

(3) INSIGHT SEGMENT 9

(4) Q Welcome back. We're here in the Sweeney
(5) Studios. I'm with Dave Farnbauch from Sweeney law
(6) firm. We're going to talk today about a report that
(7) was released recently. It was talking about the
(8) incidents of injuries to our elders in our nursing
(9) home, and it's staggering numbers. It's scary how
(10) many injuries there are. So let's talk about this.
(11) What federal agency did the study on these injuries
(12) in nursing homes?

(13) A So, Charity, it's a relatively recent
(14) study that was issued by the federal government, the
(15) Office of the Inspector General. They did a four-
(16) year study and they were trying to study the
(17) incidents of injury and death in nursing homes
(18) caused by substandard nursing home care.

(19) Q And it studied different kinds of
(20) injuries, some not as significant as others, but
(21) let's talk about what this study said. So give me
(22) some details on the study.

(23) A Well, it's, it's an amazing compilation of
(24) statistics about how big of a problem this is --

(25) Q Uh-huh.

(1) A -- in nursing homes. They determined that
(2) 22 percent of the patients who had a nursing home
(3) stay ended up having what they described as an
(4) adverse event and I'd like to read to our viewers
(5) what they characterize an adverse event to be.
(6) "Either a hospitalization, they were hospitalized
(7) for their injuries. They either sustained permanent
(8) injury, permanent harm, or they required
(9) intervention to save a resident's life or they
(10) actually died as a result of substandard nursing
(11) home care." So think about it. One in five
(12) patients who went into the nursing home during the
(13) time period that they studied, in a particular year,
(14) ended up with one of these types of adverse events.
(15) They cost approximately \$2.8 billion in hospital
(16) care to take care of these residents who were
(17) injured as a result of an adverse event and, once
(18) again, it just sort of highlights that nursing
(19) homes, if you get in the wrong nursing home and
(20) don't receive proper care, can be a very dangerous
(21) place.

(22) Q Let's talk about some of the take aways.
(23) These numbers are staggering. And we all worry
(24) about the care of our loved ones. What are the take
(25) aways from this study?

(1) A Well, I'd say the major take aways are,
(2) what people have to keep in mind is that it's sort
(3) of your responsibility, as a family, to do your
(4) homework and try to find the right facility. And
(5) even when you place your loved one in a nursing home
(6) facility, you have to keep your eyes and ears open
(7) to determine whether that nursing home is adequately
(8) staffed. Because there's an old adage amongst
(9) lawyers like myself, who do nursing home neglect
(10) cases. We believe that virtually any kind of a
(11) case, any type of an injury or death in a nursing
(12) home, results, all stems from under staffing. Under
(13) staffing is the key to all these cases. So if you
(14) go to visit your loved one on the evenings, on the
(15) weekends, and they don't appear to be, you know,
(16) adequately staffed, that, that's a sure way to tell
(17) that there's, your loved one is at risk for an
(18) injury.

(19) Q And we can tell if, if our loved one's
(20) been neglected. You can, you can sense that mom
(21) hasn't had her hair brushed or hasn't had water or,
(22) you know what I mean? Even those things that may
(23) not right now feel like something that's caused an
(24) injury, but the beginnings of neglect that could
(25) then lead to.

(1) A Well, I mean, if you, if you believe that
(2) when you go into a nursing home to visit your loved
(3) one that they don't have adequate staff to meet your
(4) loved one's needs, it's time to look for another
(5) nursing home.

(6) Q Yeah.

(7) A And another take away from this study is,
(8) if you go to a nursing home and they want you to
(9) sign an arbitration agreement, where you sign away
(10) your legal rights to turn to the court system if
(11) they cause an injury or death to your loved one. If
(12) they want you to sign an arbitration agreement,
(13) where you agree to take a dispute you have with the
(14) nursing home through a private corporation that the
(15) arbitrator is selected by the nursing home, I would
(16) say, my advice would be, start looking for a
(17) different nursing home to put your loved one in
(18) because that's a, that's a pretty sure sign that
(19) that nursing home is concerned about their potential
(20) --

(21) Q Uh-huh.

(22) A -- liability and they're trying to take
(23) measures to sort of prevent families from being able
(24) to exercise their legal right if something does
(25) happen to your loved one.

(1) Q Absolutely. Well, we do want to make sure
(2) that our loved ones are taken care of. It's so
(3) important. And, and we do need people to help us
(4) take care of them. So if you feel like your loved
(5) one has not gotten the care they need and it has led
(6) to an injury or some sort of problem, give the
(7) Sweeney Law Firm a call. Let them walk through the
(8) case with you and see if you have a case, if there's
(9) something you need to do moving forward. Give them
(10) a call today or visit their website,
(11) sweeneylawfirm.com. We'll be right back.