

## Examples of successful cases

### Case #1

When an elderly resident of a Cuyahoga County nursing facility called a nurse aide names and used profanity, the aide struck the woman repeatedly in the head and face. An Ohio Medicaid Fraud Control Unit investigation resulted in criminal charges, and the aide subsequently fled the state. Following her extradition, the aide was convicted of felony patient abuse and misdemeanor aggravated menacing. She was sentenced to six months in prison and three years of community control.

### Case #2

A Medicaid Fraud Control Unit investigation revealed that the business manager of an Urbana nursing facility misappropriated several checks residents wrote for services and embezzled other residents' Social Security payments. She pleaded guilty to a felony charge of aggravated theft and was sentenced to two years in prison and ordered to make restitution of more than \$102,000.

### Case #3

When cash and gift cards belonging to residents of a Washington County nursing home were reported missing, the Ohio Medicaid Fraud Control Unit was asked to investigate. The investigation determined a nurse aide was responsible, and criminal charges were filed. The aide was convicted of felony theft. He was sentenced to 60 days in jail and five years of community control and was ordered to make full restitution to the victims.

## Additional resources

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

- [www.OhioAttorneyGeneral.gov](http://www.OhioAttorneyGeneral.gov)
- [www.odh.ohio.gov](http://www.odh.ohio.gov)
- [www.ltcoho.org](http://www.ltcoho.org)
- [www.aging.ohio.gov](http://www.aging.ohio.gov)
- [www.medicare.gov/NHCompare](http://www.medicare.gov/NHCompare)

Ohio Attorney General's Office  
Health Care Fraud Section  
Medicaid Fraud Control Unit  
150 E. Gay St., 17th Floor  
Columbus, OH 43215  
**614-466-0722**

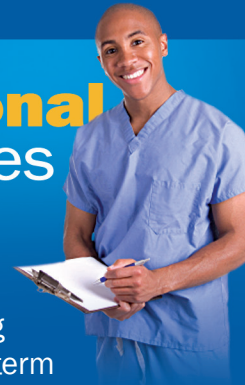
**Attorney General's Help Center**  
**800-282-0515**

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



**MIKE DEWINE**  
OHIO ATTORNEY GENERAL

[www.OhioAttorneyGeneral.gov](http://www.OhioAttorneyGeneral.gov)



*Protecting Ohio's Families*

## Recognize and report patient abuse and neglect

Ohio Attorney General Mike DeWine's office investigates patient abuse and neglect in long-term care facilities. You can help protect residents by reporting suspected abuse and neglect.



# Patient Abuse and Neglect



**MIKE DEWINE**  
OHIO ATTORNEY GENERAL

## When Ohio

**families** entrust their loved ones to a long-term care facility, they expect them to receive the best care possible. In many cases, patients are completely dependent on the staff of the facility where they reside.



Most facilities provide exemplary care. However, serious crimes of abuse and neglect do occur.

Ohio Attorney General Mike DeWine protects these residents through his office's Medicaid Fraud Control Unit, which the U.S. Department of Health and Human Services singled out in 2011 as the No. 1 unit of its kind nationwide. Staff members investigate allegations of patient abuse and neglect and prosecute those responsible.

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

### To make a report:

- Call **614-466-0722** or **800-282-0515**
- Send a fax to **614-644-9973**
- Visit **[www.OhioAttorneyGeneral.gov/ReportPatientAbuse](http://www.OhioAttorneyGeneral.gov/ReportPatientAbuse)**

## The responsibilities of the Medicaid Fraud Control Unit

Federal law authorizes Medicaid Fraud Control Units to investigate allegations of abuse and neglect involving residents of long-term care facilities. Forty-nine states and the District of Columbia have such units, and each is subject to annual recertification by the U.S. Department of Health and Human Services. The unit also investigates and prosecutes Medicaid fraud.

The Ohio General Assembly authorized the Attorney General to create and oversee the Ohio Medicaid Fraud Control Unit in 1978. Ohio Revised Code Sections 109.85 and 109.86 grant the unit original criminal jurisdiction in the investigation and prosecution of Medicaid fraud statewide and empower it to investigate allegations of patient abuse and neglect in Ohio's long-term care facilities. The unit's staff of more than 60 includes special agents, analysts, and attorneys.



In the past five years, the Medicaid Fraud Control Unit has:

- Investigated nearly 3,200 complaints of Medicaid fraud and patient abuse and neglect
- Generated 553 criminal indictments
- Secured 475 criminal convictions and 133 civil settlements
- Recovered \$279.9 million in criminal restitution and civil settlements

## What constitutes patient abuse and neglect?

- ✓ Ohio law makes it a crime for anyone who owns, operates, administers, is employed by, or is an agent of a care facility to abuse or neglect a resident of that facility.
- ✓ Such facilities include nursing homes, group homes, residential care facilities, assisted living facilities, adult care facilities, and hospital long-term care units.
- ✓ Under state law, "abuse" includes "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.
- ✓ Care facility staff cannot use restraint, medication, or isolation to punish a patient or for staff convenience. They also cannot use it in excess, as a substitute for treatment, or in quantities that hinder habilitation or treatment.
- ✓ Ohio law 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 theft, unauthorized use of property, misuse of credit cards, and forgery.