



*Empower Seniors. Change Communities.*

## **Where to Turn When There is a Nursing Home Concern**

The goal of this document is to provide nursing home (rehabilitation facility) residents and their supporters with avenues to turn when there is an unresolved concern at the facility. There various resources for residents to turn when there is an unresolved concern at a nursing home. Three main resources are:

	<b>NYS DOH</b>	<b>NYS LTCOP</b>	<b>NYS Attorney General</b>
<b>Role</b>	Investigates complaints/incidents in nursing homes; has the ability to issue citations and fines.	Nursing home (and adult care facility) resident advocacy program: inform, empower, advocate for the resident.	Investigates and prosecutes abuse and neglect of residents in nursing homes.
<b>How to Contact</b>	1-888-201-4563 <a href="https://www.health.ny.gov/facilities/nursing/complaints.htm">https://www.health.ny.gov/facilities/nursing/complaints.htm</a>	716-817-9222 (local) 1-855-582-6769 (state) <a href="https://ltcombudsman.ny.gov/">https://ltcombudsman.ny.gov/</a>	1-866-697-3444 <a href="https://ag.ny.gov/medicaid-fraud/contact">https://ag.ny.gov/medicaid-fraud/contact</a>

### **New York State Dept. of Health (DOH)**

DOH is the New York State agency responsible for investigating complaints and incidents for nursing homes in New York State which are related to Federal and/or State regulatory violation. All nursing home complaints and incidents are reviewed by DOH through its Centralized Complaint Intake Unit. The complaint is then triaged and investigated. Upon completion of the investigation, DOH will determine whether a facility has failed to meet the Federal and or Sate regulations (requirements). If a facility has failed to meet a requirement, DOH will issue a citation to the nursing home. Depending on the severity and scope of the violation, DOH will require a plan of correction from the facility and may issue a fine.

When preparing to file a complaint with DOH, it is encouraged that the resident (family/friend) keep track of date(s), staff involved, whether resident is harmed (physical and/or psychological) or has the potential to be harmed, and other information that is important to the complaint. Being organized and providing DOH with documentation should help with the DOH complaint process.

The above is for informational purposes only and does not constitute an attorney-client relationship, nor is it legal advice.

438 Main Street, Suite 1200 • Buffalo, NY 14202 • (716) 853-3087  
175 Walnut Street, Suite 1 • Lockport, NY 14094 • (716) 878-9297  
314 Central Avenue, Suite 201 • Dunkirk, NY 14048 • (716) 261-3275

[www.elderjusticenyc.org](http://www.elderjusticenyc.org)



There are two ways to file a complaint with DOH:

*1. Nursing Home Complaint Form*

The form may be filed online, emailed, faxed, or mailed:

[https://apps.health.ny.gov/nursing\\_homes/complaint\\_form/complain.action](https://apps.health.ny.gov/nursing_homes/complaint_form/complain.action)

*2. Nursing Home Complaint Hotline*

The Nursing Home Complaint Hotline can be called 24 hours per day, seven days per week. There will be a DOH staffer available Monday through Friday from 8:30 am to 4:45 pm to answer the hotline. For non-business hours, a voicemail may be left on the hotline. 1-888-201-4563.

**NYS Long Term Care Ombudsman Program**

The Ombudsman Program is an advocate and resource for older adults and persons with disabilities who live in nursing homes, assisted living, and other licensed adult care homes. Ombudsmen help residents understand and exercise their rights to good care in an environment that promotes and protects their dignity and quality of life.

The Ombudsman Program advocates for residents by investigating and resolving complaints made by or on behalf of residents; promoting the development of resident and family councils; and informing governmental agencies, providers and the general public about issues and concerns impacting residents of long-term care facilities.

To request Ombudsman Program assistance, call 716-817-9222 (Cattaraugus, Chautauqua, Erie, Niagara Counties) 1-855-582-6769 or visit <https://ltombudsman.ny.gov/> for additional information.

**NYS Attorney General-Medicaid Fraud Control Unit (MFCU)**

The MFCU is the only law enforcement agency in New York that specializes in investigating and prosecuting abuse and neglect of residents in care facilities. The MFCU's jurisdiction extends to all residential care facilities (such as nursing homes) regardless with the patient/resident is a Medicaid recipient.

To report resident abuse or neglect with the MFCU:

- Complete the MFCU Comment Form: <https://ag.ny.gov/comments-mfcu> ; or
- Call 1-866-697-3444

For additional information on the MFCU visit:

- <https://ag.ny.gov/sites/default/files/pdfs/publications/Residential%2520Care%2520Protecting%2520Patients%2520from%2520Abuse%2520and%2520Neglect%2520091808.pdf>
- <https://ag.ny.gov/medicaid-fraud/contact>

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