

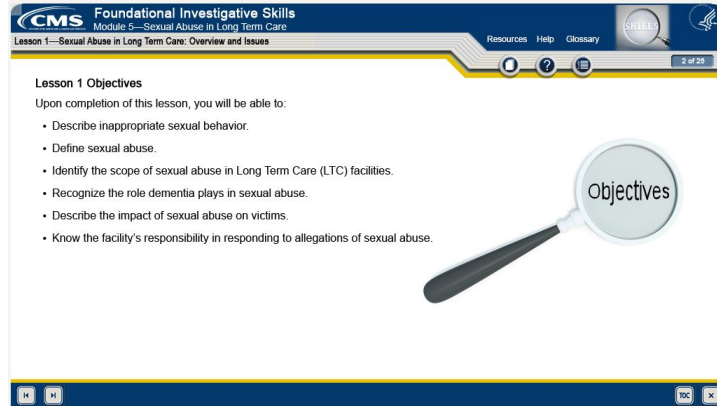
# Foundational Investigative Skills Module 5, Lesson 1



The screenshot shows a presentation slide from the CMS (Centers for Medicare & Medicaid Services) website. The slide title is "Sexual Abuse in Long Term Care: Overview and Issues". The slide content consists of four small images arranged in a row. The first image shows an elderly woman covering her face with her hand, suggesting distress or shame. The second image shows an elderly woman with her hands clasped in front of her, looking down. The third image shows an elderly man looking down with a serious expression. The fourth image shows three people in professional attire, two women and one man, looking towards the camera. The slide has a blue header with the CMS logo and navigation links like "Resources", "Help", and "Glossary".

## Sexual Abuse in Long Term Care: Overview and Issues

# Foundational Investigative Skills Module 5, Lesson 1



## Lesson 1 Objectives

Upon completion of this lesson, you will be able to:


- Describe inappropriate sexual behavior
- Define sexual abuse.
- Identify the scope of sexual abuse in Long Term Care (LTC) facilities.
- Recognize the role dementia plays in sexual abuse.
- Describe the impact of sexual abuse on victims.
- Know the facility's responsibility in responding to allegations of sexual abuse.

## Foundational Investigative Skills Module 5, Lesson 1

**CMS** Foundational Investigative Skills  
Module 5—Sexual Abuse in Long Term Care  
Lesson 1—Sexual Abuse in Long Term Care: Overview and Issues

Resources Help Glossary 3 of 25

**Are You Aware of the Risk?**  
Reflect on this image as a representation of residents who may be vulnerable to sexual abuse in LTC facilities, and then select **Forward** to continue.



Navigation buttons: Home, Back, Forward, Close

### **Are You Aware of the Risk?**

Reflect on this image as a representation of residents who may be vulnerable to sexual abuse in LTC facilities, and then select **Forward** to continue.

# Foundational Investigative Skills Module 5, Lesson 1

**Lesson 1 Introduction**

This lesson is designed for those of you who survey or will survey LTC facilities.

The goal is to provide you a better understanding of issues surrounding inappropriate sexual behavior and sexual abuse in the long term care environment.

Sexual abuse is a difficult topic to discuss under any circumstance. As a surveyor, it is important for you to understand the scope of sexual abuse in long term care facilities as well as your responsibilities as a surveyor when investigating cases of possible sexual abuse or when you suspect sexual abuse during a standard or complaint survey.

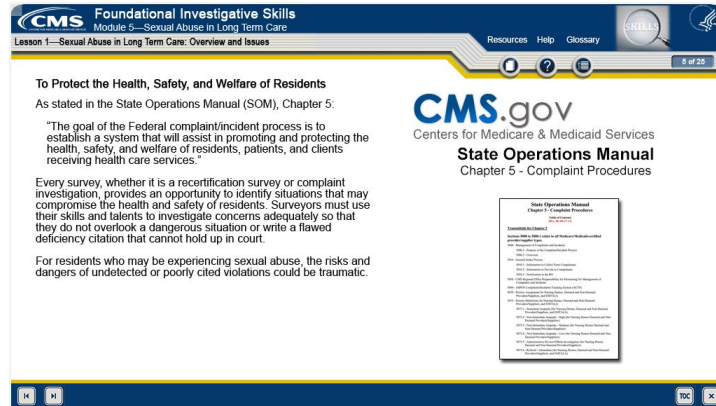
## Lesson 1 Introduction

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# Foundational Investigative Skills Module 5, Lesson 1



