

# Elements of the Abuse Prevention Program

**There are eight components of an Abuse Prohibition Program:**

1. Screening
2. Training
3. Prevention
4. Identification
5. Investigation
6. Protection
7. Reporting and Responding
8. Coordination with Quality Assurance and Performance Improvement (QAPI)

## **Screening**

Screening potential employees for a history of abuse, neglect, exploitation or misappropriation of resident property must be completed prior to employment

Components:

- References
- Certification/license verification
- Documentation of status and any disciplinary actions from licensing or registration boards or other registries
- Criminal background checks

Prospective Residents:

- Assessment of functional and mood/behavioral status
- Medical acuity
- Special needs
- State requirements for criminal and sexual abuse history/records, including sexual predator notifications

## **Training**

Components:

- Orientation and ongoing programs
- Types of training
  - Abuse policies and procedures prohibiting ALL types of abuse
  - Definitions of each type of abuse
  - Recognizing signs of all types of abuse
  - How to deal with aggressive and/or catastrophic reaction of residents
  - Resident risk factors for potential abuse
  - How to report abuse without fear of reprisal
  - Recognizing signs of burnout, frustration, and stress
  - Annual training on reporting suspicion of a crime

## **Prevention**

**It is the responsibility of EVERYONE to prevent abuse:**

- Establishing a safe environment that supports a resident's consensual sexual relationship

- Identification, correction and interventions necessary in situations in which all types of abuse are more likely to occur
- Provision of care and services for each individual resident based upon their care plan
- Appropriate monitoring and intervention for residents with behavioral needs
- Providing a process for resident safety in regard to visitors, family members, resident representatives, friends, etc.
- Provide residents, families and staff with information about how and to whom to report concerns
- Create an atmosphere of reporting without fear of retribution
- Give feedback regarding complaints and concerns (if a complaint is made, going back and asking residents/families if the situation is resolved)
- Identify environmental concerns, i.e., secluded areas of the facility, where abuse may occur
- Supervision of all shifts to monitor staff to resident interactions

### Identification

**Everyone must monitor the residents for possible signs of abuse.**

**Some symptoms that can suggest abuse include:**

- Suspicious bruising
- Unnecessary fear, feelings of guilt or shame
- Abnormal discharge from body orifices
- Inconsistent details by staff regarding how incidents occurred
- Incidences of number of injuries over time

### Investigation

The investigation is the process used to try to identify what happened. The nurse or manager will begin the investigation immediately. The information gathered is given to administration.

**The investigation will include:**

- Who was involved
- Residents' statements
  - Even if resident is cognitively impaired, be sure to interview resident
  - Involved staff and witness statements of events
    - Resident roommate
    - Other residents present
    - All staff that may have knowledge of the incident
    - Family, visitors, resident representatives if present
    - Alleged perpetrator statement
  - A description of the resident's behavior and environment at the time of the incident
  - Assess resident to identify any Injuries present
    - Physical and any psychosocial concerns
  - Observation of resident and staff behaviors during the investigation
  - Complete and thorough documentation

All staff must cooperate during the investigation to assure the resident is fully protected.

**\*\*It is important to exercise caution in handling any evidence that may be used in the event of a criminal investigation.**

## **Protection**

Procedures must be in place to provide the resident with a safe, protected environment until the investigation is completed.

- Immediate response
  - Stop the abuse
  - Remove alleged perpetrator
  - Protect the integrity of the investigation
- Assess resident and provide or access necessary services
- Increase supervision
- Protect resident from retaliation
- Social services should keep in constant contact with the resident and/or representation
- If the resident could be at risk in the same environment, evaluate the situation and consider some options including a room change or roommate change
- If a family member is possibly contributing to the potential abuse and the resident could be at risk, evaluate the situation and consider some options including altered visitation
- Provide resident with emotional support as needed

## **Reporting and Response**

Abuse must ALWAYS be reported immediately to the charge nurse and the Administrator or designee. Failure to report can make you just as responsible for the abuse.

- If there is a reasonable suspicion that a crime has occurred against a resident or individual receiving care from the facility, ALL employees are personally required to report the crime to BOTH the State Survey Agency and one or more law enforcement agencies:
  - If there is serious bodily injury - within 2 hours of forming the suspicion
  - If no serious bodily injury – not later than 24 hours after forming the suspicion

If there is suspicion that any type of abuse occurred, it will be reported by the administrator or designee to the State Reporting Agency (and any other adult protective services dependent upon State law). The results of all investigations of alleged violations will be reported to the State Survey Agency within 5 working days of the incident, indicating if abuse was determined to be confirmed and corrective actions taken.

If the investigation indicates abuse is confirmed, it will be reported to the registry or licensing board.

Documentation of reporting should include:

- Name of individual reporting, facility, date, time, phone number and/or email
- Name of agency/individual taking report
- Initial information related to the event

- Type of abuse
- When individual/facility became aware of abuse
- Alleged victim information
- Alleged perpetrator information
- Details of the allegation
- Injury (assessment details)
- Witness(es)
- All notifications (Administrator, SA, law enforcement, physician, resident representative, etc.)
- Date and time of submission of report

### **Coordination with QAPI**

All staff will communicate and coordinate situations of all types of abuse with the QAPI program. The facility QAA Committee will ensure that corrective action and tracking of all incidents of all types of abuse are conducted.

Coordination between all staff involved and the QAA Committee is instrumental in determining:

- Whether a thorough investigation was conducted
- If the resident is protected
- An analysis of the incident was completed in order to determine the reason for the incident
- Risk factors that may have contributed to the abuse
- Need for further systemic action

### **References:**

- <sup>1</sup>Centers for Medicare & Medicaid Services State Operations Manual, Appendix PP – Guidance to Surveyors for Long Term Care Facilities (Rev. 173, 11-22-17) Advance Copy, 2022: <https://www.cms.gov/files/document/appendix-pp-guidance-surveyor-long-term-care-facilities.pdf>