



Legal Matters

Vehicle Accidents

Medical Malpractice

Daycare Abuse

Nursing Home Negligence

Birth Injury

Product Liability



Respecting Your Elders

Tips for keeping your loved ones safe in nursing homes

I take great pride in fighting for those who have been taken advantage of and who have fallen victim to the negligence, malpractice and even sometimes malice of others.

Since starting my own practice, I have heard thousands of heart-wrenching stories from thousands of different families. Stories of medical malpractice, wrongful death, birth injuries- the list is long.

But, one of the most heart breaking areas that I practice in is for nursing home abuse and negligence.

If you aren't familiar or aware of this epidemic sweeping the nation, you should be.

As Baby Boomers begin to age into their twilight together, more and more families are relying on nursing homes and other nursing facilities to take care of their loved ones. As demand for nursing homes and elder care has risen, so has the opportunity for a myriad of physical, emotional sexual abuse, and financial exploitation.

Some of the things I have heard would rip your heart out.

We hear stories from families of their parents and grandparents being beaten, stolen from, and neglected to the point of contracture. These are just the tip of a horrible iceberg.

This is why I work tirelessly to educate



people about what signs of abuse to look for and what to do if they suspect abuse or neglect.

Some warning signs to watch for:

- Bedsores, especially advanced ones, are a sign of neglect
- Broken bones, burns, bruises, sprains or cuts that have no logical explanation may indicate a pattern of physical abuse
- Entrapment in bed rails or a fall from a bed should not happen in a supervised facility
- If the joints are frozen, it could mean that the resident was neglected and not moved
- Unexplained sexually transmitted diseases or torn, stained and bloody underclothing may be an indicator of sexual abuse

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Do Not Go in There!

Beware of dangerous daycare facilities

While we can help you file a case after the fact, it's best to spot an abusive facility before any damage is done. There are a few warning signs that you can keep in mind when you're looking at facilities to enroll your child in.

Some of these warning signs will require that you take a good look at the building, how the staff interacts with the children and, in some cases, that you ask some questions of the staff that may not be taken all that well but that are necessary, nonetheless.

Look for the following when inspecting the facility:

- Is the building lay out generally open, i.e., no hidden places where children can be isolated
- Does the staff work together or are they all working alone with different groups of children
- Are all the entrances and exits monitored?
- Is there a sign-in sheet at the front door?
- Were you asked for ID when you came in?
- Is there safety equipment—fire extinguishers, etc—clearly visible?

The answers to all of these questions should be “yes”.

One of the warning signs of daycare negligence is a facility that isn't up to standards. It should be comfortable, well-lit, well-monitored and absent of any places where children can be isolated by an adult. This removes the opportunity for abusers to find a place to take children, or to at least be out of the sight of other daycare workers.

Check the entire facility for this, including the bathrooms, and inquire as to how much supervision the workers are given when they're working with the children.

One of the most hazardous situations is when a daycare facility fails to properly background check their employees. Make sure you ask if bus drivers, maintenance staff and administrative employees are checked for criminal histories.

Be proactive and ask questions. As always, education is your best defense.

Watching Out for the Other Guy

Tips for avoiding dangerous drivers

Any attorney can tell you of stories of clients who knew something was wrong with the driver who injured them before it happened. There are plenty of times when people are on the road and can tell that another driver is dangerous.

Sometimes it's obvious that they're drunk. They may be swerving, driving way too slow or too fast and so forth. In other cases, it's just obvious that they're not paying attention and that an accident is inevitable. There are some ways you can avoid these drivers.

Here are a few things to watch out for:

- If someone speeds up to a stop sign or stop light you're approaching, assume they're going to go through it. Never count on their brakes or their brains.
- Watch out for drivers who are rummaging around the seat or glove box. They don't see you.
- If a driver is obviously intoxicated, get out of their way. Pass if you have to or back off. Call the police if you can.
- Don't make obscene gestures or yell at other drivers. Everyone on the road is armed with a multi-ton battering ram.
- If someone is determined to prevent you from merging or entering another lane, don't fight with them. Just let them get ahead and away from you.
- If you're being tailgated, let the individual pass. Slow down to make it easy for them.
- If someone is trying to harass you by tailgating, don't speed up to accommodate them. They'll just get even worse about it.
- Always turn off your directional after you turn. Not doing so means drivers behind you will ignore it if you turn again.
- Never go back to your home if you're being followed by an angry driver. Always go to a public place.
- If you are hit, call your attorney before you call the insurance company, always.

Respecting Your Elders (Cont'd from p. 1)

I think we are often too trusting when choosing a hospital or nursing home. Many times, we just assume that they are always looking out for our best interests. Sadly, that is not always the case. This false sense of security can sometimes contribute to and increase the chance of malpractice, abuse and neglect.

There is an old saying, "an ounce of prevention is worth more than a pound of cure."

This is why it is so important to do your due diligence when vetting nursing homes. It is much better to spend your time choosing the most reputable and safe place for your loved one than to experience the alternative.

Always ask the following questions when looking for a nursing facility:

- What is the resident to staff ratio at your TX nursing home? What is the registered nurse to resident ratio? Is there a doctor on call at all times?
- What are the requirements to become a staff member here, and what kind of training do staff members receive?
- What do your nursing home residents do in between scheduled activities?
- What precautions do you take to ensure that your residents receive their proper medications at the proper time and in the proper amounts?
- What precautions do you take against nursing home elopement?
- Does my loved one's family get to participate in creating his or her care plan?
- What is your policy on using physical restraints?
- Are patients with dementia separated from other patients? Are staff members trained to

work with those with dementia?

- What is your nursing home's emergency response plan?
- Has your nursing home ever been investigated for nursing home abuse or nursing home neglect? If so, what were the circumstances and what was your home's response?
- How do you decide when to inform a family member of a change in my loved one's condition or behavior?

If you have suspected that your loved one is a victim, immediately take steps to protect them and hold those responsible accountable for their actions.

Our elderly deserve to live out the end of their lives comfortably, let us all do our part to put an end to this horrifying epidemic.

Do you want to learn more?

If you would like to learn more about choosing a nursing home, the rights of nursing home occupants and what you and your loved ones should do in the awful event of nursing home abuse, or neglect, visit www.jrlawfirm.com/getfreereport.cfm.

There you will find all of our free books and reports, including **Nursing Home Bill of Rights** and **Warning signs of Nursing Home Neglect and Abuse**.



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BEST D Congratulations Jeff!

For the seventh consecutive year, managing partner and founder of the Rasansky Law Firm, Jeff Rasansky, has been recognized by D Magazine as one of Dallas' Best Lawyers.

Obviously, it's an honor anytime you are considered as one of the best at what you do, but I feel that it is more of a testament to the whole firm and our willingness to go the extra mile to make our clients feel part of a family.

Awards are always nice, but all the name recognition in the world won't get our clients a win in the courtroom; that's why our firm is prepared to take every single case to trial, regardless of size. When faced with a skilled and prepared attorney, you'd be amazed at how quickly [companies] alter their strategy to avoid stepping in front of 12 of their peers.

- Jeff



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