

## Assisted Living/Senior Residential Legal Issues

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### New Jersey Assisted Living Attorneys Assisting Owners and Administrators

The healthcare industry involves a myriad of laws and regulations with which healthcare providers and facilities must adhere. The only constant is change, requiring the healthcare facilities and providers be up to date on the most recent changes in the law. The attorneys at Einhorn Barbarito understand the unique legal issues that Assisted Living facilities and providers face on a daily basis. Einhorn Barbarito ensures that facilities are compliant with State and Federal regulations and the firm as outside general and litigation counsel for the facilities. Einhorn Barbarito regularly assists owners and administrators on various issues including employment, contractual relationships with residents, real estate and litigation matters. Our attorneys frequently lecture at seminars and are members of various professional organizations such as the Healthcare Association of New Jersey.

### Attorneys Resolving Collection Disputes

When residents or their family members do not adhere to the terms of the resident agreement, Mr. Ford works with owners and administrators to resolve disputes from issues involving collection to discharge. Assisted living facilities cannot continue to operate without getting paid for their services. Einhorn Barbarito assists facilities to get paid, whether it is from a resident or family member, or a government agency, such as Medicaid. We assist in the preparation of the financial agreement, late payment from private residents or addressing aged receivables. Frequently, we are asked to interface with government agencies for the approval or continuity of government payments.

When a matter cannot be resolved amicably, Einhorn Barbarito will initiate or defend against litigation involving the facility.

## Coordinating Employee Practices/Policies

Like many businesses, assisted living facilities rely on their staff to meet the distinct needs of all residents. Staff must be appropriately trained, not only to meet the needs of the residents, but the expectations of their families. Staff must maintain licenses and professional training. Owners and administrators must ensure that their facilities have employment manuals that apply to all staff and adhere to the policies contained in the manual. Einhorn Barbarito works with its clients to make sure that the facility has employment policies and an employment manual crafted to meet its unique needs. Einhorn Barbarito coordinates with owners and administrators to administer staff training, discipline, drug testing and if necessary, to help manage termination decisions.

## New Jersey Assisted Living Litigation Attorneys

When residents or their family members do not adhere to the terms of the resident agreement, Einhorn Barbarito works with owners and administrators to resolve disputes from issues involving collection to discharge. When a matter cannot be resolved amicably, Einhorn Barbarito will initiate or defend against litigation involving the facility. These matters may include collection for room charges, guardianship petitions and involuntary discharge of a resident, when appropriate.

Similarly, if a Federal or State agency makes a decision with respect to the license for a facility to operate or to curtail new admissions, Einhorn Barbarito is ready to appeal decisions from administrative agencies to the Office of Administrative Law.