

Nursing Home Reform Act. Because of a previous history of inadequate care, in the late 1980's Congress passed laws which outline the minimum standards for health, safety, and resident rights in nursing homes. Chances are you will be surprised and pleased to learn all of your rights...but it is necessary that you take the time to do so. If you would like, contact us and we can send you further information on your rights as a nursing home resident.

**9. Is there someone who can help me with all of this?**

You can get help from many professionals...Elder Law attorneys, geriatric care managers, or social workers. Be sure to deal with a professional who understands the broad range of issues that arise when you or a loved one goes into a nursing home. For instance, at The Elder Care Law Firm, PLLC, we're dedicated to helping you find the right nursing home, getting the best care they can provide, and showing you how to pay for it without going broke.

**We offer a variety of services to provide for your individual needs. Whether it is giving you the most basic educational information or providing comprehensive legal services such as review of admissions agreements and care plans all the way through "length of stay" representation, The Elder Care Law Firm can be of service to you. You choose what, if any help you want and we price our fees accordingly. We will always tell you up front exactly what your cost will be.**

## **The Elder Care Law Firm, PLLC**

**Jason B. Sutton, Attorney at Law**

*Concentrating in Elder Law  
Estate & Trust Administration • Guardianship  
Health Care Issues & Decisions • Wills & Trusts  
Probate Avoidance • Estate Planning  
Asset Preservation • Medicaid Planning  
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MEMBER National Academy of Elder Law Attorneys  
Certified Senior Advisor, Certified Estate Planning Professional,  
Certified in Long Term Care

*Serving Seniors Throughout  
North Carolina*

## **The 9 Questions You Must Ask If You or a Loved One Is Going Into a Nursing Home**



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The decision to place yourself or a family member into a nursing home is one of the most difficult decisions you may ever be asked to make. That's why it is important, if that time comes, to have a plan and to know what questions to ask.

In a perfect world, you would have plenty of time to visit the nursing homes, talk to the residents, meet the care staff, sample the food and so on. Unfortunately, we do not live in a perfect world. Often decisions have to be made quickly and without a lot of information.

**Our Mission at The Elder Care Law Firm, PLLC is to Help Our Clients...**

- Find the right nursing home
- Get the best care possible
- Pay for it without going broke

In order to accomplish all of this, we use a systematic approach to learn about you, your wants, needs, and preferences. Once we have gathered sufficient information, then we are able to rank virtually every nursing home in North Carolina (based on federal and state investigation reports and other data) to find the nursing homes which can meet your needs.

First, you need to know what questions to ask to make an informed choice. Here are some of the basic things to consider:

**1. Is a nursing home necessary or are there alternatives?**

In my entire practice as an Elder Law attorney, I have never once had a client say they were looking forward to going into a nursing home. Often there are alternatives that people simply do not know about. Talk to your physician, social workers, and other professionals to see if there are assisted living care facilities, home health care agencies or other alternatives for you.

**2. If a nursing home is the best choice for care, how do I find the "right" nursing home?**

Ask for recommendations from friends and professionals. Shop around. Personally visit each nursing home you are considering (make unannounced visits).

**3. Once I find the right nursing home, how can I get in?**

Surviving the admissions process is not always easy. Be up front with the nursing home admissions director, be prepared to tell them all about your situation, including your finances, and be prepared to negotiate.

**4. Who will pay for my care...me, Medicare or Medicaid?**

Again, it depends upon your personal situation and knowledge of this difficult area of the law. You also have to be sure to take advantage of the special safeguards available for you. A

good Elder Law attorney can help you through this entire process.

**5. Can they make my kids pay for my care?**

Not if you handle the admissions process properly. Just be careful not to sign everything that's put in front of you without a thorough understanding of all the documents.

**6. Once I get in, how can I make sure I will receive the best care while I am there?**

The key is to have a proper care plan in place. That is a plan developed by the nursing home staff professionals (and you) to determine exactly what kind of care they will provide for you. Putting a proper care plan in place is perhaps the most important step you can take...the care plan is part of your contract. If you feel you cannot be the best advocate for yourself, then it is important to get help from an Elder Law attorney, a geriatric care manager or another health professional.

**7. Can I be moved around the facility, from room to room, once I'm admitted?**

There are several safeguards for you under Federal and state law. Oftentimes, people are moved without proper notice, and even without proper authority. Spend some time learning about your rights as a resident, or work with someone who will be an advocate for you.

**8. What are the nursing home's duties to me?**

Ask them for a copy of their duties under the

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