

Nursing Home Abuse

Understanding Your Options



When placing a loved one in a nursing home or long-term care facility, a family has the right to expect the highest standards of care. All patients have the right to treatment with the utmost dignity, choice, and self-determination in all aspects of life and care.

Unfortunately, incidents of nursing home abuse and neglect occur all too often. The signs of neglect and abuse are often hard to identify. In many situations, residents are unable to voice their concerns to a family member or defend themselves.

If you believe your loved one has suffered abuse or neglect, there are steps you may take to help ensure their safety and potentially seek compensation for the injuries, including filing a complaint, seeking an ombudsman's assistance, and speaking with an attorney.

Our guide's goal is to present you with the tools to advocate for your loved one and seek justice in situations where long-term care facilities fall short of their responsibilities.

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EMAIL: INFO@TRACTIONLAW.COM



Assistance

Consulting A Nursing Home Abuse Attorney:

If you feel that a nursing home abused you or a loved one, our team is standing by to discuss your unique situation. Should you have any questions concerning nursing home abuse or would like a free case review, **please call us immediately at (833) 236-8253**. We will do everything in our power to assist during this difficult time and help bring peace to your family.

How Does An Attorney Help With My Case?

Our attorneys will assist you in a variety of ways, from informing you of legal options to managing the case, allowing your family the time to heal.

- Consultations to provide you legal guidance and explore potential legal options
- Contacting the nursing home and their insurance provider on your behalf
- Gathering evidence and relevant documentation from the nursing home and insurance company
- Advising and representing your family throughout the legal process
- Seeking justice for your loved one and family in court

Signs of Nursing Home Abuse & Negligence

- Severe weight loss and malnutrition
- Inattentive staff who fail to answer call lights
- Poor hygiene
- Bedsores
- Torn, soiled, and/or bloodied clothing
- Unsanitary facility
- Fractures resulting from falls
- Dehydration
- Infections and sepsis
- Bruises and other unexplained injuries
- Negligent security on the premises
- Attacks by staff and other patients
- Missing money
- Theft of personal property
- Lack of communication from nursing home staff
- Illegal restraints
- Anxiety, depression, withdrawal, and other behavioral changes
- Missing medication or lapses in medication
- Worsening of medical conditions

Suspect Abuse?
Call Our Hotline! (833) 236-8253

Ombudsman & Nursing Home Complaints

Ombudsman Programs:

An ombudsman is an advocate for people who live in nursing homes, assisted living facilities, and adult family care homes.

Generally, Long Term Care Ombudsman Programs provide trained volunteers who work with residents and their family members to communicate concerns and resolve problems by providing advocacy, support, education, and empowerment. These services are provided at no cost to the resident or their family.

Many ombudsman offices also receive and investigate complaints on behalf of nursing home residents and their families and serve as a voice for residents in ensuring that the facility meets mandated legal standards for every person receiving long-term care services.

Ombudsman work to resolve residents' concerns, to the best of their abilities and to the greatest extent of the law.

Need to Contact a Long-Term Care Ombudsman Program?

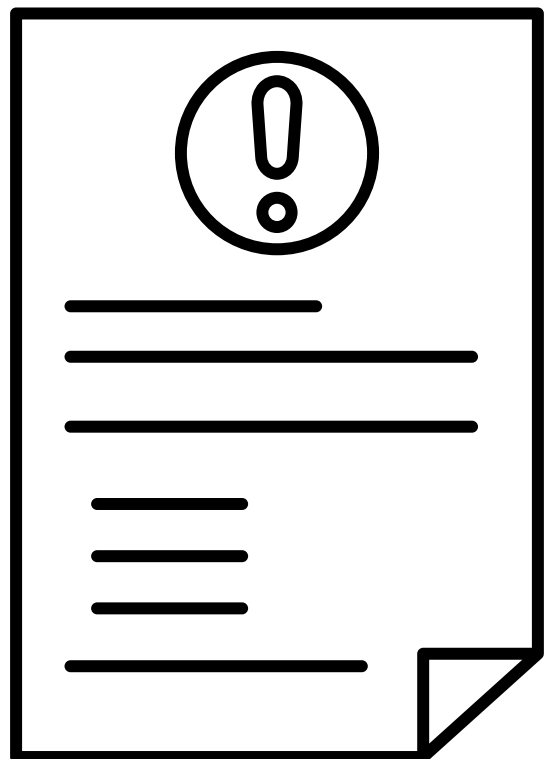
Attached to the rear of this Guide is our Ombudsman Contact Information List containing essential phone numbers and links for every state.

