was very difficult. You had to study. You had to know your stuff. It was a good school. The law school was a very good school because we had practical teachers. We had one full-time teacher, but we probably had, I'm just guessing, twenty or thirty practicing attorneys, who taught college or taught law school at Youngstown State, and did a fine job. I graduated from there in 1954. I took the Bar in 1955 and started practicing the day after Labor Day in 1955.

In the meantime, while I was in law school, I had lots of jobs in businesses. I bought a grocery store once on Poland Avenue. I think that was in 1950. And I paid \$40 for it.

T: I think you swung that.

M: Well, the kid that was in there was kind of disgusted and he really didn't have much common sense. Having grown up behind the counter at my brothers' stores, I can tolerate a little better. But it kind of interfered with my schooling. I was on Poland Avenue and I was open from 7:00 in the morning until 9:00 at night, fourteen hours; and it's pretty hard to get to law school. I finally had to give that up. I sold it six months later for \$4,500.

I took a couple of months off, I think, after that. Then I went to work for Lindy Air Products one summer; just one summer I worked there. They could never keep me busy. It was the only time I ever worked in a plant. It used to be fun with Mr. Moran; he was the boss. We were in the acetylene department. They don't make acetylene and oxygen in the same plant. They made the oxygen in one plant and the acetylene in another. Both of them are very volatile. They took all the precautions in the world. The floors in this huge building had to be about 200 feet by about 500 feet. It was a big building. The floors were made of a special, porous straw cement. The tools were all either aluminum or copper. They didn't use any steel because they had had a couple of fires there and it burned down. Once it burned down almost completely. This was a one floor building about fourteen feet high, and above it was a huge tank where they used to mix the chemicals to make the acetylene. They would put the water and the carbide I guess--I don't know what else they put in, I never did learn--in the tank, then seal the tank and the pressure created by the water and the carbide would force the acetylene

gas down through pipes. And we would have rack after rack after rack of tanks that we would have to attach with special wrenches; and it would force the acetylene into the tank. Now, the tank was a double steel jacketed tank, and the inside of it was, again, of porous concrete. It took about six hours to fill. So, we worked an hour in the morning to put the tanks on and six hours of goofing, and an hour in the afternoon to take them off. And they only had, at that time, just one shift. There were about fifteen of us that worked there and there were two or three of us that worked there in the summertime. We would sit around, horse around, get into mischief most of the time.

So Mr. Moran found out we could both read. So, I got a job, in addition to the general labor, which at that time was about \$1.25 an hour, \$1.27. I became a weighman, scaleman, because as tanks came off the trucks you had to weigh them. If they didn't weigh 42 pounds, you had to fill them up with acetone. So, that would take about another hour. And that meant I had to goof about five hours out of the day. That was kind of silly.

One day I was sitting around doing nothing and Mr. Moran came over because he was the manager of the plant. I said, "Hey, Mr. Moran, don't you have anything for me to do?" He said, "Hey, you got two jobs now." I said, "Hell, just keep me busy. I just can't sit around here doing nothing. You're paying me for eight hours, I might as well work eight hours. You have to pay me anyway." So, he said, "Do you like to paint?" I said, "No, but I'll do anything." So, he said, "How about painting the tanks?" And they were a dirty rust. "Oh," I said, "you're kidding." He said, "No." So, he got me a can of paint. He said it was paint. It was more like tar and a two-inch brush and I'm supposed to paint these huge tanks. Of course, they had different sizes, but most of them were big ones that you would see in garages. They were about three times the size of the oxygen tanks we used. Are you familiar with acetylene tanks?

T: Yes.

