

CHOOSING THE RIGHT OHIO NURSING HOME

You wouldn't choose a house without inspecting it first; why would you do any differently with a nursing home?



Tittle & Perlmutter

For truth. For justice. For you.

CHOOSING A NURSING HOME



It is unknown how many of our vulnerable elderly fall victim to neglect or abuse each year since such actions are easily hidden from view and underreported. In fact, according to the National Center for Elder Abuse (NCEA), 84 percent of abusive situations involving older adults go unreported or unrecognized. However, what is clear is that the frequency of nursing home and elder abuse and neglect will increase over the next several decades as the baby boomers age. This is why it is more important than ever to know how to choose a nursing home or assisted living facility that is a good fit for your or your beloved family member.

What Resources Can I Use to Help Me Decide on a Nursing Home?

In Ohio alone, there are hundreds of nursing homes to choose from. However, how do you decide which one is the best for yourself or your loved one? At Tittle & Perlmutter, we have pinpointed services, and created one of our own, that will help you in determining a nursing home that is safe and will provide quality care.

Medicare.gov Website

Medicare has an incredibly useful tool that allows individuals to compare every nursing home that is Medicare or Medicaid certified. To view the comparison tool, visit the website: <https://www.medicare.gov/nursinghomecompare/search.html>

This website provides a multitude of results on how well the nursing home is rated, detailed information on the facility, and any documentation of inspections and quality of care. From this tool you will know:

- » The overall rating of the facility
- » Number of beds at the location
- » Ownership information
- » Health inspection, staffing, and quality

- measures ratings
- » Health inspections
- » Health citations
- » Fire safety inspection records
- » Comparison of staffing at the home to Ohio and national averages
- » Quality of resident care statistics
- » Any penalties the facility has

Additionally, if the nursing home has any health citations against them, you can read the documentation of the inspection reports and learn why the facility received a complaint.

U.S. News Nursing Home Ratings

U.S. News also has a tool that allows people to search for nursing homes in their area and find details about the facility and the quality of care they provide. Although not as detailed, the website provides a snapshot on the ranking of the nursing home and how well they performed their duties of care. To find the best ranked nursing homes in Ohio, visit their site: <https://health.usnews.com/best-nursing-homes/area/oh>

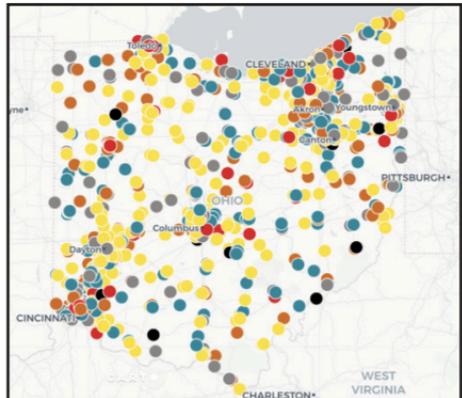
When you use the tool from U.S. News, you'll receive information on:

- » Medicare and Medicaid acceptance

- » Number of beds
- » Type of facility
- » Ownership information
- » Location information
- » Comparison of other nursing homes nearby
- » Overall rating
- » Health inspections and complaints
- » Staffing information
- » Medical care quality measures
- » Fire safety information
- » Any penalties against the facility

Tittle & Perlmutter's Nursing Home Staffing Map

In statewide nursing home performance rankings, Ohio does not fare well. On their Nursing Home Report Card, Families for Better Care give Ohio a "D." Clearly, there is room for improvement.



So where are Ohio nursing homes lacking? One of the biggest weak spots is staffing. Facilities are not keeping enough nurses and support staff employed. This leads to a massive shortcoming in care.

The team at Tittle & Perlmutter wanted an easy way for people to review Ohio nursing homes and compare their quality of staffing. We set out on a research project to compile data and produce an easily readable map. You can view the map at: <https://tittlelawfirm.com/worst-staffed-nursing-homes-ohio/>

You can use this tool to compare the staffing levels at the 900+ nursing homes throughout Ohio. It's important to find a nursing home that has good staffing levels, because understaffing can be a major cause of nursing home abuse or neglect.

What Should I Look Out For When Visiting Possible Nursing Homes?



Once you make it past the research phase of deciding on a nursing home, you should visit the locations and see the facility for yourself. There are a few things you need to keep in mind during your visit that are crucial factors in knowing if this is the right place for your or a loved one.

Location and Size

Location is incredibly important when choosing a nursing home. You want to make sure the facility

you pick is in a safe and welcoming environment. If being close to family members is also important, then you should keep in mind the distance of the nursing home from where family is already located. If a home is too far, then family won't be able to visit as frequently. Additionally, you should keep in mind the size of the nursing home. Depending on how social someone is, either a small facility or a larger one would make a better fit.

