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Legislation Seeks to Strip Georgia Seniors of Constitutional Rights *As Georgia Nursing Homes Continue to Fall Below National Standards, Shielding Bad Actors from Accountability is Not the Answer*

ATLANTA, GA – On Monday, Senate Bill 202¹ was introduced before the Georgia General Assembly. This legislation seeks to subject the elderly and their families to predatory pre-dispute binding arbitration agreements, which would lock the courthouse door on our most vulnerable citizens while shielding neglectful and abusive nursing homes from true accountability.

“Senate Bill 202 is the most direct assault on the wellbeing of Georgia’s Senior Citizens that has ever come before our General Assembly,” said Georgia Trial Lawyers Association President Jay Sadd. **“At a time when nearly half of our state’s nursing homes are already performing below average on overall patient care², the last thing we should be doing is legislating against the elderly so that they are unable to seek true justice.”**

These sneaky contract provisions – known as pre-dispute binding arbitration agreements – protect nursing homes from answering to a jury made up of members of the community. Often buried deep within a contract and written in nearly-incomprehensible legalese, these agreements bar patients and their families from seeking justice in a court of law when the elderly are neglected or abused physically, sexually or otherwise, while residing in the facility.

By having Seniors sign away their rights during the stressful and emotional time of admission to a nursing home, this legislation forces all their claims into a biased arbitration process, casting aside the 7th Amendment Constitutional Right to Trial by Jury and all associated safeguards.

In conclusion, Sadd remarked: **“When Georgia’s Senior Citizens are denied the opportunity to hold our nursing homes accountable for poor treatment, sub-standard care and abuse through our unbiased and constitutionally-protected legal process, the wellbeing of all long-term care residents suffers as a result.”**

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¹ <http://www.legis.ga.gov/legislation/en-US/Display/20132014/SB/202>

² <http://www.medicare.gov/nursinghomecompare/results.aspx#state=GA&ratings=20,10&lat=0&lng=0&bhcp=1>

