



## Jonathan Rosenfeld's Nursing Homes Abuse Blog

### Can Legislators Keep Up With Alternative Senior Living Arrangements

*Posted by **Jonathan Rosenfeld** on June 21, 2011*

For some senior living operators, it seems like the regulatory laws that apply to their facilities are simply too burdensome. After all, operators of nursing homes and assisted living facilities are subject to laws that are designed to protect their predominately elderly residents from harm. It goes without saying that complying with some of these laws can be difficult.

Acknowledging these difficulties, some assisted living operators have elected to evade some of the laws by morphing their facilities into something new and different--- and not subject to the regulations applicable to them.

One of the largest operators of assisted living facilities, Assisted Living Concepts, has grabbed news headlines when they announced that they were going to reorganize some of the **assisted living facilities that they operate in Iowa** and begin to operate them as 'senior housing communities' where they simply own the building, but utilize the services of a different company to provide health care services to the residents.

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 ([www.rosenfeldinjurylawyers.com](http://www.rosenfeldinjurylawyers.com)).

On the surface, the change in operating procedure may seem like little more than a corporate shakeup, but a closer look quickly reveals the real intention behind the change is to evade the pesky regulation applicable to the the operation of an assisted living facility.

Turns out, despite its massive operation, Assisted Living Concepts wasn't so good at safely operating their facilities. At its Dubuque facility, Iowa officials found numerous problems including:

- Poorly formed care plans
- Unreported resident injuries
- Medication errors
- Staff that were inadequately trained to care for patients
- Neglect

All told, the (former) assisted living facility was fined more than \$65,000 for its violations.

Recognizing this legal loophole, the Iowa legislature has drafted legislation that attempts to hold facilities-- regardless of their title-- responsible for their care of their residents.

As we begin to see the proliferation of alternative type senior housing arrangements, it is crucial that legislatures take a proactive approach to the regulation of the facilities that operate under misleading titles. Let's see if other states have the foresight to identify this developing issue in the senior care industry.

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Dubuque facility headed to court over fines, Des Moines Register by Clark Kaufman, June 11, 2011

Another Iowa Assisted Living Facility Chooses To Abandon Its License

Pesky Government Regulations No Problem For Assisted Living Facility In Iowa