ASSISTED LIVING FACILITIES vs. NURSING HOMES: Choosing the Correct Level of Care

Most of us will inevitably face one of life’s most difficult decisions – making care arrangements for an elderly parent or loved one who is no longer able to live independently due to dementia, recent stroke or sudden trauma. Some of us have pledged never to place that person in a nursing home because of the belief that nursing homes deliver inadequate care.

As an attorney who exclusively represents the victims of institutional neglect and abuse, I will tell you that such beliefs are justified in many instances. I have represented many nursing home residents who suffered severe, avoidable injuries or unnecessarily died as a consequence of neglect in nursing homes. However, it is crucial to recognize that some alternatives to nursing home are equally dangerous, yet underappreciated.

In particular, many families place their loved ones in assisted living facilities (also known as personal care homes). Such facilities often advertise their abilities to care for persons with Alzheimer’s disease, perhaps even offering dedicated “locked” units to minimize the risk of injury from elopement. Assisted living facilities have grown in prominence as the “anti-nursing home” by offering beautiful facilities with aesthetically pleasing interiors and carefully manicured lawns. Their curb appeal is undeniable. Assisted living facilities are allowed to accept many Alzheimer’s residents who retain much of their functional abilities to eat, dress, toilet, walk and bathe even as their ability to do such things safely without supervision erodes due to the dementia.

In Pennsylvania, assisted living facilities are licensed and regulated by the state government as personal care homes, not as nursing homes. The laws and regulations applicable to personal care homes impose fewer duties upon assisted living facilities than are otherwise imposed on nursing homes. As but one consequence, assisted living facilities are able to satisfy their regulatory obligations while offering their residents fewer, less skilled care staff than nursing homes are required to provide.

The safe supervision of dementia residents requires more than a pretty exterior and a locked unit. It requires adequate numbers of skilled care givers trained to appreciate, recognize and react to daily dangers that arise from mundane activities, such as walking, eating, dressing, bathing and toileting. When the times comes for you to select a long-tern placement for your loved one, make sure that the type and classification of the facility you select can safely meet the care needs of your loved one.

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Ronald Lebovits, a 1992 graduate of Temple University School of Law, is a Partner in the Law Firm of Zarwin, Baum, DeVito, Kaplan, Schaefer & Toddy where he heads the Nursing Home Litigation Division. Licensed in Pennsylvania, New Jersey and California, Mr. Lebovits has represented victims of institutional elder abuse and neglect since 1998. Mr. Lebovits can be reached at his office located at 1818 Market Street, 13th Floor, Philadelphia, PA 19103. His telephone number is 215/569-2800, extension 1104.