

Nursing Home Spotlight: Assess Homes, Identify Abuse

FINDING THE RIGHT NURSING home for your parent, spouse, or other elderly relative is a difficult and emotional endeavor. Whether you are currently looking for a nursing home or expect to in the future, the following advice will hopefully help make this complex job a little easier—and help you find a home that is safe, caring, and nurturing because not all homes are created equal.

One out of every three U.S. nursing homes were cited for abuse violations during a 2-year study period (1999–2001). If you already have a loved one in a home—even if it is an expensive, private facility—stay alert for signs of physical and emotional abuse (see the boxed Common Warning Signs).

Assessing Nursing Homes

The most important step toward finding the right home is visiting the facility.

For-profit nursing homes have large budgets for attracting new residents. Well-decorated lobbies, immaculate landscaping, and slick brochures picturing happy grandparents are all publicity tools and do not portray real quality of care.

To discover a facility's true quality of daily care, try these assessment points:

Get Past the Guided Tour—Find a friend who has a relative you can visit at the nursing home. The sales-led guided tour is pre-arranged and only offers glimpses of the healthiest residents. But as a visitor, you can better

evaluate the quality of everyday care.

Walk and Talk—As a visitor, walk the hallway and talk to those who are wheel-chair bound and bedridden.

Are they well groomed? Are their clothes clean or soiled? Do residents appear upbeat—or are they depressed or dopey? Stay away from any facility that re-stricts your speaking with residents who are willing to talk to you.

Get Referrals—Talk to several relatives of current or past residents. Are they satisfied with the care their relatives receive? What are common complaints?

Involve Your Relative's Doctor—Talk to the doctor about the homes you are considering. Is he or she familiar with the facility? Will they make house calls? If not, have the doctor refer you to a practice that will come to the nursing home. Avoid using doctors under contract with the nursing home you choose.

Visit at Different Times of the Day—Plan visits when staffing is low, usually on the weekends and on week nights between 4–8 p.m. Do use the guided tour to ask about the ratio of Certified Nursing Assistants

(CNA) to residents throughout the day. If the ratio is worse than one CNA to 5 to 8 seniors during the morning, there may be a critical shortage of care. If most residents are wheel-chair bound or bedridden, expect an even better ratio.

Common Warning Signs of Nursing Home Abuse

- Emotionally upset or agitated residents.
- Too much or too little medication, heavy sedation, or restraints.
- Extremely withdrawn and non-communicative residents.
- Unusual behavior, including thumb sucking, rocking, or biting.
- Unexplained injuries, any incident involving broken bones (especially fractured hips), or frequent infections.
- Often ill without illness being reported to the family or physician.
- Failure to prevent bed sores, dehydration, or malnutrition.
- Lack of care for existing medical conditions.
- Disregard for daily necessities.

If you suspect nursing home abuse or negligence, immediately call Adler & Adler at (312)443-1488.

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Dear Readers:

We hope this newsletter finds you and your family in good health.

Because our goal with each newsletter is to help keep you and your family in good health, we have devoted a portion of this issue to **Safety in the Sun**, which highlights easy ways to stay safe through all of summer's festivities, from Father's Day through Labor Day.

In our family, summer always includes a visit with grandparents and relatives. Perhaps it is the same in your family.

Grandparents, parents, and aunts and uncles—they've always been there for you. Now that they are older, you may find that you need to be there for them more often.

One of the most important ways you can assist is to help them find high-quality, supportive care. In this issue, we focus on finding the **best long-term care for our loved ones**. Look to future issues for tips on short-term rehabilitation and in-home care.

And while we would all like to believe long-term care facilities are perfect, if you ever suspect your loved one is suffering from nursing home abuse or neglect, call us immediately at (312) 443-1488.

If you haven't visited us online lately, not only will you find more information on Personal Injury law but also an on-line copy of this newsletter and previous issues. Visit us today! www.AdlerAndAdlerLaw.com.

Sincerely,

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Safety in the Sun:

Tips for a Successful Summer Party

Summer is finally here. Across Illinois, families are cleaning off their grills, digging out their swimsuits, and generally taking part in that fine Midwest tradition of packing all the outdoors offers into four short months of good weather: camping trips, backyard BBQs, Saturdays at the beach, family reunions, and Father's Day, Independence Day, and other summer celebrations.

But with summer fun come summer accidents and injuries. According to the Consumer Product Safety Commission, more than 3.7 million Americans go to the emergency room in June, July, and August.