M: They're very complicated. Anyway, all the time that I was there the union was trying to get me to join the union. I said, "Look, I'm going back to school. I don't want to hear anything about this union." And they wanted \$11 a month, I think at that time, or \$8 a month, and I couldn't afford that. I needed the money for my tuition. So, I kept them off, but they were always mad at me anyway because I wouldn't join. They used to paint four tanks an hour. So, the next day Mr. Moran came over. I said, "Moran, do you really want me to paint these tanks?" He said, "Yes." I said, "Why don't you let me mix my own paint." He said, "Okay." And I said, "How about getting me a four-inch brush?"

He said, "Fine." So, he came back that day and brought me a beautiful four-inch brush and I mixed my own paint. And they used to paint four an hour and it would take them another fifteen minutes to decal them. I painted and decaled six an hour, one a minute, with that four-inch brush. And that went on. I kept busy. At least I was painting those tanks. I would paint them right on the racks. I painted all of those tanks. There must have been about 5,000 of them. I imagine that during the course of that summer I gave them three coats each. When they were out of there, they looked beautiful. So, they came back now and they didn't need painted anymore because I painted them once or twice and they didn't really need painted. Before you knew it, they were all coming back painted and I didn't have to paint any of them. So I'm loafing five hours. I'm the weighman and general laborer, and I have nothing else to do.

Out back they had over 1,500 tanks. This was down around Poland Avenue on Jones Road or Jones Street in Youngstown, Ohio. The plant was on a level place, but in back of the plant there was a hill that went up, and that hill was just covered with tanks that were broken.

But before that Moran would come over and I would say, "Don't you have anything for me to do?" He said, "Do you like to paint?" I said, "No, but I'll do it." He said, "How about painting the pipes?" I said, "Are you kidding?" They must have had five miles of pipes in there and they were all a different color: red, blue, green, yellow, orange, black, just every color under the sun. So he said, "Well, if you want to paint you can do it, if you want to keep busy." He was a nice guy. He knew I was going to school and that I would only be there that summer. So, he gave me a square brush and some paint and I started painting those pipes. When he came back the next day I said, "Mr. Moran, I don't know who's nuts, you or me." He said, "What do you mean?" I said, "You have round pipes and you gave me a square brush." How about getting me a round brush?" So, he got me a whole bunch of round brushes and I painted those pipes. It took me three weeks. I did them all the right color, got them all painted. They looked great. I got a little paint on the floor. So, I'm sitting there one day and Mr. Moran comes over and says, "Why aren't you painting the pipes?" I said, "I'm done." "Oh," he said, "you can't be." He went over and looked and came back. He said, "I'll be a son of a so-and-so. The last time we had those painted we hired an outside painting firm and it took them four months and it cost \$8,000." Now, this is 1951. On today's market that doesn't sound like a lot of money, but painters were making about \$2, \$2.50 an hour at that time.

After I got through with those, he was looking for things for

me to do now. It was getting towards the end of the summer. He said, "I'm going to ask the engineer to teach you how to fix the tanks." We went in the tank house. Mr. Moran tells the engineer, "Show him how to fix the tanks." So the engineer grunted as Mr. Moran left. When he left he came after me with a hammer saying, "You S-O-B, get the hell out of here." I said, "What's the matter with you?" He said, "Three guys like you, he could fire the rest of us." So he wouldn't teach me. I would go back in and he would chase me out. This went on for a couple of days. Finally, I told Mr. Moran, "He's not going to teach me how to fix those tanks." So, Mr. Moran came in on Saturday morning and showed me how. These tanks are very complicated. They have eight blow-out plugs on them, four on the top and four on the bottom. Then they have a spigot on them, very complicated. It looks like a water spigot, but it's got a lot of little parts in there to make sure that nothing gets into it and nothing gets out of it. Foreign debris would jam the thing up, especially jam the tools up because some of those acetylene tanks used to go to jewelers, just little, wee tanks, and glass makers. At that time most eyeglasses were frames. And they would use them to solder and weld eyeglasses and rings and everything else. Those are just little, wee, green ones. So anyway, Mr. Moran showed me how to fix those tanks. By the time I left, the whole hill was empty. They had 54 tanks with holes in the side that we couldn't fix here. They needed major repair or replacement. So I left and those union guys were happy to see me get the hell out of there.

