

Jonathan Rosenfeld's Nursing Homes Abuse Blog

Illinois Health Officials To Have More Leverage When It Comes To Punishing Bad Nursing Homes

Posted at 5:23 AM on April 19, 2010 by Jonathan Rosenfeld

Faced a situation where a nursing home was providing inadequate or dangerous care to its patients, officials at the Department of Public Health-- the regulatory agency for Illinois Nursing Homes-- had relatively little in their arsenal when it comes to prodding along facilities. That is, until now.

Recently, the Illinois Appellate Court tossed out a Sangamon County judge's ruling that capped fines imposed by the Illinois Department of Public Health at \$10,000. In the case involving Peoria's Rosewood Care Center and The Illinois Department of Health, Judge Leo Zappa ruled in favor of Rosewood in a matter involving a \$20,000 fine imposed against the facility for the death of a patient. Zappa determined that the fine was improper due to the fact that it was illegally inflated and conflicted with state law.

Despite the Appellate Court decision, Illinois officials will continue to use their approach of imposing multiple fines against poorly performing facilities in lieu of more substantial single fines.

"A fine is one of the few things we can do to make sure a nursing home is compliant with the law," says Illinois Department of Health spokesperson Melanie Arnold.

I agree. However, until the significance of the fines reaches the point where they pose an actual threat to the livelihood of the nursing home owners and operators, they will not have their intended impact when it comes to motivating facilities to provide quality medical care to patients in need.

Thankfully, our legal system allows nursing home patients who receive poor or negligent care to pursue a claim for damages against the facility under the

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), Bed Sore FAQ (www.bedsorefaq.com) or call Jonathan directly at (888) 424-5757.

Nursing Home Care Act. When pursuing a claim under the act, a patient has no financial limit on the damages they may recover from the facility.

We have successfully prosecuted nursing home negligence claims in a wide variety of matters including: [wrongful death](#), [falls](#), [burns](#), [medication errors](#), [sexual abuse](#) and [bed sores](#).

Read more about this Appellate Court decision involving Illinois Nursing Homes [here](#).

Related Nursing Homes Abuse Blog Entries:

[Illinois Nursing Home Task Force Holds Public Meeting Today](#)

[31 Allegations Of Abuse At Chicagoland Nursing Home](#)

[More Staffing & Stiffer Fines. Welcome To The New Way Of Doing Business For Illinois Nursing Homes?](#)

[42 Illinois Nursing Homes Cited In 4th Quarter of 2009 For Violations Related To Patient Care](#)

Strellis & Field, Chartered

Chicago Office

444 N. Wells St., Ste 202
Chicago, IL 60610
Tel: 312.201.0000

Belleville Office

216 W. Washington Street
Belleville, IL 62226
Tel: 618.235.8701

Waterloo Office

115 East Mill Street
Waterloo, IL 62298
Tel: 618.939.3402

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), Bed Sore FAQ (www.bedsorefaq.com) or call Jonathan directly at (888) 424-5757.