Provided Services

Nursing homes should not only be a safe and comfortable environment to live in, but the facilities should provide other services that assist with quality of care. When you are visiting nursing homes inquire about how the facility handles meals, activities, and healthcare needs. Does the home offer choices for meals? What types of social activities are held at the home? If a loved one has a certain medical condition, how will the facility ensure they're cared for?

Staffing Levels and Attitudes

One of the most important aspects of a nursing home is knowing who will be taking care of your beloved family member. The staff at these facilities are there to assist in quality of care on a daily basis. It is important to ask the following about staff:

- » How many people are on staff each day?
- » How long are the shifts that employees work?
- » What experience and skills do the employees have? Do they have access to education and trainings?
- » Does the staff make it a priority to create good relationships with residents?

It's important to know how many people work each day because understaffing is an issue in Ohio, which can lead to other forms of neglect and abuse. It's also crucial to understand how staff treats and interacts with residents to know that a loved one will feel comfortable with the people who are taking care of them.

Ability to Make Choice and Have Independence

When an individual decides to live in a nursing home, that does not mean they should give up their independence. It is important for residents to still make their own decisions, unless otherwise medically advised. When you choose a nursing home, ask if the facility allows residents to choose what they eat (especially if they have specific dietary restrictions), what activities they do throughout the day, and when they go to bed and wake up. Moving to a nursing home is a big life change, but keeping your

independence shouldn't be one of those things that change.

Red Flags

Never ignore a red flag when it comes to choosing a nursing home. If you visit a facility and have a bad gut feeling, don't disregard that reaction. Instead, look into what you believe is a red flag and do some research to see if there's a valid reason for concern. Red flags that are crucial to look into are:

- » Any violations the nursing home has
- » Staff or administrators who are hard to get ahold of, are disrespectful, or don't have proper experience
- » If the facility seems dirty and not cared for

A good way to see if a facility is upholding standard care is to stop by during a meal time or for a night or weekend activity. If there isn't any staff, or you notice any red flag behavior then you should probably consider another nursing home.

What Rights do Nursing Home Residents Have?



As already discussed, just because an individual moves into a nursing home does not mean they give up their rights. Residents are still entitled to basic rights and freedoms. Ohio has a Nursing Home Patient Bill of Rights that outlines the rights that residents of a home have.

Nursing Home Bill of Rights

Below you can find a brief summary of the rights found within the Nursing Home Patient Bill of Rights.

For the full document, visit: <http://codes.ohio.gov/orc/3721.13>

- 1.** The right to a safe and clean environment.
- 2.** The right to be free from physical, verbal, and emotional abuse.
- 3.** The right to adequate and appropriate medical treatment and nursing care.
- 4.** The right to have all reasonable requests and inquiries responded to promptly.
- 5.** The right to have clothes and bed sheets changed as need arises.
- 6.** The right to obtain from the home, the name and specialty of any physician or other person responsible for resident's care.
- 7.** The right to be assigned to the staff physician of the resident's choice, and the right to select a physician who is not on staff at the home.
- 8.** The right to participate in decisions that affect the resident's life.
- 9.** The right to withhold payment for physician visitation if the physician did not visit the resident.
- 10.** The right to confidential treatment of personal and medical records.
- 11.** The right to privacy during medical examinations or treatment, and in care of personal or bodily needs.
- 12.** The right to refuse, without jeopardizing access to appropriate medical care, to serve as a medical research subject.

- 13.** The right to be free from physical or chemical restraints or prolonged isolation except to the minimum extent necessary to protect the resident.
- 14.** The right to a pharmacist of the resident's choice and the right to receive pharmaceutical supplies and services at a reasonable price.
- 15.** The right to exercise all civil rights, including the right to vote, unless found incompetent by Chapter 2111.
- 16.** The right of access to opportunities that enable the resident the ability to achieve the resident's fullest potential.
- 17.** The right to consume a reasonable amount of alcoholic beverages, unless not medically advisable.
- 18.** The right to use tobacco at the resident's own expense, unless not medically advisable.
- 19.** The right to retire and rise in accordance with the resident's reasonable requests.
- 20.** The right to observe religious obligations and participate in religious activities; the right to maintain individual and cultural identity; the right to meet and participate in activities of social and community groups.
- 21.** The right upon reasonable request to private and unrestricted communications with family, a social worker, or other people unless not medically advisable.
- 22.** The right to assured privacy for visits by the spouse, unless not medically advisable.
- 23.** The right upon reasonable request to have room

doors closed and to have them not opened without knocking, except in an emergency or if not medically advisable.

- 24.** The right to keep and use personal clothing and other possessions.
- 25.** The right to be fully informed of the basic rate charged by the home, of services available in the home, and any additional charges for those services.
- 26.** The right of the resident and person paying for the care to examine and receive a monthly bill.
- 27.** The right to be free from financial exploitation.
- 28.** The right of the resident to be allowed unrestricted access to the resident's property on deposit unless unreasonable.
- 29.** The right to receive notice before a resident's room or roommate is changed.
- 30.** The right to not be transferred or discharged from the home unless necessary.
- 31.** The right to have any significant change in the resident's health status reported to the resident's sponsor.