I like to tell that story because it just shows with the right incentive and the right motive you get a lot more work on your employees than most of the time.

But after working there I got into sales. The first job I took was with a collection agency and I was selling their collection package to businesses. From there I got into selling insurance and real estate. And just before I started practicing law, I was selling office equipment and furnishings. So, we're up to practicing law.

T: Okay. Just start with that from day one; that was the day after Labor Day.

K: Kind of a dull day. (Laughter) I didn't know what to do. When you get out of law school, you are full of theory. You really don't know what to do. If you're in with another attorney . . . I was lucky. I got in with Don Delbane, Mark Williams, and Duke LaPolla, and when I had a problem I could ask one of them, who had usually had the same problem. But you don't know where to file anything. Actually, you don't even know where to get the forms. I asked some other lawyer what to do, because they don't teach you how to practice law;

they teach you the theory behind it. We were on the case system in law school, and although it teaches you what to do in each individual case, it doesn't teach you how to do it. That's up to your own resources. So, you have to have a little bit of ability to practice law. That's why they say that when a lawyer gets out of law school, the best thing you should be is a judge because he doesn't know how to practice law.

But it was tough. The first year I grossed \$2,700. The last year that I practiced law, which was 1973, the year Ed Moore died, I made over \$100,000, which is good. The law was good to me. I made a lot of money that led me into a lot of things like the business I'm in now, the nursing home business. If I wasn't a lawyer, I wouldn't be in the nursing home business, I don't believe.

But before I start practicing law, I ran for Justice of the Peace. I remember old Henry Church used to say, "When you get out of law school, run for office, but by God, don't win," just to tell the people that you're a lawyer because a lawyer wasn't allowed to advertise until the last couple of years. But I made the mistake of winning. I was the Justice of the Peace while I was still an attorney. I ran for judge and made that. I was County Court Judge. I was J. P. for four years and County Court Judge for four years.

Then I tackled Henry Burrell, who was Common Pleas Judge in Trumbull County. Although I probably came closer to beating him than anybody else, I lost Trumbull County about 8,900 votes. That was 1962. The next year I ran for Municipal Court Judge and another Democrat got in. We had two Democrats and one Republican running in the general election. I lost that by 258 votes.

The following year we built this house and I ran in 1964. I ran for solicitor of the city of Girard and made that. I got elected to two terms, and quit in the middle of my second term because I just got kind of disgusted with the people that were in office, the mayor, and the councilmen, and I just had it. So I put about fourteen or fifteen years in public office. And prior to the solicitor's job, I was prosecutor for about two and a half years.

That brings us up to the nursing home business. That's what you are interested in?

T: Yes.

M: In 1959 Ed Miller came into my office, and I had known Ed since he was about two years old. He used to be my neighbor. He came into my office with a couple of other guys and they said they wanted to go into the rest home business, and they

didn't have any money. They wanted to incorporate. So I incorporated them and they had no funds. They had enough for the car. They suggested I take some shares of stock in their business, which was a precarious business at that time and I didn't know much about it, but I did. About a year later we bought out one of the partners and about two years after that the other partner became an alcoholic and a lot of stuff was disappearing from the place. So, Ed Miller and I bought him out. That's how I got into the nursing home business.

T: When you finally got into the business, what were your opinions or your outlooks on it?

M: I didn't like it. I didn't like nursing homes. I would go to the Board of Directors meeting; I would go to the shareholders meetings and I would draw a check for my legal services. It was a growth business because you didn't make any money. In a growth business you're putting it all back in.

