

Jonathan Rosenfeld's Nursing Homes Abuse Blog

Is This An Attempt To 'Control' A Patient? Or Is This Simply Another Attempt To Cover Up Abuse In A Group Home?

Posted at 9:36 AM on June 17, 2010 by Jonathan Rosenfeld

Too often in my world as a lawyer for the injured in nursing homes and other long-term care facilities, I see a disconnect between the type of injury a client sustained versus the explanation provided by a facility. In other words, I've seen many facilities claim an injury, such as a complex leg or arm fracture is due simply to a patient's 'old age' when in reality such injuries rarely occur absent trauma.

Sure, it's nice to think that as a diligent lawyer, I may be able to dig through the rubble (or medical records as is usually the case) and begin to piece together the *real* reason my client sustained the injuries they did-- and in some cases this *really* does happen. Yet in other cases there really is no way of connecting the dots between the actual injury and the likely source of it.

As a realist I know that the success of the case is very much dependent on thoughtful employees or other witnesses' decision to report the situation to authorities and their investigative efforts. Without someone stepping forward to report a suspicious situation or an injury to authorities, many cases involving abusive conduct simply remain hopelessly difficult to prove.

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.

In this sense of an obviously suspicious situation getting vetted to authorities, I came across a news report involving a disabled man who suffered a fractured shoulder and severe bruising at a Florida Group Home. According to the report, the facility contacted authorities following the incident, claiming that his caregivers at the group home were just trying to restrain him after he had gotten 'upset' before bedtime.

Of course-- especially in situations involving the disabled, sometimes staff are faced with the unpleasant task of restraining a person against their will in order to prevent them from harming themselves or others. However, in this case, the this young-man who suffered from cerebral palsy and paralysis in his body-- except for use of his left hand-- essentially making him completely dependent on the staff for everything which makes me question such a seemingly innocent explanation.

It's always disheartening to see the images of a person suffering, but hopefully the attention focused on this incident by the news station will lead to a witness coming forward or perhaps more scrutiny heaped on this facility. Hopefully, the increased attention will result in an explanation for this man's injuries.

Perhaps at some point we will learn if the injuries are indeed related to staffs' attempt to subdue or-- dare I say-- another abusive situation attempted to be covered up by a facility?

Reporting Abuse In Long-Term Care Settings

I am a huge proponent of getting authorities from law enforcement as well as state regulatory agencies involved as soon as feasible after any suspicious

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incident occurring during an admission to a long-term care facility. While many situations of suspected poor care may go explained indefinitely, I can vouch for the fact that there most definitely is a correlation between getting *real explanations* and getting the incident investigated quickly.

Simply put, as a caregiver when you suspect something isn't right, you should get it checked out.

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