



## ABUSE

Any allegation of abuse can be an expensive litigation and liability exposure. In addition to the mental anguish this creates with the families and nursing home staff, the courts have been quite harsh in ruling that the homes were derelict in their duty to provide a safe environment for the residents.

- ❑ Inform all employees of the facility's "Zero Tolerance" for any forms of abuse and their individual responsibility to every resident.
- ❑ Develop and implement policies and procedures that include these seven components:
  - ❑ Screening
  - ❑ Training
  - ❑ Prevention
  - ❑ Identification
  - ❑ Investigation
  - ❑ Protection
  - ❑ Reporting/Response
- ❑ Complete criminal background checks for every employee; and verify that the results are positive and on file prior to any resident contact.
- ❑ Obtain information from previous employers and/or current employers, and check with the appropriate licensing boards and registries before hiring new staff.
- ❑ Develop an Employee Drug & Alcohol Testing program and/or written substance abuse policies and explain the program and policies to new employees during orientation.
- ❑ Train staff on appropriate interventions to deal with aggressive and/or catastrophic reactions of residents.
- ❑ Train staff on how to recognize signs of burnout, frustration, and stress that may lead to abuse.
- ❑ Provide residents, families, and staff information on how and to whom they may report concerns, incidents, and grievances without the fear of retribution; and provide feedback.

- ❑ Identify, correct, and intervene in situations in which abuse, neglect, and/or misappropriation of resident property is more likely to occur.
  
- ❑ Deploy staff on each shift in sufficient numbers to meet the needs of the residents and assure that the staff assigned has knowledge of the individual resident's care needs.
  
- ❑ Immediately report all abuse allegations to the appropriate state agency; and take all necessary actions to thoroughly investigate the occurrence while protecting the residents.

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This material is for informational purposes only. It is not intended to give specific legal or risk management advice, nor are any suggested checklists or actions plans intended to include or address all possible risk management exposures or solutions.

You are encouraged to consult with your own attorney or other expert consultants for a professional opinion specific to your situation.



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