



## How Do You Identify Abuse and Neglect In A Nursing Home?

### How to Identify Nursing Home Abuse

Cases of nursing home abuse and similar kinds of elder abuse can be difficult to identify and prove in court. Seniors are among the most vulnerable to various kinds of abuse, including:

- Physical abuse
- Sexual abuse
- Financial abuse
- Emotional abuse
- Neglect

Families need to know how to protect their loved ones. But how do you identify cases of nursing home abuse? When do you have a case and how do you move that case forward?

### Fundamental Types of Nursing Home Abuse

First, it's important to understand the two fundamental types of nursing home abuse cases. One is active abuse, where someone is actively **doing something to harm** a nursing home resident. The other is neglect, where they're actively **doing nothing to help** the person in question. Beyond that, as mentioned above, nursing home abuse and neglect take many forms.



## Key Indicators of Nursing Home Abuse and Neglect

To identify whether your loved one is a victim of nursing home abuse, look for some of the usual key indicators as mentioned by the Arizona Adult Protective Services (APS). Bruises, burns, or other physical injuries may be evidence of an abusive situation.

The following characteristics, if present in an individual's living environment, can also be evidence that abuse or neglect is taking place:

- Bad odors in the living space
- Failure to change linens frequently
- Insect infestations in the nursing home
- Lack of appropriate nutrition or adequate hydration
- A dirty environment in general
- Other evident health and safety issues

In addition, there is a range of emotional behaviors that can indicate something bad is going on. Experts recommend family members and caregivers watch nursing home residents for signs like sudden withdrawal from activities, lack of appetite, low self-esteem, and/or suicidal behavior. New problems with eating and sleeping can signify an abusive situation or they can indicate underlying health problems. Also, if someone is afraid of a specific individual in a nursing home setting, abuse and neglect may be happening.

Nursing homes are required by Federal Law to post a Residents' Bill of Rights to show what needs to be in place for elderly residents, and you can use this as a benchmark to identify whether various types of neglect are taking place. Local, state, and federal government resources can provide other standards, such as those related to fall prevention that govern how seniors in a facility should be protected.

## Documentation and Evidence of Nursing Home Abuse and Neglect

When you see indications that a loved one may be being abused or neglected, part of the challenge is to document those indicators as evidence for a future nursing home abuse case. For the above-mentioned types of injuries, this can mean photographing the injuries or environment in question, or, if the injuries cannot be photographed, documenting behavioral changes that can be used to diagnose other less tangible injuries. For other kinds of emotional situations, documentation may mean keeping a detailed journal. That journal can be written from the perspective of the nursing home resident or from the perspective of observers who are their advocates. Either way, this type of gathered evidence goes far to support contentions of nursing home abuse and neglect in a legal process.

In bringing these kinds of cases, documentation and evidence are important. Nursing homes and their insurance companies will protect themselves by denying any and all suggestions that something inappropriate is happening, and documentation can help to rebut these defenses.



## Resources for Nursing Home Abuse Cases

It's important to have knowledge of federal, state, and local guidelines for nursing homes. You can do some preliminary research on your own, but professional Arizona nursing home abuse and neglect lawyers will be able to consult on what exactly the federal and state laws in this practice area say. Solomon & Relihan can provide consultations to review the types of situations in which parties have an actionable nursing home abuse or neglect case.

Contacting the [Arizona Adult Protective Services \(APS\)](#) or [Arizona Department of Health Services \(ADHS\)](#) office to file a complaint can also provide strong evidence in a nursing home abuse or neglect case. But these complaints alone are not enough. ADHS and APS can help with cases involving seniors and other vulnerable adults living in nursing homes, group homes, and other residential facilities.

## Help with Nursing Home Abuse Legal Work in Arizona

Now that you know how to identify when nursing home abuse and neglect is occurring, be observant. If you think you've identified nursing home abuse or neglect with your loved one, visit the nursing home facility often and write down what you see and hear. Unfortunately, the signs of abuse and neglect may occur too late. If your loved one has passed away, you still may have grounds to pursue legal action. We can provide guidance with a free case review with Solomon & Relihan's experienced attorneys and let us help you get justice for your loved one.