

NURSING HOME NEGLECT/MALPRACTICE

Due to advancements in medicine and science, our parents are living increasingly longer than in the past. While in 1960, the average life expectancy in the United States was slightly more than 69 years, it is currently 78 years.

In our state, 13.3 % of our residents are 65 or older. Since the current New Jersey population is nearly 9 million, this translates to more than 1.2 million seniors over the age of 65.

As our parents age, we, as children, are now taking on the responsibilities of finding suitable long term care facilities. Facilities where our parents can be safe, comfortable and happy as we work long hours to afford the high cost of living in New Jersey while raising our own children.

Nursing homes frequently cost upwards of \$10,000 per month for the care we expect, and require, our parents to have. Unfortunately and sadly, in many cases, the care is substandard. When this occurs, our parents suffer and we suffer along with them.

In alarming numbers, nursing home residents are not cared for in a proper, safe, dignified and respectful way. Often, though we have selected nursing homes for the care we expect them to provide to our parents, our expectations are shattered.

Falls due to lack of adequate supervision frequently result in hip fractures, arm fractures or shoulder fractures; decubitus ulcers due to lack of appropriate care often result in unsightly, painful and dangerous infections and permanent scarring; food aspirations due to lack of attention to detail and protocols can lead to asphyxia and death.

The level of competent care which we expect and demand for our parents and which both we and they have a right to receive, is not always provided. The result is unnecessary injury and/or untimely suffering or death of our loved ones.

When negligent or substandard care results in injury or death to our loved ones, the

responsible facility and staff must be taken to task.

At Kessler, DiGiovanni & Jesuele, we have developed a structured and detailed approach to effectively handling nursing home neglect and malpractice cases. The law demands that the party bringing suit must prove two elements in such cases; liability and damages. Proving liability requires the participation and testimony of experts trained in nursing home care and the standards demanded by the law for staff of such facilities. We routinely hire the best and brightest experts available to assess and prove liability, or legal fault, on the part of nursing home facilities and their staff.

In addition, the damage element of any case requires a thorough assessment of the monetary and non-monetary elements of the injury. Pain, suffering, disability, future medical and medication costs and shortened life expectancy can, and must, be proven in all such cases. Experts on damages must be retained to provide effective testimony.

When the injury or death of a loved one occurs in a long term care or nursing home facility, demand accountability from those responsible! Don't allow the neglect to continue. As children, we have a responsibility to our parents to keep them safe and secure in their advancing years just as they kept us safe and secure in our early years. As we age and become our parents, our children will be charged with the same responsibilities as we now have.

When a facility is exposed for their neglect through the spotlight of a lawsuit, their practices change for the better. The nursing home of our parents today may well be our nursing home in the future.

Visit us at www.injuryhq.com or call us at 908-232-2040.