DUTIES OF THE NURSING HOME

The Nursing Homes owe the following duties to their residents and must:

- Promote care for residents in a manner and in an environment that maintains or enhances each resident’s dignity and respect in full recognition of his or her individuality;

- Provide the necessary care and services to attain or maintain the highest practicable physical, mental, and psychosocial well-being, in accordance with the comprehensive assessment and plan of care;

- Ensure that a resident’s abilities in activities of daily living (bathing, dressing, grooming, walking, eating, etc.) do not diminish unless circumstances of the resident’s clinical condition demonstrate that diminution was unavoidable;

- Ensure that a resident who enters the facility without pressure sores does not develop pressure sores unless the resident’s clinical condition demonstrates that they were unavoidable as well as ensure that a resident having pressure sores receives necessary treatment and services to promote healing, prevent infection and prevent new sores from developing;

- Ensure that each resident receives adequate supervision and assistance devices to prevent accidents;

- Provide each resident with a nourishing, palatable, well-balanced diet that meets the daily nutritional and special dietary needs of each resident and ensure that a resident maintains acceptable parameters of nutritional status, such as body weight and protein stores, unless the resident’s clinical condition demonstrates that this is not possible;

- Provide each resident with sufficient fluid intake to maintain proper hydration and health;

- Ensure that each resident’s drug regimen must be free from unnecessary drugs. (An unnecessary drug is any drug when used: in excessive does; for excessive duration; without adequate monitoring; without adequate indications for its use; or in the presence of adverse consequences which indicate the dose should be reduced or discontinued).

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This list of Nursing Home Duties was prepared by Ronald Lebovits, Esquire. The Nursing Home Duties listed above are found in Title 42 of the Code of Federal Regulations, Section 483, and are not intended to constitute a complete or exhaustive list. Mr. Lebovits, a 1992 graduate of Temple University School of Law, is head of the Nursing Home Litigation Division of Zarwin, Baum, DeVito, Kaplan, Schaefer & Todd. Licensed in Pennsylvania, New Jersey and California, Mr. Lebovits represents victims of institutional elder abuse and neglect. 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