



RECOGNIZE THE SIGNS OF ELDER ABUSE



SOKOLOVE LAW®

Your advocate for a better standard of care.



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GET HELP WITH A FREE CONSULTATION

Call Sokolove Law at **877-490-9162** or visit us at sokolovelaw.com

About This Guide

At Sokolove Law, we understand the difficulty in making the decision to move a loved one to a nursing home or assisted living facility. We know how heartbreaking it is to discover that abuse or neglect has occurred. But recognizing the signs and taking legal action will not only help alleviate the pain, it can also help prevent future residents from being abused.

For over 40 years, our team has stood up for families and victims like yourself. If you or a family member has been abused or neglected, we can help advise you on your legal options.

KEEP THIS GUIDE AS A REFERENCE ON HOW TO:

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Recognize the Signs of Nursing Home Abuse

Every day, families like yours place loved ones in the care of nursing homes. They may trust these facilities to provide a safe, nurturing environment and quality care. Yet all too often, news reports tell disturbing stories of the **failure** of these homes to **provide adequate safeguards** and care for their residents.

Nursing homes are supposed to provide high-quality care to residents whose families cannot care for their elderly or disabled loved ones on their own. However, residents at nursing homes and assisted living facilities may be at risk of abuse and neglect.

Nursing home abuse refers to any intentional physical abuse, sexual assault, or neglect by a caregiver or staff that causes serious harm or death. Many factors can contribute to abuse. A shortage of resources may prompt a home to cut costs by:

- Reducing the number of nurses
- Employing poorly trained staff
- Providing insufficient background checks on staff

LOOK FOR PHYSICAL OR BEHAVIORAL CLUES

Severe neglect or obvious physical abuse may not be immediately apparent. However, you may notice changes in mood and behavior that signal larger issues. These changes along with other warning signs may expose a pattern of abuse.

- Do you notice injuries or physical signs of neglect?
- Are the resident's complaints persistent and frequent?
- Are the complaints targeted toward a particular nursing home staff member?
- Are there unusual behavior changes, either dramatic or mild?
- Does the nursing home staff allow you to be alone with the resident?



PHYSICAL CLUES

New or frequent injuries that your family cannot explain such as:

- | | | |
|---------------------------------------|--|---|
| <input type="checkbox"/> Broken bones | <input type="checkbox"/> Internal bleeding | <input type="checkbox"/> Bloody or stained clothing |
| <input type="checkbox"/> Burns | <input type="checkbox"/> Head injuries | <input type="checkbox"/> Death |
| <input type="checkbox"/> Cuts | <input type="checkbox"/> Repeated falls | |
| <input type="checkbox"/> Bruises | <input type="checkbox"/> Joint dislocation | |

BEHAVIORAL CHANGES

- ☐ Sudden personality changes
- ☐ Uncharacteristic anger, lack of interest, or anxiety
- ☐ Fear of being alone
- ☐ Overwhelming sadness, frequent crying
- ☐ Change in alertness

SIGNS OF NEGLECT

- ☐ Complaints about painful blisters or abrasions (bedsores)
- ☐ Poor hygiene
- ☐ Weakness or inexplicable weight loss (malnourishment)
- ☐ Soiled bedding
- ☐ Constant thirst or extremely dry skin (dehydration)
- ☐ Hazardous or unsafe living conditions
- ☐ Medication overdoses



Receive Help

Responding to and **reporting** assisted living abuse might be a difficult and emotional decision, but it can have a **positive effect** by removing the abuser and preventing them from hurting others.

REPORT ABUSE

Call 911 if you, a loved one, or another senior is in immediate physical danger.

Abuse can be demoralizing and traumatic. What is happening is not your fault, but it does need to end. There is no shame in getting help or holding abusers accountable for their actions.

Doctors, nurses, and other healthcare providers have a legal duty to report abuse. Others are morally obligated to report abuse against seniors.

Each state has toll-free lines to report elder abuse. Look up your state's Long Term Care Ombudsman online at www.theconsumervoice.org/get_help. When you call your state's elder abuse hotline, some states may ask for your contact information, while others accept anonymous calls.

