

Chapter 7

HOW TO COMPLAIN WHEN QUALITY OF CARE IS LACKING

If you have concerns about your rights or care in a nursing home, go first to the nurse in charge of your unit. If the problem is so urgent that your health or life is at stake, then by all means contact the director of nursing, administrator, or the medical director. Michigan nursing homes are required to post the name, title, location, and telephone number of an individual in the nursing home responsible for receiving complaints and conducting complaint investigations. Someone in the nursing home should be on duty 24 hours a day, 7 days a week to respond to complaints.

If the nursing home doesn't seem to take your complaint seriously or if you are afraid to complain to the home, it's best to contact the Michigan Department of Community Health, Bureau of Health Systems, Division of Operations, Complaint Investigation Unit, PO Box 30664, 611 W. Ottawa Street, Lansing, MI, 48909, or call the Hotline toll free at (800) 882-6006, or use an online complaint form at www.michigan.gov/bhs.

You can also complain to the State of Michigan Long Term Care (LTC) Ombudsman. The LTC Ombudsman is an employee of the Michigan Office of Services for the Aging who is available at www.michigan.gov/miseniors or toll free at (866) 485-9393 to investigate complaints, suggest remedies, and assist with resident rights, payments, issues, guardianship, and nursing home placement. Your complaint will be kept confidential.

Residents and their families can be extremely helpful to all the residents of a nursing facility by reporting specific incidents to state or county authorities. Your complaint helps assure better care for everyone.

Patient Abuse

Allegations of patient abuse are few, perhaps because residents often fear retaliation if they do complain. Abuse includes hitting and pushing, sexual assault, theft of funds or property, and other actions causing physical pain or injury to a nursing home resident. Neglect includes the failure to provide the resident adequate food, clothing, toileting, medical treatment, supervision, or other necessary help with the resident's needs.

Family members and friends are often the first to discover that a nursing home resident has been physically abused or neglected. In Michigan, physical abuse and neglect of nursing home residents is a crime. When abuse is suspected, families should immediately call the local police and the nursing home administrator. They should also consider calling:

- 1) Michigan Department of Community Health/Bureau of Health Systems at (800) 882-6006
- 2) State of Michigan Long Term Care Ombudsman at (866) 485-9393
- 3) Health Care Fraud Division of the Attorney General's Office at (800) 242-2873; and
- 4) Citizens for Better Care at (800) 292-7852.

The nursing home should notify the Michigan Department of Community Health and the local ombudsman. The nursing home should also take the steps necessary to prevent any further abuse from occurring. If abuse is found, any employee involved may also be referred to the appropriate licensing board for possible disciplinary action.

What Family and Friends Can Do To Ensure Quality Care

Family members and friends can contribute to the quality of care at a nursing home by visiting often. By visiting frequently and at various times of day, family members and friends can monitor the quality of care you receive. As a result, nurses and aides may actually pay more attention to you than to those residents whose families and friends visit the home less frequently