

Nursing Home Neglect: What You Need to Know About This Rising Epidemic

Nursing home neglect is on the rise in states like Florida, where the large population of elderly residents have come to retire for its warm weather and scenic beaches. This epidemic has become such a problem that nursing facilities are mandated by law to provide potential patients and their families with a written statement of their abuse and neglect policies as enforced by the AHCA, prior to admitting the resident into the facility. These policies are in place to ensure that both patients and healthcare providers employed by the facility keep up with changes to the law as they are amended by the state.

Any changes to the law are to be provided to patients and their families in writing and clearly displayed in the facility in a common area.

What constitutes nursing home neglect, and what makes it different than nursing home abuse?

Let's look at the key points that differentiate the two. The definition of neglect is as follows:

"a disregard of duty resulting from carelessness, indifference, or willfulness; especially: a failure to provide a person under one's care with proper food, clothing, shelter, supervision, medical care, or emotional stability."

The definition of abuse is as follows:

"use (something) to bad effect or for a bad purpose; misuse, treat with cruelty or violence, especially regularly or repeatedly."

The definitions differ in that abuse is harm or injurious behavior inflicted *intentionally* with the intention to damage or maim, while neglect is the *indifference or carelessness* of a healthcare provider in the nursing home setting. This distinct difference is also known as a dereliction of duty, or in medical terms, what is defined as "abandonment", where harm was not intentionally inflicted, but resulted due to the carelessness or disregard of the employee assigned to care for the patient.

What are the signs of nursing home neglect?

Now that we've established the difference between *abuse* and *neglect* and that they're both equal in their seriousness, let's look at the most obvious signs to look for if you suspect your elderly loved one is suffering from nursing home neglect:

- The patient is incorrectly positioned in their bed; bedbound patients are not turned frequently enough or at all
- The patient's call button is repeatedly ignored; their cries for help are not answered
- Lack of assistance in eating or drinking; i.e. help steadying hands to bring fork to mouth, assisting with holding a cup to avoid spilling the liquid on themselves
- Lack of hygiene or very poor hygiene seen in patients who cannot bathe or shower themselves, leading to bedsores and infections
- The healthcare worker does not employ proper handwashing technique or does not wear gloves when caring for the patient

- Refusal to assist the patient with walking, forcing the patient to use a wheelchair when it is not necessary
- Failure to provide food and water for the patient; this leads to prolonged malnutrition and dehydration which can result in death

Careless nursing home staff are as dangerous to patients as a staff member who lacks self-control and physically abuses a patient who cannot care for themselves. Both nursing home abuse and neglect can have fatal consequences. If the neglect is not rectified and the patient is not assigned a compassionate nurse willing to care for them, they can suffer detrimental consequences such as starvation, dehydration, organ failure, bedsores and infections and ultimately pass away when they would've otherwise had many more years to live.

What rights do patients and their families have if they suspect nursing home neglect?

Every patient in a nursing home has the right to be free of abuse and neglect and to be provided with quality care.

If you suspect your loved one has become the victim of nursing home abuse or neglect as defined by the policies provided to you prior to admission to the facility, it is imperative that you act quickly to ensure their health and safety. In some instances, it is important to see to it that their health is restored after prolonged neglect, as failure to seek immediate medical attention once the neglect is noted can have fatal consequences. After you've ensured the health and safety of your family member, it's equally important to contact a well-qualified attorney to advise you of the next steps.

The importance of a well-qualified attorney on your side

The attorneys at **Shaked Law Firm** have great success in securing compensation for victims of nursing home neglect. With a client-above-all approach to your case, the victim and their family are made to feel as comfortable and cared for as possible. This is important after the trauma caused by prolonged abuse and neglect. Victims' families often feel helpless; questions like "how did we not know?" and "could we have prevented this?" are at their forefront of their minds.

While there are rare instances where a family could've prevented the neglect from occurring, in most cases the healthcare provider has gone to great lengths not to be caught and has made every attempt to cover up the neglect in any way they can. The consequences of nursing home neglect can range from suspension of nursing license to possible jailtime if caught in the act of abusing a patient.

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