

# Petition

Via Fax

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## Nursing Home Neglect



*...Older members of society who need our care and concern must be treated courteously, fairly, and with the fullest measure of dignity.*

F.S.400.011. (Florida's Nursing Home Statute).

### LLRM Launches Nursing Home Litigation Group

Nursing home neglect and abuse has captured the attention of the court system as well as various state agencies. The firm's extensive background and experience in medical negligence cases and its historic commitment to improving the quality of life for elder citizens was a natural fit according to **Ira Leesfield**. **George Mahfood** who recently obtained a **\$400,000** result against a South Florida convalescent home emphasized the "need to coordinate our efforts in support of state agencies to achieve a higher quality of nursing home standards." **Robert Boyers**, who will head up the firm's Nursing Home Litigation Group, has compiled statistical data supporting an increase in trend in nursing home and institutional neglect. (Please call or fax for this information).

Phone: **(305) 854-4900** / Fax: **(305) 854-8266**



## Websites Supporting Nursing Home Litigation

Administration on Aging:

<http://www.aoa.dhhs.gov>

Nursing Homes Litigation Group:

<http://www.atlanet.org/members/litbroch!/nursing.ht>

Nursing Home Abuse and Neglect Information

Center: <http://www.nursinghomeabuse.com/index.html>

National Academy of Elder Law Attorneys (NAELA):

<http://www.naela.com>

Seniors Site: <http://www.seniors-site.com>

Florida Ombudsman: [http://](http://www.dep.state.fl.us/ombud/index.htm)

[www.dep.state.fl.us/ombud/index.htm](http://www.dep.state.fl.us/ombud/index.htm)

National Senior Citizens Law Center:

<http://www.nsclc.org>

Florida Department of Elder Affairs:

<http://fcn.state.fl.us/does/doea/html>

SeniorScape: <http://www.seniorscape.com>

American Association of Homes and Services for the Aging: <http://www.aahsa.com>

For additional websites providing research, please call **Steve Kozlowski** at **(305) 854-4900**.

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## How to Select a Quality Nursing Home

Senior partner **Ira Leesfield** has just compiled the criteria for the selection of quality nursing homes and facilities. To obtain a copy, please contact our office at:

Phone: **(305) 854-4900**  
Fax: **(305) 854-8266**  
E-mail: **Leesfield@aol.com**

## Pattern of Neglect Prompts Suit Against Nursing Rehabilitation Center

**LLRM** filed suit based upon a pattern of nursing home neglect of an 89 year old patient resulting in multiple severe injuries. The pattern demonstrated a failure to monitor the patient and failure to supervise the activities of the staff and other patients. Records confirm at least ten separate episodes where this resident was pushed or fell to the floor. In a case reported in Hernando County, another 89 year old decedent was awarded **\$2,725,000** for pain and suffering, loss of dignity and humiliation suffered during his nursing home stay.



## Pursuant to Florida Elders Bill of Rights (Florida Statutes §400), the nursing home patient/resident is entitled to bring an action for violation of the following:

- A written statement from the facility regarding the rights and responsibilities possessed by each resident;
- civil and religious liberty;
- private and uncensored communication;
- present grievances without fear of reprisal;
- privacy in treatment and caring for personal needs;
- adequate and appropriate health care, and protective and support services;
- refuse medication or treatment;
- freedom of choice in selecting a physician;
- be free from mental and physical abuse, corporal punishment, extended involuntary seclusion and restraint.

The above is a partial list of rights held inviolate under Florida Law. See *Beverly Enterprises-Florida, Inc. v. Spillman*, 661 So.2d 867 (5th DCA 1995).



## Recent Developments

Congratulations to **Steve Kozlowski** on his appointment to serve on the City of Miami Beach Police Review Board.

**LLRM** welcomes **Patricia Kennedy**, senior trial attorney. Pat joins us after a successful career as a partner at Steel, Hector & Davis. She will focus on complex commercial and plaintiff's class action litigation.

## \$1,125,000 Fort Myers Verdict

Congratulations to Partner **Maria Rubio** who continues her efforts and dedication to the rights of Florida consumers. Maria recently won a verdict of **\$1,125,000** on behalf of Margaret Reich who was seriously injured in an automobile accident. She has now filed an excess bad faith case against the insurance company. *Reich v. Fields*, Lee County, Florida.

## In Memory of Marjory Stoneman Douglas



We wish to recognize the lifetime achievement of environmental champion **Marjory Stoneman Douglas** who recently passed away at age 108. Ms. Douglas was a woman of exemplified dignity and dedication to our community.