

NURSING HOME NEGLECT

Recognizing and Responding



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HOW TO RECOGNIZE AND RESPOND

When you check a loved one into a nursing home or assisted living community, you expect them to be taken care of. Sadly, whether through malice, indifference, or lack of training, the very places we charge with looking after the elderly often end up neglecting their needs. Nursing homes and assisted living communities have a legal responsibility to ensure that the residents under their care get the attention and help that they need to remain healthy, both physically and mentally. It's not acceptable for these facilities to provide them with inadequate assistance in maintaining their health, safety, and dignity.



What is nursing home neglect?

The federal definition of neglect, as it applies to the nurse aide registry, is "failure to provide goods and services necessary to avoid physical harm, mental anguish, or mental illness." As applied to nursing homes, nursing home neglect can be considered any failure by a caregiver to fulfill the obligations to the nursing home residents' care. This includes needs related to food, shelter, supervision, clothing, hygiene, and medical care. There are two levels of neglect, the first is when there is a failure to provide needed assistance or services, while the second is when the assistance or services are performed inappropriately, such as a certified nurse's assistant performing a task that should be performed by a registered nurse or an individual performing a task that should be done by two people to ensure safety.



The four types of nursing home neglect

Though cases involving nursing home neglect can vary, the majority fall within four categories:



Social Neglect

Social neglect occurs when an elderly person is regularly left alone or ignored. Social neglect can have a variety of effects on the neglected person, both mentally and physically. Being ignored or left alone for extended periods of time can lead to depression and anxiety, but can also contribute to other forms of neglect, resulting in malnutrition, dehydration, pressure sores, or other injuries depending on the needs of the resident.



Hygiene Neglect

Many elderly people with mobility issues eventually have difficulty maintaining a regular personal hygiene routine. Hygiene neglect occurs when an elderly person doesn't receive adequate help with laundry, bathing, brushing their teeth, or other hygienic practices that they can no longer perform on their own.



Basic Needs Neglect

Basic needs include food, water, and a safe and clean environment. Basic needs neglect occurs when one or more of these things are not provided. In certain individuals, this can include assistance in eating, drinking, or moving around the facility unobstructed.



Medical Neglect

Medical neglect occurs when an elderly person is not provided with adequate attention, prevention, or medication for concerns such as bed sores, infections, cuts, diabetes, cognitive diseases, and mobility concerns.



The five signs of nursing home neglect

Nursing home neglect may not always be obvious. It's estimated that only one in five cases of neglect and/or abuse are reported, and often the neglected or abused party is either afraid to come forward or doesn't come forward out of concern of being a burden to their loved ones. It often falls on the family to recognize the warning signs and to act on behalf of their loved ones. Here are five red flags you should look out for when visiting a loved one in a nursing home or assisted living community:



Unsanitary living conditions

Nursing homes are legally required to provide residents with safe and clean living conditions. If you notice unsanitary conditions when visiting a loved one, such as soiled linens or food left out to spoil, or unsafe conditions, such as inadequate lighting or tripping hazards, then the nursing home is being negligent in their duty and should be held accountable.



Poor personal hygiene

Many residents in nursing homes need assistance with basic hygiene practices, and nurses and nursing home staff are expected to aid the residents with any hygiene practices they have difficulty with. Poor personal hygiene is noticeable and should be reported if the problem persists.



Loss of mobility

Nursing home residents often need regular exercise to improve or maintain their mobility. If they're left in their beds for long periods of time, they can lose their mobility completely. Loss of mobility is common among the elderly, so if you notice a loss of mobility in your loved one, it may not mean that they are being neglected, but it should send up a red flag to keep a closer eye on the situation. Other problems that might indicate that neglect is the cause of the loss of mobility are unchanged, soiled linens or bedsores.



Malnutrition and/or dehydration

The nursing home has a responsibility to make sure that its residents are receiving nutritional meals and are not becoming dehydrated. Many nursing home residents need assistance with eating and drinking. Even if food and drinks are being delivered to the resident's room, if they're not receiving adequate assistance consuming it, then the nursing home is being negligent in their duty.



Unexplained injuries

The staff of a nursing home is required to assist its residents in daily tasks that they have difficulty completing themselves. Often, if residents' needs are being neglected, residents will attempt to complete the tasks themselves, which can result in them hurting themselves in the process. Unexplained injuries can also be a warning sign for elder abuse, which is more insidious than nursing home neglect, but can be addressed through similar legal channels. Like loss of mobility, unexplained injuries may not be a definitive sign of abuse or neglect, but it does stand as a red flag to monitor the situation more closely.



How can you help prevent nursing home neglect?

Research shows that nursing home residents who are regularly visited by loved ones are less likely to experience neglect or abuse. Regularly visiting your loved ones in the nursing home can also help you to notice any warning signs of abuse or neglect before serious consequences arise. Negligence can also occur as a result of ignorance. Make sure you communicate the needs of your loved one to the nursing home staff, so that nothing needed in their ongoing care is overlooked.



What to do if you suspect neglect

If you suspect that a loved one is experiencing elder abuse or neglect, there are several things that you should do immediately:



Call the police and/or Adult Protective Services

You don't need to prove abuse or neglect to file a report, and an investigation may vindicate your fears and hold those responsible for the abuse or neglect accountable.



Contact an experienced Nursing Home Neglect Attorney

If you have a loved one who has experienced neglect or abuse at a nursing home or assisted living facility, contact The Pottenger Law Firm for a free consultation by calling or visiting our website today.

FREE CONSULTATION TODAY

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