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Class Action Seeks to Protect Vulnerable Alden Nursing Facility Residents from Neglect and Preventable Injuries Due to Intentional and Dangerous Understaffing

AARP Foundation Attorneys Join Chicago Law Firms and Equip for Equality to Represent Residents Accusing Nursing Facility Chain of Putting Profits Over Resident Care

CHICAGO-- Residents of six area nursing facilities filed a class action suit against the Alden Group, one of the largest health care providers for older adults in Illinois, seeking to end chronic and intentional understaffing at the facilities. The complaint alleges Alden attracts thousands of residents to its facilities, and then systematically understaffs those facilities, leading to neglect, preventable injuries and illnesses, and dangerous and often grossly unsanitary living conditions for the residents. According to the complaint, Alden saves millions of dollars each year by refusing to hire sufficient staff to comply with legal staffing requirements and intentionally hiding it from regulators.

AARP Foundation, Levin & Perconti, Hughes Socol Piers Resnick & Dym, Ltd., and Equip for Equality are representing the class. The plaintiffs reside in Alden Lakeland, Alden Terrace McHenry, Alden Town Manor, Alden Heather Healthcare Center, Alden Princeton Rehabilitation and Health Care Center and Alden Village North facilities. The plaintiffs seek monetary, declaratory and injunctive relief to correct dangerous conditions that have resulted from understaffing at the facilities. Plaintiffs also seek to prevent Alden's efforts to keep facility residents from holding the facilities accountable through court action. They allege that Alden's neglect and use of unfair business practices to conceal the resulting harms violate the Illinois Nursing Home Care Act and the Illinois Consumer Fraud and Deceptive Business Practices Act.

"The goal with this class action is to finally end the chronic understaffing at Alden facilities. It will also send a strong message to other nursing homes and assisted living facilities that they too will be held accountable for intentional understaffing," says Steven Levin, of Levin & Perconti, a



Chicago law firm nationally noted for its work on behalf of nursing home residents. “As Alden profits, residents pay the price. We see the results every day as we represent residents who suffered severe injuries from falls, acquired pressure ulcers that worsened without treatment, or waited indefensibly long periods to be diagnosed with potentially life-threatening conditions.”

“Nursing facilities have a responsibility to meet the individualized needs of every resident. That is not happening at these Alden facilities,” says William Alvarado Rivera, Senior Vice President of Litigation at AARP Foundation. “It is imperative that residents can hold them accountable in court through private rights of action for abusive and neglectful practices.”

The complaint alleges Alden profits by operating its facilities with inadequate numbers of certified nursing assistants, licensed practical nurses, registered nurses, dietary staff and therapists and cites numerous examples of how residents were neglected, injured or suffered preventable health conditions when they were deprived of the services they needed. According to the complaint, most of the six Alden Chicago area facilities named in the complaint provided less than 50% of the necessary hours of nursing care for residents from 2018 to 2020 Alden Facilities should have provided more than 1 million additional nursing assistant hours, and 300,000 more hours of skilled nursing care from registered nurses and licensed practical nurses. The complaint alleges Alden staffing was significantly below even the absolute statutory minimum required nursing hours at every Alden facility named in the complaint during the time period from 2018 through 2020.

The complaint alleges Alden has also lied about its staffing levels to regulators, and according to some employees, even falsified documents with “ghost staffing,” claiming people were working who were either no longer employed by Alden or off work at the time. According to the suit, Alden’s profit-driven scheme also requires residents to sign illegal admission agreements that prevent them from suing when injuries do occur due to the understaffing.

“The suit is necessary because when facility owners and operators flout their duties and cause harm to the most vulnerable, it is imperative that residents can hold them accountable in court through private rights of action for abusive and neglectful practices,” says Charlie Wysong of Hughes Socol Piers Resnick & Dym. “In this class action, the residents in these facilities are banding together to fight Alden’s cruel abuse. The problems at these facilities are systemic and intentional, and cannot be addressed in separate claims.”

“This litigation seeks to address the systemic neglect Alden residents experience on an all-too frequent basis,” says Barry C. Taylor, Vice President for Civil Rights and Systemic Litigation at Equip for Equality. “As a result of Illinois’s over-reliance on institutional settings, many people with disabilities have no other option but to live in large nursing facilities. Despite this lack of community living opportunities, people with disabilities should not be subjected to inadequate institutional care with tragic consequences.”

If you or someone you know has concerns about the care provided in an Alden facility named in the lawsuit, please contact us at 312-566-0443 or AldenLitigation@equipforequality.org.



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AARP Foundation

AARP Foundation works to end senior poverty by helping vulnerable people over 50 build economic opportunity. Our approach emphasizes equitable outcomes for populations that have faced systemic discrimination. As AARP's charitable affiliate, we serve AARP members and nonmembers alike. Through vigorous legal advocacy and evidence-based solutions, and by building supportive community connections, we foster resilience, advance equity, and restore hope. To learn more, visit aarpfoundation.org or follow [@AARPFoundation](https://www.instagram.com/AARPFoundation) on social media.

Equip for Equality

Equip for Equality (EFE) is the federally mandated, Governor-designated Protection and Advocacy System for people with disabilities in Illinois. EFE's mission is to advance the civil and human rights of people with disabilities through self-advocacy assistance, legal representation, systems change litigation, public policy advocacy and independent monitoring. For more information, visit www.equipforequality.org

Levin & Perconti

Levin & Perconti is a nationally renowned law firm committed to protecting and vindicating the rights of people who have been injured due to systemic flaws and corporations choosing profits over people. Levin & Perconti is a pioneer in nursing home litigation, advocating for seniors and other vulnerable populations for more than 30 years. The firm concentrates on all types of personal injury, medical malpractice, nursing home, and wrongful death litigation. Please visit www.levinperconti.com for more information.

Hughes Socol Piers Resnick & Dym

Hughes Socol Piers Resnick & Dym ("HSPRD") is Chicago-based law firm with a national practice specializing in complex public interest litigation. HSPRD has litigated class actions against governments and large corporations on behalf of seniors, whistleblowers, consumers, employees, and victims of abuse, discrimination, and wage theft. For more information, visit www.hsplegal.com.