Solving Nursing Home Problems-Sources Outside the Facility that Can Help

If you cannot solve the problems by working with nursing home staff, you can make a complaint directly to the State Department of Health. You can also make a complaint through a third party like an Ombudsman. See below for more information about these sources of help.

In almost all cases, complaints should go first to someone in charge at the nursing home (the administrator, head nurse, etc.). In fact, most outside agencies will take the complaint more seriously if you can show you have already tried to fix the problem through the nursing home.

There are some complaints, however, which should go directly to an outside source. A person with knowledge of physical abuse, neglect, or exploitation of a resident must report it to an Adult Protective Services Unit or to a local law enforcement agency. See below for more information about Adult Protective Services.

Here are outside agencies that may be able to help:

**Indiana State Department of Health**

The State Department of Health is responsible for making sure that state and federal requirements are followed. Complaints about resident care, diet, conditions in the nursing home, and residents’ rights can be made to the State Department of Health. The complaint should be as specific as possible, telling *what* happened, to *whom* it happened, *who* did it, *when* it happened, and *where* it happened.

The complaint should also say whether the complainant and resident are willing to have their names used and other special considerations, and how you can be reached for further information. The depth of the investigation will depend greatly on the seriousness of the problem and the degree of detail given about the problem.

Complaints should be directed to:

**Indiana State Department of Health**
Division of Long Term Care
Within 7-10 days after you report the complaint, you will receive a letter from the State Department of Health verifying that they have received the complaint and will investigate it. The State Department of Health will investigate more serious claims more quickly. After the investigation is completed, you will be informed in writing of the results.

In addition to investigating complaints, the State Department of Health will also conduct an annual survey in each facility. Extended surveys will be conducted if the standard survey indicates substandard care. See Surveys in the Nursing Home for more information.

You can also file the complaint online using the forms you find here.

**Nursing Home Ombudsman Program**

Ombudsman is a Swedish word that means:"citizen representative." A nursing home ombudsman is a representative for residents. Ombudsmen can:

- Investigate and try to solve complaints about nursing home care that affect the health, welfare or quality of life of a nursing home resident.
- Protect the rights of residents.
- Help residents assert their rights.
- Work to insure quality care and treatment of residents.
- Answer questions and provide information about nursing home care and related services.
- Educate residents, families, staff, and community about nursing home residents rights.

Anyone can contact the ombudsman program for assistance. However, the resident will be consulted and the resident will direct the actions of the ombudsman.

**Adult Protective Services**

Under Indiana law, it is a crime to physically abuse, neglect, or exploit an endangered adult or a dependent, or to threaten the endangered adult with abuse, neglect, or exploitation. It is also a crime for someone to fail to report known or suspected abuse, neglect, or exploitation.

An endangered adult is a person at least eighteen years old who cannot manage property or take care of his or her own needs because of some incapacity resulting from infirmity, senility, old age, insanity, mental illness, mental retardation, habitual drunkenness, or drug abuse, and who is harmed or threatened with harm from neglect or battery, or exploitation of personal services or property. Dependent includes an adult who is mentally or physically disabled.

Here is a link to the Indiana Adult Protective Services.
You can reach Adult Protective Services at **1-800-992-6978**.

**Medicaid Fraud Control Unit**

The Medicaid Fraud Control Unit in the Indiana Attorney General’s office investigates complaints in Medicaid certified facilities. The complaint does not have to involve a Medicaid resident. You can reach this Unit by clicking [here](#).

The Medicaid Fraud Control Unit will investigate any type of complaint against a provider, including substitution of drugs, billing for services not performed, abuse, neglect, overbilling, and theft of funds.

**Veterans Administration**

If you have been placed in the nursing home through the Veterans Administration or are receiving Veterans benefits, you can contact the Social Work Services at the nearest VA hospital. The social work service department of the Veterans Hospital in Indianapolis can be reached at 1781 West 10th Street, 317-988-4619. Or, you can click [here](#) to get to the VA Social Work webpage.

**Protection and Advocacy**

Residents who are developmentally disabled or family or friends of these residents can receive help from Protection and Advocacy services at:

Indiana Protection and Advocacy Services  
4701 N. Keystone Ave., Suite 222  
Indianapolis, Indiana 46205

Telephone and contact numbers are:

For services in Indianapolis and South, contact Dann Ward at 1-800-622-4845, ext. 460, or e-mail him at dward@ipas.IN.gov.

For services in Northern Indiana, contact Debbie Dulla at 1-800-622-4845, ext. 444, or e-mail her at ddulla@ipas.IN.gov.

For general information about IPAS, contact Karen Pedevilla, Education and Training Director, at 1-800-622-4845, ext. 452, or e-mail her at kpedevilla@ipas.IN.gov.

For information regarding the website, contact Anthony Liggins at 1-800-622-4845, ext. 450, or e-mail him at aliggins@ipas.IN.gov.

TTY at 1-800-838-1131

Protection and Advocacy services are available statewide.
Postal Inspectors

A complaint can be made to the enforcement arm of the United States Post Office if a nursing home interferes with your mail. The telephone number is 1-877-876-2455.

Legal Services Programs

Indiana has various legal services programs that provide free legal advice and representation to persons with low incomes. If the client is eligible, there is no lawyer's fee. However, the client may have to pay court filing fees and other costs for the case. Many programs have special projects for persons over the age of sixty. These projects do not have the same income and resource eligibility requirements as do the regular legal services programs. To search for legal services programs in your areas Find Legal Help.

Private Attorneys

Many lawyers will take cases on a "contingency fee" basis. For instance, if you have been injured because of something the staff of the nursing home did or did not do, a private lawyer may take the case and get attorney fees out of the money you win, if you win the case. In addition, some local bar associations may have panels of private attorneys who will perform routine legal services free of charge if the client has a low income. The county bar association can provide information on the availability of these services.

The Indiana Health Care Association

The Indiana Health Care Association is an organization of for-profit nursing homes. The Association will investigate complaints it receives about resident care and rights in facilities that belong to the Association. Complaints should be directed to: Indiana Health Care Association, One North Capitol, Suite 100, Indianapolis, IN 46204, or you may call 800-466-IHCA.

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