



All long-term care residents have the right:

- To receive quality, individualized care
- To be protected from mistreatment, including abuse, neglect, and exploitation.

**Quality care promotes resident dignity, choice, and self-determination in all aspects of life and care.**

Individuals living in nursing homes and assisted living facilities **maintain the same rights as individuals in the larger community** and have additional rights and protections in federal and state law.

Nursing homes must meet federal requirements if they participate in Medicare and Medicaid. There are no federal regulations for assisted living facilities so requirements are different in each state.<sup>1</sup>



<sup>1</sup> *Fact sheets and information regarding residents' rights, abuse, and advocating for quality care are available on the Consumer Voice website [www.theconsumervoice.org](http://www.theconsumervoice.org).*

# SEEK HELP & REPORT

For help with your concerns you can:

- Talk to the **facility administrator**, **social worker**, or **staff person**.
- Contact the **Long-Term Care Ombudsman (LTCO) Program**. LTCO are advocates for residents in long-term care facilities. For more information about the LTCO program visit [www.ltcombudsman.org](http://www.ltcombudsman.org).
- Contact your **state licensing and certification agency**. Each state has an agency responsible for the licensing, certification, and regulation of long-term care facilities and investigations of complaints.
- Contact **Adult Protective Services (APS)**. APS investigates reports of abuse, neglect, and exploitation of elders and, in many states, individuals with disabilities.
- Contact **local law enforcement**. Mistreatment with willful intent could be a crime.



TIPS FOR SEEKING  
HELP AND REPORTING  
COMPLAINTS

## SIGNS OF QUALITY CARE

- Facility is clean, clutter free, smells fresh, and not too hot or cold.
- Calls for assistance (e.g. call lights) are responded to quickly and kindly.
- Residents appear well groomed, clean, comfortable, alert, happy, and are without visible restraints.
- Food looks and smells appetizing.
- Staff encourage resident involvement in their care and daily life (e.g. residents choose when to wake up).
- Residents are involved in meaningful activities (both individual and group).
- Community is warm and engaging (e.g. staff know residents and communicate respectfully).

## ADVOCACY TIPS

- Get involved in the Resident or Family Council.
- Get to know other residents, especially those without family or visitors.
- Share information about residents' rights and signs of quality care.
- Communicate with staff, compliment good care.
- Learn about the Long-Term Care Ombudsman (LTCO) Program and get to know your local ombudsman.
- If you are a family member or friend, continue to visit often and at varying times.

## ADVOCATE FOR QUALITY CARE!

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This resource highlights indicators of care to help you identify quality care and provides steps to address any areas of concern.

**RESIDENTS:** Share this with your peers, both individually and in Resident Council meetings, talk about what quality care means to you, and how to advocate for your needs.

## WARNING SIGNS

- Facility appears understaffed (e.g. call lights not answered promptly or turned off without care being provided).
- Residents' rights are not respected (e.g. no choices in daily routine, not involved in care decisions).
- Quality of food declines (e.g. fewer meal options, less food served, menu not followed).
- High staff turnover, staff not familiar with residents.
- Residents appear bored, less active, not engaged with others or activities.
- Residents and/or family members say concerns have not been resolved.
- Facility uncomfortable (e.g. not clean, has an odor, too cold/hot, too noisy).
- Medication errors.

## ADVOCACY TIPS

- Work with the Resident or Family Council to address concerns as a group.
- Become familiar with residents' rights and facility requirements [federal and/or state].
- Document your concerns.
- Discuss your concerns with the Administrator, share your observations, and resolution goal.
- Share your concerns with the LTCO.
- Visit frequently, vary the time of your visits, and take notes of any issues you identify.
- Review state survey reports to see if the facility has been cited for similar issues before.

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**FAMILY MEMBERS:** Use this resource to inform your observations during visits with your loved one and to advocate for quality care.

All residents have the right to quality care and to be free from mistreatment. There are agencies responsible for investigating complaints, including those regarding resident abuse, neglect, and exploitation.

## RED FLAGS

- Significant, sudden change in behavior (e.g. withdrawn, fearful, lack of appetite).
- Dramatic physical changes (e.g. weight loss, decline in mobility).
- Unexplained injuries (e.g. bruising).
- Residents are physically restrained and/or appear to be over medicated (e.g. slumped in wheelchairs).
- Severe lack of staff (e.g. no response to call lights, frequent falls, lack of assistance to use the restroom).
- Residents appear unclean, have body odors.
- Staff disregard residents and their rights. Complaints are ignored.
- Missing personal items or funds.

## ADVOCACY TIPS

- Take detailed notes of concerns (names, dates, times of incidents).
- Contact the facility owner and/or corporate office and share your concerns.
- Contact the Ombudsman if complaints are not resolved, staff is unresponsive, and/or for information or advocacy.
- Contact the state survey agency to file complaints, be as specific as possible.
- Report any suspected abuse, neglect, or exploitation to investigating agency and/or local law enforcement.

## QUALITY CARE

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- Is individualized to meet the care needs and preferences of each resident.
- Improves, or maintains, the highest practicable well-being of each resident.
- Promotes resident dignity, choice, and self-determination in all aspects of life and care.



Contact **Eldercare Locator** to find resources in your state. Eldercare Locator is a national public service to help older adults and caregivers connect with local aging and disability services.

CALL: **1-800-677-1116**

VISIT: **[www.eldercare.gov](http://www.eldercare.gov)**

# NCEA

National Center on Elder Abuse

For information regarding elder abuse, neglect, or exploitation visit the **National Center on Elder Abuse (NCEA)**:

CALL: **1-855-500-3537**

VISIT: **<https://ncea.acl.gov>**

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