

Resident Dies, Is Buried, Next Of Kin Not Notified: Court Says Family Can Sue Nursing Home.

The Court of Appeal of Louisiana ruled that a nursing home was at fault for making no effort to contact the next of kin before going ahead with burial of a long-term resident who died at age ninety-three.

The nursing home administrator knew who the family was; the family lived in the same small town where the nursing home was located.

The family was awarded \$4,813.37 for disinterment and reburial of the resident in a manner more consistent with her own wishes.

The Court of Appeal ordered the nursing home to pay an additional \$5,000 for the family's mental anguish and emotional distress. The family had asked for \$25,000, too much in the appeals judge's opinion while the jury erred awarding only \$2,500. Rayford v. Willow Ridge, ___ So. 2d ___, 2008 WL 3394662 (La. App., August 13, 2008).