



Jonathan Rosenfeld's Nursing Homes Abuse Blog

Two Lawsuits Filed Against Same Nursing Home. Is There A Problem?

By *Jonathan Rosenfeld* on July 06, 2011

Over the past few years, I begun to notice a trend in [nursing home litigation](#)-- more lawsuits getting filed against particular facilities. Sure, an incident can occur during a momentary lapse of judgment-- at any facility -- at any time, but is there reason to be concerned when we see multiple lawsuits piling up against particular facilities?

There will always be the cynics out there who insist an influx of lawsuits involving a particular facility is really due to copycat behavior on the part of families lining up to 'cash in' when they see other's recovering from situations involving poor care. However, having spoken to thousands of families who have suffered a loss involving mistreatment of a loved one at a nursing home, I firmly believe to the contrary.

Rather, dare I say that a flurry of lawsuits against a particular facility--- particularly when they arise out of care provided at roughly the same time, may be an indication of an underlying problem at the facility?

Just the other day, two wrongful death lawsuits were filed against the same [West Virginia nursing home](#) (Teays Valley Center) on the same day. Both lawsuits allege poor care provided

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during the summer of 2009 resulted the untimely deaths of two patients. Though the alleged underlying troubles at Teays Valley may be similar, the outcomes involving the harm to the patients differ.

One of the nursing home lawsuits alleges that the patients death was due to:

- Skin breakdown (bed sores)
- Weight loss
- Falls

The other lawsuit alleges that the patient's death was due to:

- Hip fracture
- Falls
- Dehydration
- Urinary tract infection
- Sepsis

As these nursing home lawsuits were filed by the same law firm, I'm sure that the filing of both suits was done more as a convenience, I still find the timing-- in terms of the period of time when the claims derive particularly alarming.

A series of incidents occurring during a stretch of weeks or months at a particular facility may be related to staffing issues that may be representative of under-staffing or inadequate leadership. While there is no way to complete insure the safety of family members during an admission to a nursing home-- or any type of medical facility--- these issues deserve attention!

When selecting a facility or checking-in on a facility where a loved one may be living ask a manager or or administrator about concerning incidents-- or at least a series of allegations for yourself. There is no harm in confronting these issues for yourself and at the very least eliciting some response from the facility to alleive (or reinforce) your concerns).