Keep your summer parties safe celebrations:

- Always have plenty of soda, water, iced tea, and other non-alcoholic drinks on hand for under-age and non-drinking guests.
- Never let a guest under 21 drink at a party. If he or she is in an accident, you could be held liable.
- Stop serving alcohol one hour before your party ends. Offer coffee instead. **Never let a guest leave your party under the influence of alcohol.**
- Don't drink and drive! Use a designated driver, call a cab, or take public transportation home! Drunk driving is a serious offense and involves heavy penalties.
- **Never leave children unsupervised around water.**
- Remember, alcohol and sports do not mix. Alcohol impairs judgment, balance, and coordination and inhibits your body's ability to cool off.
- Leave the fireworks to the professionals. Fireworks are often a highlight of summer holidays. But they can turn a happy celebration into a traumatic event when someone is injured while handling them. The CPSC reports that more than 8,000 people were treated at hospitals for injuries from fireworks in 2002 alone.
- Make your play area a safe area. More than 60% of playground injuries are from falls. Improve your ground cover to help prevent broken bones and other injuries. Replacing packed dirt under your swing set, jungle gym, or fort with 9 inches of wood chips or mulch will minimize the risk of severe injury.
- Prevent serious burns and injuries by cleaning your grill and carefully supervising children around a lit grill or firepit. Remember, firepits and bonfires stay hot even after flames are extinguished. If you use a charcoal grill, don't be tempted to move it indoors when rain threatens your party. Charcoal gives off deadly carbon monoxide fumes.

If You Are Injured this Summer . . .

If you or a loved one are involved in one of this summer's many road accidents be sure to call the police. Exchange insurance information with the other driver—but don't sign anything or give a recorded statement without first consulting your insurance company or your attorney at Adler & Adler.

If you or a passenger in your car is injured, be sure to immediately tell the police officer on the scene and call us at (312) 443-1488 for guidance through the insurance and compensation process.

Nursing Home Spotlight (continued)

Your Nose Knows—You should never smell urine or feces. A sweet, rotting smell is a warning sign of bedsores.

Visit During Mealtimes—Don't worry much about the fancy dining room. Pay attention to the assisted-eating dining room. How much time do aides spend with each resident? Do seniors—those in the dining room as well as the bedridden—have enough time to chew and swallow between bites or are they rushed through meals? Does the food smell appetizing? Do diners finish at least 50% of their food? Be sure to note if water is within easy reach in resident rooms and if nutritious snacks are available.

Room Quality—Do rooms and hallways appear clean? Is the temperature comfortable for residents? Are furnishings comfortable yet sturdy? Does each room have a window? Also note whether or not residents have a personal telephone and television.

Staff Issues—When on your tour or as a visitor, be sure to note if the relationship between the staff members and residents is warm, polite, and respectful. Also notice whether or not the staff wears name tags and knows residents by name.

Medicaid Nursing Homes

Finding affordable, quality care is your goal. But that care is expensive. Like most Americans, your loved one may eventually need Medicaid to finance his or her long-term care. In fact two-thirds of U.S. long-term care residents use Medicaid.

Find homes where all beds are Medicaid beds. Other facilities



with only a few Medicaid-approved beds may try to evict residents when their personal funds run out. A facility must inform you of this policy in writing at the time of admission.

Understand Medicaid Eligibility now—Assuming your loved one will need Medicaid at some point, get information on eligibility now, before you need it.

Read prior inspection reports—You can access inspection information for every nursing home in the U.S. at Medicare's Nursing Home web page (see box below).

Rights of Illinois Nursing Home Residents

Just because your family member resides in a long-term care facility, that doesn't mean he or she has given up any of his or her rights. Residents have all the rights due to U.S. citizens, including free speech and the right to vote. Nursing home residents are also guaranteed several Federal and Illinois-specific rights, including:

- **Services & Fees:** You must be informed about services & fees in writing before you enter the home.
- **Money:** You have the right to manage your own money or to choose someone else you trust to do it for you.
- **Privacy:** If you are married with a spouse in the facility, you must be allowed to reside in the same room, unless there is no space. You cannot be forced into sharing a room with any other member of the opposite sex.
- **Religious Freedom:** You may freely practice your own religion. The home cannot impose upon you any particular religious beliefs.
- **Personal Belongings:** You have the right to your own clothing and adequate, convenient storage space for your own personal property.
- **Medical care:** You have the right to be informed about your medical condition, medications, and to see your own doctor. You also have the right to refuse medications and treatments.
- **Restraints:** The home may not physically restrain or confine you unless your doctor has determined it is necessary for your health or safety and has obtained your consent. The facility may not give you drugs for the sole purpose of subduing you.
- **Visiting & Communications:** You must have access to mail facilities and telephones and be allowed visitors between 10 a.m. to 8 p.m.
- **Involuntary Discharge or Transfer:** You may only be involuntarily discharged or transferred for the following reasons: Medical reasons; For your own safety or that of the staff or other residents; Non-payment.

If you have questions about your nursing home rights—or those of a family member, please contact Adler & Adler, at (312) 443-1488.

Senior Resources at a Glance

Medicare / Medicaid Nursing Home Overview

www.medicare.gov/nursing/overview.asp
Detailed info on assessing and paying for nursing homes. Includes handy checklists and inspection results for 17,000 homes.

Nursing Homes in Illinois / Illinois Dept of Public Health

www.idph.state.il.us
Hotline 800-252-4343
Lists of private and Medicaid Illinois nursing homes. Patient rights info.

AARP

www.aarp.org
Offers thorough overviews of different types of elder care, including Medicaid and private nursing homes. Also includes tips and suggestions for financing your loved one's care.