In 1963 I sold my end of Milton Manor--we just had one then--to Ed Miller. But he would never leave me alone. He would be in my office constantly. We had lunch at least once a week. He wanted to go back in business and I didn't want any part of it. Then in 1964 I went to a Cursillo and I found that the practice of law was kind of a selfish thing. Even though it's very glamorous, very interesting, it really was not very gratifying. No matter what you do in the practice of law, you're wrong. You can be the most honest person in the world and once you become an attorney people think you're a thief. It is the same way in politics. You can be the most honest man in the world and you get elected to political office and people think you're a thief.

Getting back to the practice of law, law is an adversary; that is, the lawyer is in an adversary position in the practice of law. When he takes a case, he champions a cause whether his client is right or wrong. And most of the time, when you do take a case, you don't know whether you are right or wrong, especially in Trumbull County that has a very high domestic relations rate. You get a divorce, you don't know whether you're right or wrong; you get the kids for the mother, you get the kids for the father, you don't know whether you're right or wrong because you don't really have time to do the investigation necessary to determine whether they're good parents. The wife comes in and she says, "I want the kids," you get the kids for her. The husband comes in and says, "I want the kids," you get the kids for him. Anyway, it's not a very gratifying position. The carpenter can stand back and look at the work he did and admire it. The painter can stand back and look at the painting he did and admire it. Most tradesmen have gratification in their work that you don't

find in the professions. Even a doctor can see his patients get well. The dentist can look at the teeth and he's done a mechanical thing. The lawyer works strictly with words. He has very little material to work with and he makes a few phone calls, writes a few letters, says a few things in court, files a few papers. There is not a sense of gratification within this profession that you find in many others. You go home with everybody's troubles on your mind and sometimes you miss your own. I found myself to be very egotistical, very pessimistic, not doing much for humanity. I had made the retreat called Cursillo de Cristiandad. It was a Spanish thing. It started on the island Menorca in Spain. I decided that I had to do something for humanity. I thought and thought and thought and after a while decided, heck, you're in the nursing home business, you know a little bit about that. I was doing something for humanity. So, I thought, why don't you stay in that and do it.

That was the end of 1964. I shopped around and Ed Miller and I founded Windsor House I. And although I was not much at the nitty-gritty, day-to-day operations, he was. He was a very good nursing home operator; he liked old people. You have to like old people, otherwise you shouldn't be in the nursing home business. We bought Windsor I on Fifth Avenue and a short time later, about a year and a half later, we bought Windsor II on Illinois. I did all the financing and paying of the bills. When we first started we did everything ourselves, paid the bills, ordered the groceries. We even used to cut our own meat up until maybe a year or so before he died. We would buy either cow and the hoof and go to the butcher shop and cut our own meats. About a year later we bought Windsor House III, and then number IV and V came up about the same time. That was about 1970, the end of 1970.

We had no money at that point because all the money that we had we were putting back into equipment and payrolls. When you're expanding, you have no money. It's only after you're in operation for a period of time that you can even pay yourself. Normally, in the nursing home business, I put in more free time to the first ten years than anything else I ever did. Ten years--heck. It wasn't until 1972 we started drawing a paycheck. From 1959 to 1972 we were putting it all back in. Of course, he had a nursing home that he was on the payroll, drawing a living from, but I wasn't. I was just an owner. Then of course, he died in 1973, and he left me with a half of a million dollars in debt over all five homes.

Then the state and the federal government started mandating all these rules and regulations, which we didn't have to contend with prior to that time. Really, Ohio didn't start

