

# Jonathan Rosenfeld's Nursing Homes Abuse Blog

## Nursing Home Settles Lawsuit After Fraudulent Records Discovered

*Posted by **Jonathan Rosenfeld** on January 07, 2011*

When it comes to nursing home litigation, patient records really are the Holy Grail. Patient records are important in both assessing the initial case as well as determining how to proceed from a litigation standpoint.

In my nursing home injury practice, one of the first things I suggest families do is to obtain a copy of their loved one's medical chart from the facility in order to evaluate the potential case. In my experience, requesting a copy of the patient's chart as soon after an event, increases the likelihood of the facility providing a complete and accurate chart from the facility.

Unfortunately, as time goes on, some facilities incorporate procedures to 'thin' patient charts-- destroying information that they may not be obligated to keep pursuant to the law. Further, being the cynic that I am, I tend to see records altered the longer the delay is between the time of the incident and the record request.

I recently [read](#) about the settlement of a wrongful death lawsuit against a nursing home in Nevada where a patient became severely dehydrated, developed bed sores and acquired a systematic infection.

While the circumstances surrounding this death are definitely tragic, I was perhaps most appalled by the fact that the patient's chart had entries of related

Jonathan Rosenfeld represents victims of nursing home abuse and neglect throughout the country. For more information please visit Nursing Homes Abuse Blog ([www.nursinghomesabuseblog.com](http://www.nursinghomesabuseblog.com)), Bed Sore FAQ ([www.bedsorefaq.com](http://www.bedsorefaq.com)) or call Jonathan directly at (888) 424-5757.

to the care of the patient at dates and times when the patient wasn't even at the facility!!

As a nursing home lawyer, rarely do we encounter such gross misrepresentations made on patient's charts. However, when we do, this certainly can be very effective evidence of the facilities lack of patient oversight.

The bright side to cases where there are altered nursing home records-- I'm always optimistic--- is that this type of evidence can be extremely persuasive to encouraging a facility to resolve a case for fair value as opposed to giving a jury the opportunity to see firsthand how they lied about the care provided to the patient.

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[Is It Time For Nursing Homes To Embrace Electronic Medical Records?](#)

[Admissions Suspended At An Emeritus Assisted Living Facility Following The Discovery Of: Medication Errors, Bed Sores & Falsified Medical Records](#)

[How do I get a copy of medical records from a nursing home?](#)