These rights are a summary from the Ohio Revised Code. For full details on each right, please visit the website listed above.

I Already Have a Loved One in a Nursing Home



What Can I Look Out For to Ensure My Loved One Isn't Experiencing Abuse or Neglect?

Nursing home and elder abuse cases can stem from care being received at a nursing home, a bed and board facility, an assisted living facility, a hospital, a long term acute care hospital, or some other type of medical care facility. The most common signs of nursing home or elder abuse are the following:

- » A significant and unexplained weight loss – this is a sign of malnutrition or dehydration
- » Unexplained bruises, cuts, burns, sprains or fractures, such as hip fractures or broken arms
- » Bedsores, pressure sores or frozen joints
- » Venereal disease or genital infections

- » Loss of resident's possessions
- » Unexplained withdrawals from bank accounts, or changes in banking practices
- » Sudden changes in will or other financial documents
- » Sudden changes in behavior.

These signs of nursing home abuse and neglect can be the result of any of the following:

Neglect – the refusal or failure to provide the services, including therapy, medicines and care, an elder (or dependent adult), needs, as well as understaffing. This can come in the form of failure to provide adequate medical care or allowing the elder to become dehydrated or malnourished.

Physical abuse – in addition to slapping, hitting, punching, kicking, beating, burning, scratching and pinching, also may include force-feeding, inappropriate use of drugs or physical restraints, or withholding necessary care.

Emotional abuse – such as causing distress or mental pain and anguish through verbal or nonverbal acts, such as humiliation, intimidation or threats.

Sexual abuse – Sexual contact of any kind that is non-consensual. This includes unwanted touching, harassment, rape and other acts either unwanted or

the elder is not able capable of giving consent.

Exploitation – Illegally taking, concealing, or misusing funds or property belonging to a resident for the benefit of another.

What are Warning Signs of Nursing Home Neglect?

Nursing homes have a duty to care for the residents at each facility, but unfortunately neglect happens because of understaffing, negligent work practices, or just plain cruelty. Our law firm tries to prevent these situations from happening by informing the public. We especially want to tell families of nursing home residents, on what the possible signs of neglect are so they know what to look out for.

Significant Weight Loss

If you've noticed your loved one is losing a drastic amount of weight, this could be a sign of neglect. Malnutrition and dehydration are unfortunately real issues in nursing homes.

Falls & Fall-Related Injuries

In many instances, nursing home residents need assistance with daily activities. These include getting out of bed, making their way to another room, or even going to the bathroom. Staff at the nursing

home are needed to monitor and help certain elderly individuals with these tasks so they don't fall. If you receive multiple calls that your family member is falling or is suffering from fall-related injuries, it could mean that the staff is neglecting their patients.

Pressure Sores

Certain residents need extra assistance because they're either bound to their wheelchair or are bedridden. It is the nursing home staff's duty of care to reposition, move, and turn these patients throughout the day. If they don't, pressure sores – also known as bedsores – may form on a resident. Pressure sores can cause skin and underlying tissue damage, infections, or even death if left untreated. Pressure sores are preventable, but nursing homes may avoid this basic medical protocol by ignoring the simple tasks of moving patients.

Why Is Neglect Happening?

Neglect stems from a variety of reasons. Sometimes, nursing homes fails to train their staff or ensure the staff has proper experience in caring for patients. The most basic reason, however, is money. The nursing home puts profit over patients and cut staff, leading to gross understaffing.

Why Should I Be Concerned About Understaffing in Nursing Homes?

Moving your elderly parent or vulnerable relative into a nursing home is never an easy decision. You and your family are forced to place a great deal of trust into the hands of the facility. Unfortunately, in far too many cases, Ohio nursing homes fail to live up to their obligation of having enough staff to actually care for their residents properly and the negligence of these understaffed nursing homes can lead to all kinds of trauma and abuse.



How Tittle & Perlmutter Can Help You and Your Loved Ones

If you believe that your loved one is unfortunately a victim of nursing home abuse or neglect, you should contact an attorney to discuss your legal options. When Tittle & Perlmutter takes on a nursing home abuse case, a thorough investigation will take place, which, in part, will determine who may be held liable for their actions. For example, the following claims may be made in a nursing home neglect cases if warranted:

- » Nursing home malpractice or negligence, also known as medical negligence
- » Negligent hiring
- » Negligent training
- » Failure to monitor staff properly
- » Failure to provide necessities, such as food and water
- » Failure to protect residents from health and safety hazards
- » Use of dangerous or unreasonable physical restraints
- » Intentional abuse of residents by staff members

Due to the complexity of these cases, it's important to hire an experienced nursing home abuse law firm – Tittle & Perlmutter is just that. Don't wait until it's too late, give us a call at **216-308-1522** to see how we can help.