

# Jonathan Rosenfeld's Nursing Homes Abuse Blog

## Failure To Follow Supervisory Guidelines Results In Substantial Fine For California Facility

*Posted by [Jonathan Rosenfeld](#) on November 03, 2010*

The fall-related death of a 58-year-old nursing home patient at Browning Manor Convalescent Hospital triggered an investigation by the California Department of Health that determined that the facilities errors are partially to blame for the death of the patient.

An investigation by the agency revealed that the facility violated its own supervisory guidelines in caring for the man who unbuckled a safety restraint and fell from his wheelchair and fractured his neck. The man died several days later from complications related to his injury.

In the days leading up to his death, the facility documented the man's irregular behavior, yet the facility failed to implement any interventional steps that may have prevented him from harming himself in a fall.

According to the facilities own policies, any patient who has physical aggression and behavioral outbursts is to receive one-on-one monitoring. An investigation by California officials determined that the facility never followed its guidelines and implemented such care.

As a result of the care violations and the man's subsequent death, Browning Manor Convalescent Hospital received a \$100,000 fine and AA citation.

My take:

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.

I can appreciate how some people reading about this incident may call into question the strict fine imposed against this nursing home given the fact that this patient's actions are apparently responsible for his own injury.

However, having litigated nursing home negligence cases involving similar circumstances, I definitely feel like nursing homes must be held responsible for failing to take interventional measures to protect patients.

While we will really never know what difference the affirmative acts on the part of the nursing home would have made on these circumstances, I am confident that the aggressive sanctions imposed on Browning Manor will cause the staff to change the way they handle similar circumstances in the future--- and potentially save a patient's life.

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[Nursing Home Gets \\$100K Fine After Resident Dies](#) Camila Bastidas – 23ABC North County Reporter, October 27, 2010

[Wheelchair-Bound Nursing Home Patients Must Be Properly Supervised To Avoid Injury](#)

[Falls In Nursing Homes Are A Serious Threat To The Safety Of Many Patients](#)

[Fall Leaves Veteran With Broken Neck In Illinois Nursing Home](#)