

## Examples of successful cases

### Case #1

An investigation by the Medicaid Fraud Control Unit led to the conviction of six individuals for their roles in the theft of money and jewelry from 20 residents at a Muskingum County assisted-living facility. The ringleader, an aide at the facility, stole jewelry from residents and sold it at a pawn shop and a jewelry store in Zanesville. She was convicted of 16 counts of theft from the elderly, and was sentenced to serve 17 months in prison. In addition, she was ordered to pay restitution of \$23,533 to the victims.

### Case #2

When an elderly resident of a Cleveland nursing home poured milk on an aide, the aide struck the resident in the mouth with such force that it split and bloodied her lip. An investigation by the Medicaid Fraud Control Unit led to criminal charges. The aide was convicted of patient abuse and assault, and received a six-month suspended sentence.

### Case #3

An investigation by the Medicaid Fraud Control Unit led to the conviction of a licensed practical nurse who, while working for a Perry County nursing home, stole more than 400 oxycodone tablets from the facility. The nurse was convicted of 11 counts of theft of a dangerous drug, and was sentenced to serve 30 days in jail, 60 days of house arrest, 100 hours of community service, and three years of probation.

## 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)
- [www.Ohioprotects.org](http://www.Ohioprotects.org)

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**

For more information or to report possible Medicaid fraud, visit  
[www.OhioAttorneyGeneral.gov/ReportPatientAbuse](http://www.OhioAttorneyGeneral.gov/ReportPatientAbuse).



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

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*Protecting Ohio's Families*

## Recognize and report patient abuse and neglect

The Ohio Attorney General's Office investigates crimes committed against the residents of the state's long-term care facilities. You can help by reporting suspected abuse, neglect, and financial exploitation.



# Patient Abuse and Neglect



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**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 upon the staff of the facility in which 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, for the past three years, has ranked at the top nationally for indictments and convictions. Staff members investigate allegations of patient abuse, neglect, and financial exploitation, and prosecute those responsible.

If you have knowledge of a patient experiencing abuse, neglect, or financial exploitation, 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 units also investigate and prosecute Medicaid provider 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 includes special agents, analysts, nurses, and attorneys.



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

- Investigated more than 4,700 complaints of Medicaid fraud and patient abuse and neglect.
- Generated 767 criminal indictments.
- Secured 715 criminal convictions and 128 civil settlements.
- Recovered almost \$300 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 serious 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 members cannot use restraint, medication, or isolation to punish a patient or for 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.