

Understanding a Nursing Home or Elder Abuse Claim, by Daniel Flanzig, Esq.

This is a guide to help you better understand the Nursing Home, Assisted Living and Elder Abuse Cases. This guide can be used to help you identify abuse as well as how to properly document the evidence and correctly report your findings.

## **Types of Neglect:**

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A report issued by the Department of Health and Human Services (DHHS) has found that of the nation's 15,000 nursing homes, "nearly all" nursing homes in the United States have received citations for health and violations in 2007. In most cases violations cited by Federal Inspectors consisted of: - Infected bed sores by caused by immobilization or sustained pressure - Malnutrition - Medication mishaps - Patient abuse (psychological or physical) - Patient neglect - Falls - Dehydration If you notice a distinct change in the patients behavior, such as being a sudden introvert, signs of bruising or lack of appetite.

2

## **Places Where neglect can Occur:**

In our practice, we have seen abuse occur in nursing homes, assisted living centers, in patient and out-patient rehab centers and hospitals. Outside of these places, we have seen abuse occur at the hands of home health care aides, companion services, in-home therapists and nurses. Another common place for injury is during transportation. Falls from wheel chairs, beds or gurneys can occur at hospitals, rehab centers and other medical facilities while patients are being transported. Falls can also occur while being transported by ambulance or ambulette.

3

## **What to do in case you Suspect Neglect.**

If you suspect that you or a family member is the victim of assisted living abuse, it is important to immediately document and report the problem. Your report should include: The victim's name, age, and address The name of the facility and the person (or people) responsible for the victim's care The name of the person(s) who abused or neglected the victim The nature and extent of the victim's injuries, or physical signs of abuse or neglect The time, date, and location of the incident. This report should be dated and include a description of any previous incidents. An attorney can help you make this report and file a claim on your behalf.

## **Additional Resources** [New York Elder Abuse Web Site](#)

For more information, visit our website at NYELDERABUSE.COM