Local law enforcement officers and Adult Protective Services are often trained on how to investigate and handle nursing home abuse cases. Whatever you suspect may only be a fraction of what is actually occurring.

REMOVE YOUR LOVED ONE FROM THE ABUSIVE SITUATION

- Find a safe place for your loved one. You may want to temporarily house them with family or another facility until you find a permanent home.
- Decide whether to inform the facility you are leaving about the suspected abuse. In some cases, poorly run nursing homes may know about the abuse and are ignoring it. Other nursing homes may not be aware of the abuse or neglect.



Choose the Right Facility for Your Loved One

After removing your loved one from a potentially **abusive environment** you may need to evaluate a new facility. Check with doctors, hospital caseworkers, friends, and nursing home **inspection reports** before making a final decision.

EVALUATING A NURSING HOME

The Centers for Medicare & Medicaid Services (CMS) and state agencies inspect nursing homes on a regular basis to determine if they are providing the quality of care that meets healthcare and fire safety standards.

The Special Focus Facility (SFF) Program inspects nursing homes in an effort to ensure they comply with these standards to protect and improve the health and safety of their residents. Any deficiencies found are cited and they require the problem(s) to be addressed.

Nursing homes are now required to report how Covid-19 is impacting their residents. In addition, new safety and quality measures have been added to prevent and control infections.

RESOURCES

Medicare.gov Nursing Home Compare

Medicare and Medicaid nursing home quality, staff, and inspection results | www.medicare.gov/NursingHomeCompare

The American Geriatric Society Foundation for Health in Aging
212-308-1414 | www.healthinaging.org

The Area Agency on Aging

Eldercare Locator hotline to obtain your local branch **800-677-1116**

Association for the Advancement of Retired Persons (AARP)
888-687-2277 | www.AARP.org

The National Hospice and Palliative Care
703-837-1500 | www.nhpco.org



CONSIDER THESE QUESTIONS WHEN EVALUATING OPTIONS:

The Basics

- ☐ Is it Medicare/Medicaid certified?
- ☐ Is it accepting new residents?
- ☐ Is there a waiting period for admission? How long?
- ☐ Is it licensed by the state?
- ☐ Is the home's administrator licensed?
- ☐ Does the home offer abuse-prevention and other special training?
- ☐ Would I be comfortable leaving my loved one in this home?
- ☐ Has a state agency found an unusual number of violations at this home?
- ☐ Have residents or their families filed a lot of complaints?
- ☐ Are other residents and their families happy with the care at the home?

Location

- ☐ Is it convenient for frequent visits of family and friends?
- ☐ To which hospital are residents sent for emergency care? How far is it?
- ☐ Does the resident's personal physician have privileges at that hospital?
- ☐ Does the resident's personal physician have privileges at the nursing home?

Costs

- What's included in the basic daily charge? (Some facilities have fee schedules covering therapies, beautician services, specialty foods, etc.)
- Are advance payments returned if a resident leaves the facility?
- Is the cost reasonable in comparison to other homes?

Visit the Facility

A private residence (as opposed to a facility) that supervises and assists those who cannot care for themselves. Group homes often serve fewer than 20 residents at one time. Residents typically have their own room or share a room; all residents share common facilities such as bathrooms, kitchen, and common areas.

- Is the facility certified and/or inspected by your state?
- Are those results available for review?
- How long has the facility been in business?
- Is the facility part of a chain or other for-profit business?
- Is the facility clean with a good appearance? Does it smell like urine, body odors, or heavy deodorizer? (This could be a sign of poor nursing or lack of facility maintenance.)
- Is the facility safe and free of hazards?
- In addition to 24-hour nursing care, what other medical services are available?
- What is the current Medicare ranking?
- Is the facility noise level quiet enough so your loved one can sleep?



