



## Avoid Nursing Care and Home Abuse by Using Agencies

In one of my last articles I highlighted Elder Abuse Financial Scams, however Nursing homes also have the potential for covering up abuse to their elderly residents. More than 1 in 4 cases of abuse or neglect at skilled-nursing facilities are not reported to law enforcement. The Center of Medicare and Medicaid Services (CMS), states that it requires skilled-nursing facilities to report abuse and neglect to state survey agencies.

CMS has a facility oversight division, the Office of Inspector General, the OIG/HHS. In 1976, OIG was established by act of Congress, under the Department of Health and Human Services, who oversees fraud and abuse in Medicare, Medicaid, and more than 100 other HHS programs. A report in 2014 showed 28% of abuse in nursing homes have gone unreported to local law enforcement, despite laws requiring hospital staff to do so. In 2014, the office also released a report that found an estimated 22% of patients at skilled-nursing facilities experienced preventable injuries such as medication errors, falls and infections.

The Affordable Care Act (ACA) legislation also requires long-term care facilities to report any suspicious of crimes committed against patients. Sadly enough, some families place their loved ones in a nursing facility and visit them only on rare occasions. When a patient has no one to tell their problems to, it is very easy for abuse to go unreported. These lonely patients are abused the most, first through family neglect and then by unreported incidences.

There is a need for more training and increased resources for investigation of issues at long-term care facilities. The OIG recommended that the CMS continue its work to enforce the ACA provision as well as impose penalties for violations. The OIG also said the CMS should implement procedures that compares Medicare claims for emergency

room treatment with claims for Skilled Nursing Facilities (SNF) services to identify potential abuse and neglect issues better. Long-term care providers can all do more to help report and identify incidents of neglect by better training Staff, to quickly report suspicions of abuse to law enforcement so evidence isn't tampered with.

When comparing SNFs for your loved one, view their rating first. They are given a rating which is based on the past 3 years of overall performance. Facility ratings are determined using these criteria:

- The best 10 percent in each State receive a five-star rating.
- The middle 70 percent of facilities receive a rating of two, three, or four stars, with an equal number (approximately 23.33 percent) in each rating category.
- The worst 20 percent receive a one-star rating.

I have worked with agencies who navigate the complexities of finding the best care for your loved one. Guardians should also be aware that it is not advisable for people to source and hire Caregivers on their own for a variety of reasons, especially when they require live-in care. Hiring them directly poses a problem when applicants do not provide sufficient documentation. An employment document should be signed by both parties along with extensive background checks.

I'm aware of a situation that got out of hand when the live-in caregiver moved her boyfriend into the home. He had drug/alcohol problems and when the client tried to sever the caregiver's services, the caregiver claimed she was not a service provider but rather a tenant. Now the 85+ year-old woman is having to proceed through the lengthy/costly eviction process.

There are just some services that are worth your investment to outsource. The service an agency performs for you will aid in finding honest caretakers. They can suggest co-ordination of care and help save lots of time and money through their knowledge.

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