

PHOTOS BY DONNA PADOWITZ



Stifling senior abuse

by Eileen Sondak

When you send loved ones to a nursing home, you expect the facility to treat them with kindness, consideration, and respect. After all, nursing home patients are seriously ill, elderly and frail – and require more care and medical expertise than you can give them at home.

Unfortunately, too many nursing homes violate your trust and put patients at risk of more serious illness or even death. Despite the good intentions of their relatives, many patients become victims of abuse and neglect at the hands of these “caregivers.”

As Attorney William Berman noted in a recent interview, the shocking truth is that “40 percent of all facilities in the state of California have serious violations for standards of care and there are a lot of cases of nursing home wrongful deaths. Some residents have suffered not only neglect of their basic needs, but also severe physical abuse, even death, as a result of the actions of caregivers in nursing homes.”

In a much-publicized lawsuit, Berman proved that severe negligence and callousness led to the death of a helpless resident. The client was awarded a \$2.2 million settlement on behalf of the 74-year-old patient – the largest ever reported against a California RCPE.

According to Berman, these abuses are not just found in run-down facilities.

“It doesn’t matter whether the facility is a very expensive home with a beautiful building or a small mom and pop operation,” he said.

Berman and Walton are on the watch for poor nursing home care.

Bill Berman, of the law firm Berman and Walton.

Elderly patients make easy victims for heartless employees.

"We are finding these acts of abuse and neglect in all types of facilities."

There is something you can do to protect your loved ones. You can give careful consideration to the placement of a family member into an RCPE or skilled nursing facility. Follow these guidelines, before you make your decision:

- 1) Get recommendations about facilities from people you trust (family, friends, doctors, and clergy); in other words, from people who have had experience with nursing homes.
- 2) Call your area's Agency on Aging, Better Business Bureau, local office of Consumer Affairs, or State Health Department, and ask if they have any information on the quality of nursing homes in your area.
- 3) Visit the nursing homes you are interested in and take a formal tour of the facility. Look at the residents and note how they are being treated by the staff. Try to talk to the residents and families about their satisfaction with the nursing home and its facilities. Ask for several references.

Remember, even after you have made the decision to place a family member in a facility, it is important to visit the patient as often as possible to monitor the care being provided. Be sure to observe obvious signs of neglect and abuse.

Here are a few signals that should raise a red flag:

- 1) Poor personal hygiene or generally unsanitary conditions of the residents or facility
- 2) Open bed sores
- 3) Sudden and unexplained loss of weight
- 4) Malnutrition or dehydration
- 5) Repeated falls
- 6) The improper withholding of medication
- 7) Over-medication
- 8) Unexplained change in demeanor, such as confusion or abnormal behavior (pulling out hair, rocking, etc.)
- 9) Signs of physical abuse, such as bruises, cuts, burns or skin discoloration

As Berman warned, if you witness or suspect neglect or abuse, immediately report the incident to the resident's regular physician, as well as the local Ombudsman's office and/or the Department of Health Services, so that a proper investigation by trained professionals can be conducted. Time is of the essence in preventing further abuse and neglect. Be diligent and make sure that your family members and others receive the care and attention they deserve.

To contact Berman and Wilton, call (858) 350-8855.