implementing all these rules and regulations until the end of 1972 or beginning of 1973. And they have caused the cost of nursing home services, through their dilatory and needless rules and regulations, to go from about \$10 a day to \$30 a day for a patient. And this increase was caused primarily because they feel that the patient in the nursing home should be rehabilitated. I don't agree with this. A patient goes to a nursing home, not for rehabilitation, but just exactly as the word says, nursing home, a home with nursing care. In the state of Ohio the federal government is trying to make rehabilitation homes out of them and they weren't designed for that. If somebody wants to be rehabilitated, they should have a different type of home than a nursing home, but they forced all these rules and regulations on us. Some of them are good. Most of them are very frivolous, most of them some psychologist dreamed or some social workers dreamed and they have convinced the legislators that this is the way it should be. What they have done is impose this on nursing homes and nursing home operators, more rules, laws, and regulations than in any other business in the world. It seems like every time you turn around, the legislators of each state are passing more laws governing nursing homes and they won't take the bull by the horns and create a nursing home department in the state of Ohio. They had a department for barbers; they've got a department for beauty parlors; they've got a department for butchers; they've got a liquor department; they've got a bartenders' department; they've got departments for everything, most of them not nearly as important as taking care of 100,000 old people. I don't imagine that we have 100,000 barbers in the state of Ohio, or beauticians. I don't know about bartenders, we might . . . But they have departments for all these things, and when it comes to dealing with old people, they don't have a department. We're regulated by every department of every political subdivision there is, beginning with the governor's office down to the Department of Health, the Department of Taxing Building, the Department of Industrial Relations, the Department of Welfare. Just every department in the state of Ohio has something to do with nursing homes. Then when you get down to the county level, the county has something to do with nursing homes; the city or the township that you might happen to be in have rules and regulations to enforce against nursing homes.

Usually a city has three inspections for health, the city, the county, and the state. Then every once in a while the federal government through ATW, will come in, or through OSHA; they will come in and inspect fire regulations. We've got to abide the local fire regulations; we have to abide by the county fire regulations if we're within a county; and we have to abide by the NFPA, which is the National Fire Protection Association, which is a bible for all of them to abide by or to enforce. All this overlapping of govern-

mental regulations makes the operation of a nursing home more complicated than the operation of a hospital. To give you a for instance, to operate a hospital all you have to do is get a job and you can be a hospital administrator. But, as of right now, to administer a nursing home you have to have a minimum of two years of college plus one year internship learning how to be a nursing home administrator. By 1980, you have to have four years of college or a degree. By 1985 you have to have a master's degree just to enter the program to become a trainee for a nursing home administrator. I think they've carried things just too damn far. You can be a state legislator at the age of eighteen just by getting elected and this is making the laws and the rules and regulations to govern the whole state. To run a nursing home in 1985 you have to have a master's degree. It sound kind of silly and it is silly. All it takes to run a nursing home is common sense. It doesn't take a degree.

T: What do you feel is the cause for not making a separate department for nursing homes?

M: I don't know. I've pleaded with legislators. First, the nursing home business is an odd business itself. Actually, we have always has a nursing home. When a family took care of their old or their aged, this in essence, is what a housing home is supposed to be, take care of the old people. The industry, as such, grew up during the Second World War where fifteen million people get drafted, and if somebody got drafted that was taking care of an aged parent or an aged relative, that was no excuse to keep them out of the draft; so he put his mother or her mother in with the neighbor and the neighbor took care of the mother. Since she took care of one, somebody else sought her out; then she took care of two, and before you know it she's got a houseful of people that she's taking care of and she made a few dollars, or they made a few dollars if it was a husband and wife, and they added onto the building and they took in a few more patients. It wasn't until 1974 that the state of Ohio passed any rules or regulations governing so-called nursing homes, rest homes, and mental institutions. And ever since they passed the nursing home law in 1954, they've been adding new laws every session of the legislature, amending old ones and adding new ones. Where, today, rather than permitting us to operate the home and taking care of physical needs, the emotional needs, and the social needs of the people, the administrator, the operator of the nursing homes and the head nurses are all busy filling out forms. There is a form for just about every phase of the operation of the nursing home. And if I hadn't been in the training, I would have gotten out of it a long time ago.

T: How do you feel your homes are progressing as far as meeting these goals?

