

Jonathan Rosenfeld's Nursing Homes Abuse Blog

Will Proposal Notifying Coroner Following Nursing Home Deaths Help Deter Abuse?

Posted By [Jonathan Rosenfeld](#) on October 01, 2010

The Lexington Herald Leader is [reporting](#) about proposed legislation that would require Kentucky nursing homes to notify coroners following the death of nursing home patients at the facility or shortly after their discharge. The proposal is intended to assist families and prosecutors to identify and pursue situations involving suspected nursing home abuse and neglect.

Currently, Kentucky-- like many states has loose guidelines regarding the notification of coroners following the death of a nursing home patient. Under the current laws in Kentucky, nursing homes are given broad discretion when to notify authorities as to a death that is believed to related to be "other than natural."

State-initiated autopsies of nursing home patients are relatively rare-- even when there is suspected mistreatment of the person. In Kentucky, no autopsies have been performed by the state's medical examiner despite the fact that some facilities have received sanctions for their roles in nursing home patients deaths.

As we [discussed](#), similar proposals for mandatory autopsies have moved forward in Illinois. As a nursing home lawyer, who has represented families in wrongful death lawsuits, I feel that timely performed autopsies have been effective in proving cases involving abuse and neglect. However, families need to be mindful of the fact that just as an autopsy may help establish a case of

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poor care, it similarly can exonerate a facility in situations when such allegations are made.

Apparently, my support of such proposals is not unique, check out my colleague John Kormanik's reaction to this proposal [here](#).

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