Filing a Nursing Home Complaint:

In most states, complaints against nursing homes and assisted living facilities may be filed with the health department or other agencies.

You may be required to provide information relating to the complaint, including patient/resident names, dates, times of events, and where the event happened or is currently happening.

You may have the choice to file a complaint anonymously. However, in most instances, you must provide contact information if you wish to know the results or further actions taken due to the complaint.





Nursing Home Residents Rights

RIGHTS TO A DIGNIFIED EXPERIENCE

- Be treated with consideration, respect, and dignity, recognizing each resident's individuality
- Freedom from abuse, neglect, exploitation, and misappropriation of property
- Freedom from physical or chemical restraints
- Quality of life is maintained or improved
- Exercise rights without interference, coercion, discrimination, or reprisal
- A homelike environment, and use of personal belongings when possible
- Equal access to quality care
- Security of possessions

RIGHT TO SELF-DETERMINATION

- Choice of activities, schedules, health care, and providers, including attending physician
- Reasonable accommodation of needs and preferences
- Participate in developing and implementing a person-centered plan of care that incorporates
- Choice about designating a representative to exercise his or her rights

- Organize and participate in resident and family groups
- Request, refuse, and/or discontinue treatment

RIGHT TO BE FULLY INFORMED OF:

Right to be Fully Informed of

- The type of care to be provided, and risks and benefits of proposed treatments
- Changes to the plan of care, or in medical or health status
- Rules and regulations, including a written copy of residents' rights
- Contact information for the long-term care ombudsman program and the state survey agency
- State survey reports and the nursing facility's plan of correction
- Written notice before a change in room or roommate
- Notices and information in a language or manner he or she understands (Spanish, Braille, etc.)

RIGHT TO RAISE GRIEVANCES

- Present grievances without discrimination or retaliation, or the fear of it
- Prompt efforts by the facility to resolve grievances, and provide a written decision upon request
- To file a complaint with the long-term care ombudsman program or the state survey agency

RIGHT OF ACCESS TO

- Individuals, services, community members, and activities inside and outside the facility
- Visitors of his or her choosing, at any time, and the right to refuse visitors
- Personal and medical records
- His or her personal physician and representatives from the state survey agency and long-term care ombudsman program
- Assistance if sensory impairments exist
- Participate in social, religious, and community activities

RIGHTS REGARDING FINANCIAL AFFAIRS

- Manage his or her financial affairs
- Information about available services and the charges for each service
- Personal funds of more than \$100 (\$50 for residents whose care is funded by Medicaid) deposited by the facility in a separate interest-bearing account, and financial statements quarterly or upon request
- Not be charged for services covered by Medicaid or Medicare

RIGHT TO PRIVACY

- Regarding personal, financial, and medical affairs
- Private and unrestricted communication with any person of their choice
- During treatment and care of personal needs

RIGHTS DURING DISCHARGE/TRANSFER

- Right to appeal the proposed transfer or discharge and not be discharged while an appeal is pending
- Receive 30-day written notice of discharge or transfer that includes: the reason; the effective date; the location going to; appeal rights and process for filing an appeal; and the name and contact information for the long-term care ombudsman
- Preparation and orientation to ensure safe and orderly transfer or discharge
- Notice of the right to return to the facility after hospitalization or therapeutic leave



DISCLAIMER:

Nothing in this guide is to be construed as legal advice and does not create an attorney-client relationship.

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National Long Term Care Ombudsman Contact Information List

Alabama

- [Alabama Long-Term Care Ombudsman website](#)
- Phone: 334-242-5743 or 1-877-425-2243

Alaska

- [Alaska Long-Term Care Ombudsman website](#)
- Phone: 907-334-4480

Arizona

- [Arizona Long-Term Care Ombudsman website](#)
- Phone: 602-542-6454

Arkansas

- [Arkansas Long-Term Care Ombudsman website](#)
- Phone: 501-508-8857

California

- [California Long-Term Care Ombudsman website](#)
- Phone: 800-231-4024

Colorado

- [Colorado Long-Term Care Ombudsman website](#)
- Phone: 800-288-1376 x217

Connecticut

- [Connecticut Long-Term Care Ombudsman website](#)
- Phone: 866-388-1888

Delaware

- [Delaware Long-Term Care Ombudsman website](#)

- Phone: 302-424-7363

District of Columbia

- [District of Columbia Long-Term Care Ombudsman website](#)
- Phone: 202-434-2190