- M: Well, having been born on August 11 under the sign of Leo--I don't know if that means anything or not--but all of my life when I did anything, I wanted to be the best. And I think our homes, Windsor House and now Windsor Manor and Miller Memorial, do a better job than most of the rest of them. Of course, our limitations are money. Without money you can't do a perfect job. And the state has been stingy. And most of the patients in nursing homes today are paid for by the state with federal subsidies. But I feel we have made a better or greater attempt to abide by the rules and regulations than the industry average. I like to think that we run the best homes that can be run with the resources that we have.
- T: When you're running a home, you have to have something--I can't think of the word--so that you're accomplishing something.
- M: Pride of accomplishment?
- T: Right.
- M: Of course, the pride of accomplishment is there. When I walk through a nursing home and look at the people, most of our patients are content; they're happy; they're well fed; they have the best food; they have the best nursing care; and they have the cleanest homes. And Windsor House is champ. I feel that I'm accomplishing something; I'm doing something for humanity. I like to think that I'm working my way to heaven.
- T: Like today, a former employee came in to visit Windsor Manor and she said, "This place smells pretty good. When I worked here it stunk; it smelled."
- M: Well, had she worked for Windsor Manor or had she worked for the previous owners?
- T: The previous owners, I think.
- M: Right, because every trip I've made to Windsor Manor, it didn't stink; it didn't smell.
- T: I've put a lot of effort there the past two months.
- M: You've done a good job, that's why I haven't been down there that often.
- T: But those kind of things make me feel good when I hear them. It tells me I'm doing something. I'm actually accomplishing what I'm setting out to do.
- M: Right.

T: How does that come across with you? Do you receive comments?

M: I know as an attorney you very seldom get thanked. Very few people thank an attorney. Really, it's a frustrating business, because, as I told you before, whenever you take a case, it's an adversary position. The people on the other side are the enemies, and I have to beat them for the sake of my client. I have to uphold his constitutional rights, and any other rights, coded rights, he might have. So, therefore, when I take a case as an attorney, whether it's for the plaintiff or the defendant, or the accused, the people on the other side are mad at me. Half of the people I come into contact with in the practice of law are angry at me because I'm on the other side under standard circumstances. And if you think about it, the average attorney can't win more than half of his cases and lose half of his cases. So a .500 batting average is good. If you fall below it, you're not too great. If you go above it, you're a damn good lawyer. Anyway, after 24 years of practicing law, the thinnest file I have in my file cabinet, which is 24 years old, is a thank-you file. Very few people thank a lawyer. As a matter of fact, if I'm in a crowd and they all know me and you mention my name, three out of four will say I'm a son-of-a-bitch because I've come into contact with them. (Laughter) The fourth one will keep quiet because he's in the minority.

Seldom a day or a week goes by that there isn't some compliment paid in the nursing home business, either by letter, word of mouth, telephone call, or whatever it might be. It is a gratifying business. People are thankful that you're taking care of their old people. And the old people are thankful. You take Peter Schrotten, he went from one nursing home to another until he came to our's. And wherever he goes, he brags about our nursing home, about the good food--of course, he gained weight--and anything else he wants, within reason, he gets. So, it is a gratifying business. It is good. And most of the employees that we have had, who have gone to work at another nursing home, have told us that they would rather be working for us. The employees that we have who have worked for other nursing homes tell us that we do a better job than their former employer.

T: I think it shows all over because, like you said, they're coming from other nursing homes to work for us, for you.

The trend right now is to go into large institutions, change from the small home, as you were describing, to larger institutions due to regulations and cost factors. Do you ever see a chance there would be a shift back?

M: To the smaller home?

T: Yes.

M: I can't say never, but under the economic setup as it is today in the nursing home industry I can't see how you can run a home under fifty patients and survive. With fifty patients you will just make a living and be a marginal operator. You've got to get up to a hundred patients or more to make it economical. No, I don't see a shift back to the smaller home, even though I personally feel that the smaller home built community, that the patients were treated better, that the employees knew all of their patients, and it made for a better nursing home. A unit of twenty-five is the most practical. You get up to fifty, it gets watered down, that is, the relations between patients and employees. Then get up to a hundred, and there again, you have an institution; you're a number then. But economically, this is the way it has to be. Ten years ago if you built a nursing home, you could have built and equipped it for about \$7,000 a bed. Today, it costs you \$17,000 a bed.

