

Nursing Home Evictions

Claude Pepper Elder Law Clinic

If you or a loved one is living in a nursing home, you are protected by state and federal law. You cannot be asked to move out of a nursing home for just any reason. The facility must provide a reason that falls under one of the following categories:

1

NO LONGER NEED

The Resident's health has improved and the resident no longer needs the services provided by facility



2

NEEDS NOT MET

The resident's needs cannot be met in this facility



3

OUT OF BUSINESS

The facility went out of business/ceases to exist



4

FAILURE TO PAY

- The resident fails to pay
- Only applies after resident has received reasonable and appropriate notice of their bill, and has been assisted in applying for public benefits



5

DANGER TO SAFETY

The resident endangers others' safety



6

DANGER TO HEALTH

The resident endangers others' health



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NON PERMISSIBLE REASONS FOR EVICTION

- Resident is difficult to manage
- Resident requires costly care
- Resident does not follow the rules of the facility
- Resident(s) family has made formal complaint against the nursing home
- Resident has refused medical treatment



RESOURCES



- FLORIDA LONG TERM CARE OMBUDSMAN PROGRAM
 - (850)-414-2323
- FLORIDAHEALTHFINDER
 - QUALITY.HEALTHFINDER.FL.GOV
- JUSTICE IN AGING
 - JUSTICEINAGING.ORG
- SHINE PROGRAM (MEDICARE QUESTIONS)
 - 1-800-963-5337
- 42 CFR § 483.15; ADMISSION, TRANSFER, AND DISCHARGE RIGHTS (NURSING HOME AND REFORM LAW)