Inspect the rooms

- Are private rooms available? If not, how many beds are in each room?
- Are call buttons easily accessible?
- Do the bedrooms have windows?
- What is the quality of the food?
- How often are residents bathed and groomed?
- Are toilets accessible?

Evaluate the staff

- What is the nurse to patient ratio?
- How often do doctors visit?
- Does the facility conduct background checks on all staff?
- Is the staff warm, friendly, and receptive?
- Are resident requests answered promptly (within 5 minutes)?

Observe the current patients

- Do they appear clean and well groomed?
- Does the facility conduct background checks on residents before admission?

Doing the legwork in the beginning can help you make a more informed choice. Although placing a loved one in a nursing home can be a difficult experience, finding the right facility and medical professionals to assist him or her could go a long way toward easing that transition.

NURSING HOME BILL OF RIGHTS

The number of reported nursing home abuses were startling enough that the U.S. Congress passed the Nursing Home Reform Act (NHRA) in 1987. Violations of these rights may serve as grounds for legal action.

The right to freedom from abuse, mistreatment, and neglect

The right to be treated with dignity

The right to freedom from physical restraints

The right to privacy

The right to access personal medical records

The right to accommodation of medical, physical, psychological, and social needs

The right to refuse treatment

The right to communicate freely with persons inside and outside the facility

The right to participate in the review of one's care plan

The right to be fully informed in advance about any changes in care, treatment, or facility's status

The right to voice grievances and exercise rights without interference, coercion, discrimination or reprisal

All nursing homes in the United States are required to comply with the Residents' Bill of Rights as outlined in the Nursing Home Reform Act of 1987. If you or a family member has experienced a violation of these rights while residing in a nursing home, **contact us today at 877-490-9162** to receive a free case evaluation.

Take Legal Action

At Sokolove Law, we're dedicated to helping nursing home abuse victims **get justice**. We help families and victims navigate the complex court system and bring abuse to light. Our goal is to **support** your family and loved ones experiencing nursing home **abuse, neglect, or exploitation**.

HELP STOP NURSING HOME ABUSE THROUGH LEGAL ACTION

You may suspect wrongdoing, but a nursing home abuse attorney will be quick to recognize all of the signs and may be able to assist you in determining if you or your loved one has been a victim of abuse. The effects of elder abuse – bruises, bed sores, disorientation – are often perceived as the natural results of aging.

Four out of five abuse cases go unreported due mainly to this oversight. A nursing home abuse attorney will help you understand the underlying dynamics of abuse and show you what to look for.

In combined verdicts Sokolove Law has recovered over \$198 Million for elders tragically abused and neglected in nursing homes.

Our team is dedicated to achieving justice for nursing home abuse victims and their families. Sokolove Law is devoted to helping families and victims navigate our complex court system and bring abuse to light. We've worked on behalf of many families who bravely decided to take legal action against abusers and facilities that allowed abuse to occur.

TAKE LEGAL ACTION NOW

Nursing home abuse is a serious offense.

Most states have elder abuse laws intended to bring abusers and substandard homes to justice. Civil and criminal penalties are intended to stop abuse from ever happening again. Your willingness to take legal action against the abuser, or the facility where the abuse happened may help prevent future abuse, neglect, or exploitation.

Let Sokolove Law help. Nursing home abuse and neglect are painful for both victims and their families. Our team stands by you throughout the legal process. If you decide to take legal action, Sokolove Law will help you from your first call to the final resolution of your case. Our case managers specialize in elder abuse cases offer victims and their families a free no-obligation legal consultation.

When your family is ready to consider legal options, our nursing home abuse case managers are available to you seven days a week.

For a free no-obligation legal consultation call Sokolove Law at 877-490-9162.





Sokolove Law, LLC, 1330 Boylston Street, Suite 400, Chestnut Hill, MA 02467. Ricky LeBlanc admitted in MA only. The choice of a lawyer is an important decision that should not be based solely upon advertisements. While this firm maintains joint responsibility, most cases of this type are referred to other attorneys for principal responsibility. Prior results do not guarantee a similar outcome. Consult your physician before any medical decision.

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