T: You are saying that pretty soon, within a few years, there will be no private paid patients. Will you feel that those with the money, the family, is going to try to keep them home?

M: There will always be a private patient. There will always be someone who can afford nursing home fees. I can see costs, as far as the private patient, being a factor, and the family will keep their patient at home. Now you think about it for a while. If you had to pay today's prices to put one of your loved ones in a nursing home, and you had the choice of keeping that person home for the same amount of money--I'm talking about anywhere from \$700 to \$1,200 a month--would you keep the patient at home and try to take care of that patient or would you put the patient in a nursing home? The decision you can make in your own mind. I know that if I had the choice and I could do it, if I had the physical ability to do it, or my wife was willing and the family was willing, for \$1,000 I would be just as happy to keep the patient in my own house. All I need is two patients and I don't have to work. I can stay home. Then you can provide them with everything they need.

For instance, when we first went into business in 1959, the cost, the private cost for a nursing home, was \$150 a month. The state paid us \$235 a month. Today, for the new nursing home, the state pays us \$930 on up a month. And that's what the private patient has to pay. You can't charge any less. So, it has escalated seven or eight times as much in twenty years, 700 or 800 percent increases.

T: How do you feel as far as nurses wages? Do you feel that they are adequate for their educational level? What do you feel that wages should be based upon?

M: Well, you have to be dedicated wo work in a nursing home. Old people cannot, emotionally, work in one. I've had nurses quit

in two hours, RN's. No, I don't think nurses are overpaid. I think that they should be making more money than they are now. I'm talking about the three year dedicated nurse that puts in eight hours a day and does her work and does it well. You don't have all nurses like that today. You have two classes of nurses, the RN and the LPN. The RN has from a year and a half to four years in training, and the best nurse is the one that's trained in the hospital, not in the classroom. And the hospital trained nurses make the best nurses in our facilities. The wages they're getting today, they're not overpaid.

- T: Presently, there's a lot of responsibility as far as paper work being placed on the physicians in the homes. Do you see that Ohio lacks behind as far as using PA's or whatever, nurses clinicians, to pick up the slack?
- M: We haven't had any experience with physician's assistants, doctor's assistants. I can't tell you too much about that. The state of Ohio just kind of ignores them. I don't really know what their status is. They're allowed to do certain things. I think they're licensed for the state of Ohio, but I haven't read any rules and regulations governing them.
- T: Let's get into the future of Windsor House and your goals for Windsor House.
- M: I think I told you my goal. My goal is to run the best nursing home that can be run.
- T: When you're leaving this business, you're going to set aside and watch it?
- M: What I would like to do is phase out our older homes, go into all newer homes, and after getting them started, filled, and in operation, I would like to lease them out to my employees or a consortium of my employees. I would like to retire. I would like to quit working so hard in other words. I would like to start putting on about a six hour day instead of a fourteen hour day. I worked yesterday from 9:00 a.m. to 9:30 p.m.
- T: I know from my experience with you your opinion, but I would like you to express it. Don't you feel that nursing homes should be more specific in the patients that they handle? In other words, the scale of the facilities should be broken down and the level of care.
- M: Well, I hate to harp on the word itself, but from it's name, a nursing home is a home away from home, with nursing care. We shouldn't be designated as hospitals. We shouldn't be expected to operate as hospitals. We shouldn't have to give intravenouses. We should not have to have the very sick patient that needs a lot of medical or a lot of mechanical

