

Rights *and* Responsibilities

Securing Quality Care For Our Elderly

When our parents or grandparents are no longer able to live safely in their own homes, many families are left with the difficult task of finding high quality and affordable long-term care.

While recent news regarding nursing home abuse and neglect cases is alarming and heartbreaking, securing excellent and compassionate residential care for our aging loved ones is possible. The best way for families to find peace of mind during this process is to make educated choices when selecting a facility, and to establish honest, ongoing relationships with the people providing the care.

Many nursing home residents and their families are simply not aware of the rights and responsibilities they have to ask questions and make informed decisions based on the answers they get. Asking the right questions and making sure we're satisfied with the answers is a great way to avoid potentially harmful situations for your family. Here are some important points to keep in mind:

1. Illinois law requires that all skilled nursing facilities have a Certification Survey available for anyone to review. This survey, conducted annually by the Illinois Department of Public Health, provides detailed information about inspections that have taken place at the facility during the last 12 months. Facilities are required to produce upon request the survey results for the last five years. Ask to see this survey and the facility's plan of correction before you choose a facility and periodically during your loved one's stay. Doing this will help you identify potential red flags.

2. Ask nursing home administrators if state guidelines regarding background checks are followed not only for employees, but also residents. Nursing home employees are required to undergo criminal background checks conducted by the Illinois State Police. Background checks are also required for residents, as are screenings by the Illinois Departments on Aging and/or Human Services, to ensure appropriate placement.

3. Have a clear understanding of your loved one's medications, why they are prescribed, and by whom. Only physicians can prescribe medications. If you have questions, ask the nurse manager or the physician. Ask about efforts to decrease dosages and/or find alternative methods of changing aggressive or uncooperative behaviors.



4. Ask about and attend your loved one's care plan meetings. Required by Illinois law, these meetings are held on a quarterly basis for each resident. Your loved one is assessed for changes in condition, medication review, and other needs or concerns. This is an excellent time to take a proactive role in making sure a resident's needs are being recognized and addressed in a compassionate and professional manner.

5. Find out about and encourage your loved one to participate in resident council meetings, if possible. Residents are entitled to organize and participate in these gatherings, which are designed to provide a confidential forum for expressing concerns and grievances regarding care. Frequency of these meetings varies from facility to facility.

6. Ask about family council meetings and get to know the families of other residents. Family members of residents have the right to meet at the facility. This is another way to have a full understanding of how the nursing home operates and responds to all of its residents.

7. Visit often and at different times of the day. Get to know staff members by name. Familiarize yourself with your loved one's likes and dislikes, and communicate these with the people providing day-to-day care.

Moving a parent or grandparent into a long-term care arrangement can be a tough transition for everyone involved, but a sure way to alleviate anxiety about this life change is to stay educated, keep asking questions, and become part of the process. ▽

James D. Spiros is the founding partner of Spiros & Wall, P.C. The firm offers representation to a variety of personal injury cases, including nursing home abuse and neglect. Spiros & Wall has offices in Kankakee, Champaign and Danville, Illinois. For more information, visit www.spiroswall.com.