

# The Reality of Nursing Home Abuse: Your Loved One Has Rights

## Difficult Decisions

When we pay our grandparents a weekend visit at a nursing home or an assisted living facility, the last thing on our mind is that someone could be abusing them. It's difficult enough for us to see them in what amounts to, in many people's minds, a hospital setting. We often feel as if we should've done more for our loved one or that they could never be happy in a nursing home. Most of the time, this isn't the case. The elderly can thrive and regain lost health in a nursing home setting where there is 24/7 care and their needs are being met quickly and with compassion.

When our beloved relative doesn't regain their health and in the worst-case scenario, passes away in the facility, the reality that it could be nursing home abuse is difficult to process in a time already full of grief and mourning. It happens more often than we'd suspect, specifically in the state of Florida where the population of elderly is high.

The elderly at large are among the most vulnerable demographic; when they can't speak for themselves, they can become the target of terrifying nursing home abuse. Be it a nurse that's having problems at home and directs her anger toward her elderly patient, or a caregiver that's not properly trained in geriatric conditions such as Alzheimer's and becomes annoyed with their client, it all falls under the umbrella of nursing home abuse.

There are some specific details that go into differentiating nursing home abuse from other types of abuse. Let's look at what defines a nursing home:

*"a private institution providing residential accommodations with health care, especially for elderly people."*

Every nursing home is required by law to have their elder abuse prevention policies in writing to be furnished to the family and the potential resident prior to admission. There is no exception to this rule and a family should be wary if they are not provided with this documentation in a timely manner. Families consider everything when placing their elderly family member in the care of someone else, and not even the smallest detail should be overlooked. When selecting a nursing home, families should ask themselves some basic questions:

*Is this facility clean and compliant with OSHA standards?*

*Do the residents look happy and well cared for?*

*Are staff members approachable and willing to answering any questions our family has?*

*What emergency procedures are in place in the event of something happening to my loved one?*

If you and your family feel satisfied with the facility and choose to admit your elderly relative, you're entrusting that facility to provide care as compassionate and attentive as you would provide at home. Most of the time, this is the case, and the elderly often find great joy in bonding with their new caregivers. Then there are the tragic instances where all isn't as it seems, and you stop by unannounced to surprise your family member only to find that their situation has taken a drastic turn for the worst. How did this happen? When did this happen? Grandma or grandpa seemed to be in perfect health the last time you visited.

When this occurs, nursing home abuse could very well be the culprit.

If you find yourself in a situation where you suspect abuse in the nursing home setting, there are steps you can take to protect your loved one from further anguish.

**What are some telltale signs that your client, patient, or loved one is the victim of nursing home abuse?**

- Unusual bruises
- Open wounds or bed sores
- Cuts or scrapes that can't be explained
- Soiled clothing and/or poor hygiene
- Frequent infections
- Torn or stained clothing

All these signs indicate you should act quickly in ensuring the safety of your family and remove the staff member from their care team *before* further problems have the chance to arise. However, if your loved one has already suffered the pain and anguish of abuse, or worse, has died as a result, you will need to seek competent and dedicated legal counsel.

**Choose Shaked Law Firm**

**Shaked Law Firm** is highly experienced in cases of nursing home abuse and neglect and have successfully won numerous cases on behalf of our clients all over Florida. With the attorneys at Shaked Law Firm your loved one's injury or death due to nursing home abuse is taken seriously from Day One. Shaked Law treats families with understanding and compassion, because we know losing a loved one is one of the most tragic things that can happen to a family; especially when that person is a grandmother or grandfather beloved by their grandchildren.

No one wants to think about what could happen when it's time to place an aging family member in a care facility, and we put trust in caregivers and healthcare staff to maintain the highest level of dignity and respect for the people we love. It's hard enough to come to terms with a loved one needing more care than we can give them ourselves. It's unacceptable when they are not treated with the care and compassion they deserve. When the reality of abuse is clear: you and your family have rights.

**My elderly family member has been abused, what happens now?**

You should have been provided with the nursing home abuse policies in writing prior to the victim's admission to the care facility. If you were not, the facility has violated the law.

If you have a copy of the policies as per Florida state law, you should review them carefully and follow their guidelines for filing a formal complaint.

**I have proof that my loved one is being abused, what are my rights?**

If you've witnessed elderly abuse, it is advisable to have documented that abuse with: dates, times, and the staff member's name that cared for your relative. Note what you saw, who else was present that may have witnessed it should the case go to trial, and anything else that may help your attorney seek compensation on behalf of your elderly family member. It is of extreme importance to file the complaint to the letter and in a timely manner, as Florida has a **(2) two**-year statute of limitations on your ability to file a lawsuit in the event of nursing home abuse or neglect.

What happens if you've only witnessed the aftermath of apparent elderly abuse and did not catch the caregiver in the act?

The statute of limitations remains the same, but what you become able to document changes. Upon visiting the victim of suspected abuse, you should note the following: their mental state (are they coherent? Do they seem to have been given too much medication and are "out of it"?), do they have visible signs of abuse such as bruises, bedsores, or broken bones that are quickly explained away by the facility? Has their hygiene suffered since your last visit with them?

Understand that these are just some of the points that should be filed in a formal complaint, your attorney will advise you on every detail that goes into the law providing justice for the victim.

**Contact us to schedule a complimentary consultation. There's no obligation. Take the first step and call today: (877). 529-0080**

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