work. That patient is not designed for the nursing home. The mildly mental patient is not designed for a nursing home. A nursing home is primarily for a person who wishes to retire and have someone else take care of all their problems and needs some medical assistance or some nursing assistance. And for that patient who is senile, the nursing home is a very choice place for senility. Of course, some day I hope that we'll overcome senility. I think that we'll find the reason for it and a cure for it, put a stop to its progress. Should they break them down? Definitely, if they're going to have categories, a nursing home, if it's going to be a skilled nursing home it should have more nursing care. It should have more employees. The intermediate care facilities should have fewer employees and fewer nurses. But the staffing pattern is the same for both of them. The state of Ohio doesn't recognize any difference whatsoever.

T: To sort of wrap up what we've talked about, I'll let you have an open statement on anything you want to say about the subject.

M: Of nursing homes?

T: Yes.

M: I have a bitter attitude towards most of the bureaucrats we have in the state of Ohio, from Dr. Ackerman down. They don't have the patient at heart. They're imposing upon the patient, now, things the patients is not interested in at all. They are forcing nursing homes to divert personal care, divert nursing care to social problems of the patient, psychiatric and psychological problems of the patient; and nursing homes are not designed for this. Nursing homes are designed and operated to take care of the physical needs and the mild medical needs of the patient, and just steer away completely from those other things. As I say, I'm bitter because they've imposed upon in a hurry what some psychologist or social worker thought should be in the nursing home. And most of the people that are regulating us never saw the inside of a home, and especially never worked in one. Nurses, bureaucrats, department heads, seldom get into a nursing home. For years the nurse that we had would impose upon us all this paper work, come into our home, spend anywhere from two hours to two days, and never look at a patient. This just bothered the hell out of me. I used to beg her, or plead with her, or shame her into looking at a few patients and see that the patients were well taken care of. They weren't the least bit interested in the physical progress of the patient or to see if the patient was cleaned or see if the patient was happy. They didn't care. Or well fed, they never walked into the kitchen. That went on for five years. They have now just come back to realizing that nursing homes are not run for bureaucrats, they're run for people, patients within

the nursing home. As I said, the bureaucrats have screwed up from the top on down. They're imposing all these rules and regulations out of a guilt conscience. To begin with, people who force or get their loved ones into a nursing home because they're a burden to them at home, have a guilty conscience. And what we're experiencing now is the backlash of the guilt conscience on the operators of nursing homes.

To sum it all up, if I had to do it over again, I would do it the same way.

T: With that statement, what further advice would you give to any person contemplating this industry?

M: I think that within the health field, and not just nursing homes, there's a great future. I can see we're going to have some type of national health insurance within the very near future. The cost of health facilities or health services is skyrocketing severely and hospitalization insurance is not going to cover it. The individual is not going to be able to afford it, and we're going to have to get into some national health system to take care of those people who can't afford to go primarily, but if you take care of them, you've got to take care of everybody. I think there's a great future in the health field; and I wouldn't hesitate to encourage any of my children to get into it in any phase.

I think, probably the biggest area right now that I see developing is the mechanical area in health. We've just touched the surface of computers as related to the health field, not only in operating these computers or making them work and designing new ones, but they need a whole army of people to take care of them. Just take the cat scanner, which is relatively new on the market; it's a million dollar machine and they don't have anybody to fix them. If it breaks down, you've got to get a factory man and fly him in to do it, probably like the inception of television; when they broke down, you had to buy a new one because there was nobody around to fix them. Today, you have lots of television mechanics and lots of them that know what they're doing.

It has been a growth business, the same way in the medical, technical, mechanical fields; programming all these machines, making them operate and keeping them operating, some day we will be able to press the button and give the computer the symptoms and they'll give us the diagnosis. That's really what you do with a doctor. From his experience, you tell him what hurts you and then he tells you what's wrong. Well, this is easy to computerize. You give the machine three or four symptoms and it tells you what's wrong with you. It'll prescribe the medication, probably with more accuracy than the individual doctor.