

Proving Nursing Home Injury or Abuse

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Unfortunately, the same place where we seek refuge for our seniors is sometimes where they suffer abuse and neglect. Often, the mistreatment or neglect meted on our beloved ones by caregivers and other staff in the nursing homes we chose can leave them suffering mentally, physically, emotionally and even financially. The Center for Disease Control and Prevention estimates that nursing homes and skilled nursing facilities house over 4 million people per year. A significant percentage are elder individuals brought for specialized care away from home. Assisted Living Federation of America reports that the probability of a senior's death increases by 300% three years after the abuse, and only 1 in 6 victims of abuse at nursing home reports the abuse.

If you see signs that a loved one has suffered injury, neglect, or abuse in a nursing home, it's vital that you report it appropriately, and contact a California nursing home attorney immediately. For a free case evaluation, call Johnson Attorneys Group at 1-800-208-3538 today.



Behavioral and Physical Indicators of Elderly Abuse

- Delays between the occurrence of an injury and the time of according medical care
- Lack of or unconvincing explanations on how an injury occurred
- Strained relationships with caretakers and other staff
- Unexpected change attitude from the usual activities and social interactions the elderly enjoyed before the injury (abuse)

You can tell if your loved one has suffered abuse if there are visible;

- Burns
- Abrasions
- Physical bruises
- Bone fractures dislocated joints and more.

Proving Nursing Home Injury and Abuse Lawsuit at Trial

Proving injuries in a nursing home starts with providing evidence that the caretaker was either negligent or that he/she deliberately hurt the resident. Elderly individuals who suffer abuse and recklessness in a nursing home can claim damages so they can get compensated for the suffering they've had to persevere.

Special legal considerations apply when it comes to proving nursing home injuries. And your personal injury lawyer can prove each one of them. Johnson Attorneys Groups has a team of experienced nursing home injury and abuse lawyers ready to help you with your lawsuit. We will assist you in understanding the Californian injury and abuse laws.

The Specific Legal Considerations Include

- **Duty** – by accepting the elderly into the nursing home facility, you've entrusted the whole fraternity with the proper care of your loved one
- **Breach of duty** – reckless or failure to accord appropriate care to the older people entrusted to them as stipulated in the care contract.
- **Causation** – Neglect and abuse are what triggered the injury to the senior
- **Damages** – this involves the physical pain inflicted upon them due to the injuries. In short, it is the emotional and physical pain that results in mental suffering, loss of enjoyment of life and shortened life expectancy.

In most cases, except where the injuries are visible, it can be challenging to prove that a patient underwent abuse and neglect. That's because only the victims can provide answers to most queries. However, it can be difficult because the elderly suffer mental conditions such as dementia and other physical impairments that may hinder them from communicating effectively.

Bringing a lawsuit requires substantiating the claims through the provision of proof. Johnson Attorneys Group has experienced attorneys who'll help find to file a legal case.

We will help you present the following evidence:

- Medical records
- Witnesses
- Notes of physical and emotional damages to the resident
- Proof of injuries such as photos of bruises

- Proof of negligence
- Summary notes on conversations with the resident or staff
- Any other documentation supporting the abuse and neglect claim

Filing a Lawsuit for a Nursing Home Injury and Abuse

The first thing to do is to file a complaint or petition with the local or state court clerk. Upon filing the lawsuit, then the nursing home has to respond by handing in similar papers with your chosen court. These ushers in a period known as a discovery that involves the exchange of the documents and during which the witnesses testify. In case a resolution outside the court hits a dead end, the case can go through a trial.

Individuals That May Be Mentioned in a Lawsuit:

- Nurses
- Nursing Assistants
- The Nursing Home
- Doctors
- Activity Coordinators
- The Management
- Patient Administrators
- Activity Coordinators
- Physical Therapists
- Providers of Medical Equipment
- Third Parties

Settling a Nursing Home Neglect, Injury and Abuse Case

Once the damages due to negligence and abuse claims have been confirmed, the resident has to be compensated for the physical, mental & emotional pain and suffering. Besides, the victim qualifies for compensation for the resulting medical treatment and therapy. Personal injury lawyers will help to prove emotional distress, pain, and suffering in a court of law for the damages to be paid.

Johnson Attorneys Group Can Help! Contact us for a Free Case Evaluation

Do you know an elderly individual who has suffered a nursing home injury and abuse that has left him or her suffering? You need an experienced personal injury lawyer who can handle your injury or abuse case.

Our California nursing home injury and abuse lawyers have recovered over \$98.4 million for our clients in the recent past. Johnson Attorneys Group has a team of lawyers who'll walk

with you until you get compensation for the neglect and mistreatment of your loved one. We do not charge any legal fees until we have won and settled the case. For a complimentary case evaluation, calls us today 1-800-208-3538.