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For Immediate Release

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Staskunas Co-authors Senior Citizen Protection Act

Madison— Rep. Tony Staskunas (D-West Allis) and several of his Assembly Democratic colleagues announced the Senior Citizen Protection Act, which would restore certain legal rights for the victims – and families of victims – of nursing home abuse and neglect. The legislators were joined at the announcement by senior citizens and advocates for seniors, people with disabilities and health care consumers.

“When our senior citizens check into a nursing home or assisted living facility, they should not have to check their rights at the door. If they suffer from neglect or mistreatment, our proposal would allow them to take legal action against the facility,” said Rep. Staskunas.

Under laws passed earlier this session, investigation reports and records can no longer be used in civil and criminal actions against negligent long-term care facilities. These reports—which are paid for with taxpayer money—contain important evidence of what happened and whether a nursing home injury or death was preventable. The Senior Citizen Protection Act would make this evidence available again to judges, juries or families who are searching for the truth and trying to determine if a resident was abused or neglected.

How the Senior Citizen Protection Act works:

- Allows incident reports, health care reports, statements and regulatory reports to be used in civil and criminal actions against health care providers and long-term care facilities.
- Removes caps on noneconomic and punitive damages and wrongful death suits against negligent long-term care facilities for egregious actions by the facility or its employees.
- Provides protections when families or residents are asked to sign contracts that limit or waive their right to sue a facility if they are harmed by that facility or their employees.

“I am proud to support this important legislation for seniors and their families. Protecting some of society’s most vulnerable members should not be a partisan issue. We all have parents and grandparents that we hold dear to us. Nobody wants them to be harmed by the people or facilities that we entrust them to for health care,” concluded Staskunas.