



**How to recognize
and report
patient abuse
and neglect**

PROTECTING ★ THE ★ UNPROTECTED

Patient Abuse and Neglect



Ohio Attorney General Dave Yost's office investigates patient abuse, patient neglect and other crimes — including theft — committed against residents of Ohio's long-term-care facilities. You can help protect these residents by reporting suspected problems.



DAVE YOST
OHIO ATTORNEY GENERAL

After investigations by the Medicaid Fraud Control Unit:

- 1** A nurse at a Summit County nursing facility was sentenced to up to three years in prison (suspended) and three years of community control for involuntary manslaughter after a patient wandered away from the facility undetected and died of hypothermia.
- 2** A St. Clairsville lawyer who served as power of attorney for a 92-year-old dementia patient at a long-term-care facility was sentenced to 60 months in prison for using his legal authority to steal \$882,000 from her accounts for his personal use. He also had his law license revoked.
- 3** An aide at a long-term-care facility in Muskingum County was sentenced to four years in prison for stealing more than \$8,000 from three residents. She wrote checks to herself from their bank accounts and used their debit cards to buy retail items for herself.
- 4** A nursing assistant at an Ottawa County care facility was sentenced to up to 18 months in prison (suspended), three years of community control and 30 days in a detention facility for slapping the face of a wheelchair-bound, non-verbal resident three times.
- 5** The business office manager at a Jackson County nursing facility was sentenced to four years in prison (suspended) and five years of community control for scheming to steal money from residents' accounts to which she had access. She also was ordered to pay \$21,634 in restitution.

When Ohio families entrust loved ones to long-term-care facilities, they expect them to receive the best care possible. In many cases, patients are completely dependent on the staff of the facility where they live.

Most facilities provide exemplary care. Yet abuse, neglect and other serious crimes do happen.

Ohio Attorney General Dave Yost protects residents through the Medicaid Fraud Control Unit, which has been recognized by the U.S. Department of Health and Human Services as one of the most successful of its kind in the country. Staff members investigate allegations of patient abuse, neglect and financial exploitation, and work with local prosecutors to bring offenders to justice.

If you have knowledge of a patient who is the victim of abuse, neglect or financial exploitation, please contact the Ohio Attorney General's Office.

TO MAKE A REPORT:

- » Call 614-466-0722 or 800-282-0515.
- » Send a fax to 877-527-1305.
- » Visit www.OhioAttorneyGeneral.gov/ReportPatientAbuse.



The Medicaid Fraud Control Unit works to protect facility residents

Federal law authorizes Medicaid Fraud Control Units to investigate allegations of fraud involving the Medicaid program as well as crimes committed against the residents of care facilities throughout Ohio. MFCUs operate in each of the 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands.

In 1978, the General Assembly authorized the Ohio attorney general to create and oversee the Ohio Medicaid Fraud Control Unit. Ohio Revised Code Sections 109.85 and 109.86 grant the unit original criminal jurisdiction to investigate and prosecute Medicaid fraud statewide and empower it to investigate allegations of patient abuse and neglect and theft from patients in Ohio's long-term-care facilities. The unit's staff of more than 100 includes special agents, analysts, nurses and prosecuting attorneys.

In the five years from 2019 through 2023, the unit has:

- Handled 5,016 complaints.
- Posted 999 indictments.
- Secured 955 convictions.
- Negotiated 173 civil settlements.
- Recovered more than \$190 million in restitution and penalties.

What constitutes patient abuse and neglect?

Ohio law:

- Makes it a crime for anyone who owns, operates or administers a care facility, or anyone who is employed by or an agent of such a facility, to abuse or neglect a resident.
- Defines such facilities as nursing homes, group homes, residential-care facilities, assisted-living facilities, adult-care facilities and hospital long-term-care units.
- Defines “abuse” as “knowingly causing physical harm or recklessly causing serious physical harm” to a person through physical contact or the inappropriate use of physical or chemical restraint, medication or isolation.
- Prohibits staff members at care facilities from using restraint, medication or isolation to punish a patient or as a convenience for the staff. Staff members also cannot use such approaches in excess, as a substitute for treatment or in quantities that hinder habilitation or treatment.
- Defines “neglect” as recklessly failing to provide a person with any treatment, care, goods or services necessary to maintain health or safety, resulting in serious physical harm to the patient.

» The Medicaid Fraud Control Unit also investigates allegations of financial exploitation involving residents of long-term-care facilities. When elderly or disabled adults are victimized, Ohio law allows for stiffer penalties for offenses such as forgery, misuse of credit cards, theft and unauthorized use of property.



Additional Resources

For more information regarding nursing homes and long-term care, visit:

- www.OhioAttorneyGeneral.gov
- www.odh.ohio.gov
- www.aging.ohio.gov/ombudsman
- www.medicare.gov/NHCompare



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Medicaid Fraud Control Unit
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614-466-0722

**Attorney General's Help Center
800-282-0515**

To report patient abuse, neglect or
financial exploitation, visit
**[www.OhioAttorneyGeneral.gov/
ReportPatientAbuse](http://www.OhioAttorneyGeneral.gov/ReportPatientAbuse)**.