

Resident-on-Resident and Resident-on-Staff Altercations/Assault Talking Points for States

General Messaging:

- Nursing homes/assisted living communities are committed to ensuring the safety and wellbeing of residents. Their safety is our number one priority.
- We are, and have been, committed to preventing incidents of abuse and ensuring that each resident is able to live with dignity and respect.
- As with any setting, bringing together individuals with different personalities and care needs may occasionally cause conflict, and any altercations should be dealt with swiftly and surely.
- Providers do their best to prevent incidents from happening, but short of isolating individuals completely, the reality is that conflicts will occasionally occur.
- Although they are rare, in the situations in which altercations occur, providers prioritize the safety of both residents and staff members in deescalating the situation and resolving the conflict.
- Each facility will have its own approach to establishing a safe culture and environment for residents and staff.
 - These programs often look at safety and health training for caregivers, goals and objectives for preventing incidents from occurring, and processes and procedures that are appropriate for their specific facility.
 - Each state has its own requirements regarding how to address workplace violence.

Data/Scope of Issue:

- Federal regulations require that nursing homes investigate and report allegations of mistreatment.
 - One challenge that comes with tracking this claims data is the wide variety of incidents that fall under the same deficiency tag.
 - Without manually reviewing the text of each citation, it is not clear who is involved in an incident, meaning the incident could be resident-on-resident, resident-on-staff, or staff-on-resident.

- In addition, the cited mistreatment can range from the use of personal property without permission to the more serious claims of physical assault.
- As a result, it can be easy to misinterpret the data as a widespread issue when, in reality, serious events are rare and not the typical experience.

Resident Conditions

- **Residents with mental health issues:**

- Nursing homes/assisted living communities offer person-centered skilled care to every resident, which means they customize the care they provide based on the needs of the individual, including mental health needs.
- The hard truth is that sometimes, providers must consider the wellbeing of all residents and staff in determining how to care for individuals with complex mental health issues.
- The solution does not lie solely with providers. We must all take a hard look at this country's mental health policy and support system, so that individuals, no matter their age, illness, or preferences, are in the proper setting for them.

- **Residents with dementia:**

- Caring for residents with dementia requires understanding the disease and the progression of the disease within the individual. Behaviors are going to happen that are not always predictable.
- You'll often hear that from family members who see/hear their loved one do/say something "they would have never done before."
- Dementia can inflate simple moments of unpleasantness, such as misinterpreting a look from someone or feeling that someone is in the wrong place. The next day, the same incidents may cause no reaction or agitation.
- Verbal communication may also be difficult for a resident living with dementia, so they act out physically as a form of communication.
- For these reasons, providers focus on person-centered care: knowing each individual, their preferences, their stage in the disease, decreasing sources of agitation or frustration, and increasing activities that complement their care and enhance their quality of life.

Screenings/Discharge



- **Admissions:** During the admissions process, it is possible for a facility to decline admission to a resident based on grounds that the facility feels it would be unable to meet the residents' skilled nursing care needs due to mental health issues, aggressive behaviors, etc.
 - Providers have processes that are designed to identify the presence of aggressive behaviors prior to admitting the individual to the facility.
 - Some of these processes include reviewing all admissions paperwork, consulting with the patient's referring party to better understand their history, direct observation of the individual, speaking with primary care providers, family, and friends, etc.
- **Discharge:** If residents continue to demonstrate a serious threat to others, providers should work with family members and physicians to figure out a solution for that resident and follow federal and state discharge requirements.
 - If a resident develops an issue with another resident or a staff member that cannot be resolved, it may lead to room change, unit change, or discharge depending on the circumstances.

Training and Prevention:

- Not all situations are preventable: it's possible for residents to become aggressive during their time in a nursing home/assisted living community with no previous indications of this behavior.
- We support proper and consistent training to enable staff to properly address any situations that do arise, knowing that training alone cannot prevent all incidents from occurring.
- The sad truth is, it's hard to see a world where we could prevent every altercation between residents without isolating individuals, which would eliminate many of the life-affirming engagements residents have in our facilities every day, and it also doesn't account for their interactions with staff and caregivers.
- Residents are encouraged to move about freely, as this goes back to respecting their autonomy and supporting their health.

Resources:



- NCAL Resource: [Bullying Among Seniors: A Prevention and Surveillance Guide](#)
- NCAL Member and State Affiliate Talking Points: [Memory Care and State Regulations](#)

Relevant Media Coverage:

- *The New York Times*, Paula Span, June 2024: [Personal Conflicts, Even Violence, Are Not Uncommon in Long-Term Care](#)
- *The Maine Monitor*, Rose Lundy, November 2023: [Maine rarely sanctions residential care facilities even after severe abuse or neglect incidents](#)
- *The Maine Monitor*, Rose Lundy, November 2023: [Four takeaways from a probe into residential care facilities.](#)