Florida

- [Florida Long-Term Care Ombudsman website](#)
- Phone: 850-414-2323

Georgia

- [Georgia Long-Term Care Ombudsman website](#)
- Phone: 404-657-5327

Hawaii

- [Hawaii Long-Term Care Ombudsman website](#)
- Phone: 808-586-7268

Idaho

- [Idaho Long-Term Care Ombudsman website](#)
- Phone: 208 -577-2855

Illinois

- [Illinois Long-Term Care Ombudsman website](#)
- Phone: 312-814-1203

Indiana

- [Indiana Long-Term Care Ombudsman website](#)
- Phone: 800-622-4484

Iowa

- [Iowa Long-Term Care Ombudsman website](#)

National Long Term Care Ombudsman Contact Information List

- Phone: 866-236-1430

Kansas

- [Kansas Long-Term Care Ombudsman website](#)
- Phone: 785-296-3017

Kentucky

- [Kentucky Long-Term Care Ombudsman website](#)
- Phone: 800-372-2991

Louisiana

- [Louisiana Long-Term Care Ombudsman website](#)
- Phone: 225-342-7116

Maine

- [Maine Long-Term Care Ombudsman website](#)
- Phone: 800-499-0229

Maryland

- [Maryland Long-Term Care Ombudsman website](#)
- Phone: 410-767-2161

Massachusetts

- [Massachusetts Long-Term Care Ombudsman website](#)
- Phone: 617-222-7457

Michigan

- [Michigan Long-Term Care Ombudsman website](#)
- Phone: 517-827-8040

Minnesota

- [Minnesota Long-Term Care Ombudsman website](#)

- Phone: 800-657-3591

Mississippi

- [Mississippi Long-Term Care Ombudsman website](#)
- Phone: 601-359-4927

Missouri

- [Missouri Long-Term Care Ombudsman website](#)
- Phone: 800-309-3282

Montana

- [Montana Long-Term Care Ombudsman website](#)
- Phone: 406-444-3285

Nebraska

- [Nebraska Long-Term Care Ombudsman website](#)
- Phone: 800-942-7830

Nevada

- [Nevada Long-Term Care Ombudsman website](#)
- Phone: 888-282-1155

New Hampshire

- [New Hampshire Long-Term Care Ombudsman website](#)
- Phone: 603-271-4375

New Jersey

- [New Jersey Long-Term Care Ombudsman website](#)
- Phone: 877-582-6995

National Long Term Care Ombudsman Contact Information List

New Mexico

- [New Mexico Long-Term Care Ombudsman website](#)
- Phone: 866-451-2901

New York

- [New York Long-Term Care Ombudsman website](#)
- Phone: 855-582-6769

North Carolina

- [North Carolina Long-Term Care Ombudsman website](#)
- Phone: 919-855-3426

North Dakota

- [North Dakota Long-Term Care Ombudsman website](#)
- Phone: 701-328-4617

Ohio

- [Ohio Long-Term Care Ombudsman website](#)
- Phone: 800-282-1206

Oklahoma

- [Oklahoma Long-Term Care Ombudsman website](#)
- Phone: 405-521-2281

Oregon

- [Oregon Long-Term Care Ombudsman website](#)
- Phone: 800-522-2602

Pennsylvania

- [Pennsylvania Long-Term Care Ombudsman website](#)
- Phone: 717-783-8975

Puerto Rico

- Phone: 787-721-6121 x237

Rhode Island

- [Rhode Island Long-Term Care Ombudsman website](#)
- Phone: 401-785-3340

South Carolina

- [South Carolina Long-Term Care Ombudsman website](#)
- Phone: 800-868-9095

South Dakota

- [South Dakota Long-Term Care Ombudsman website](#)
- Phone: 866-854-5465

Tennessee

- [Tennessee Long-Term Care Ombudsman website](#)
- Phone: 877-236-0013

Texas

- [Texas Long-Term Care Ombudsman website](#)
- Phone: 800-252-2412

Utah

- [Utah Long-Term Care Ombudsman website](#)
- Phone: 801-538-3924

Vermont

- [Vermont Long Term Care Ombudsman website](#)
- Phone: 802-383-2227

National Long Term Care Ombudsman Contact Information List

Virginia

- [Virginia Long-Term Care Ombudsman website](#)
- Phone: 804-726-6624

Washington

- [Washington Long-Term Care Ombudsman website](#)
- Phone: 800-562-6028

West Virginia

- [West Virginia Long-Term Care Ombudsman website](#)
- Phone: 800-834-0598

Wisconsin

- [Wisconsin Long-Term Care Ombudsman website](#)
- Phone: 800-815-0015

Wyoming

- [Wyoming Long-Term Care Ombudsman website](#)
- Phone: 307-777-2885