## To Protect the Health, Safety, and Welfare of Residents

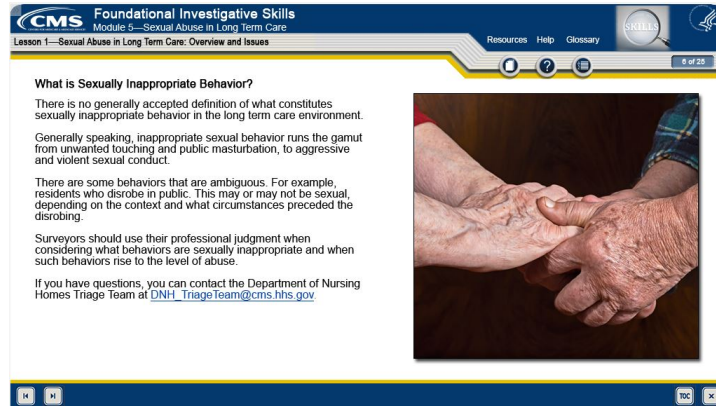
As stated in the State Operations Manual (SOM), Chapter 5:

"The goal of the Federal complaint/incident process is to establish a system that will assist in promoting and protecting the health, safety, and welfare of residents, patients, and clients receiving health care services."

Every survey, whether it is a recertification survey or complaint investigation, provides an opportunity to identify situations that may compromise the health and safety of residents. Surveyors must use their skills and talents to investigate concerns adequately so that they do not overlook a dangerous situation or write a flawed deficiency citation that cannot hold up in court.

For residents who may be experiencing sexual abuse, the risks and dangers of undetected or poorly cited violations could be traumatic.

# Foundational Investigative Skills Module 5, Lesson 1



The screenshot shows a slide from a CMS training module. The header includes 'CMS Foundational Investigative Skills', 'Module 5—Sexual Abuse in Long Term Care', and 'Lesson 1—Sexual Abuse in Long Term Care: Overview and Issues'. The slide title is 'What is Sexually Inappropriate Behavior?'. The text on the slide explains that there is no generally accepted definition of sexually inappropriate behavior in the long-term care environment. It lists examples of inappropriate behavior, such as unwanted touching, public masturbation, and aggressive sexual conduct. It also notes that some behaviors are ambiguous, like residents who disrobe in public. The slide concludes by advising surveyors to use professional judgment and provides contact information for the Department of Nursing Homes Triage Team at [DNH\\_TriageTeam@cms.hhs.gov](mailto:DNH_TriageTeam@cms.hhs.gov). An image on the right shows two hands, one appearing to be in pain or being held, symbolizing care or support.

## What is Sexually Inappropriate Behavior?

There is no generally accepted definition of what constitutes sexually inappropriate behavior in the long term care environment.

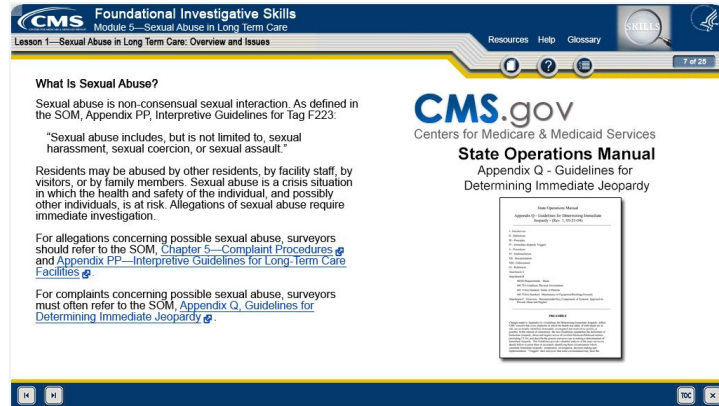
Generally speaking, inappropriate sexual behavior runs the gamut from unwanted touching and public masturbation, to aggressive and violent sexual conduct.

There are some behaviors that are ambiguous. For example, residents who disrobe in public. This may or may not be sexual, depending on the context and what circumstances preceded the disrobing.

Surveyors should use their professional judgment when considering what behaviors are sexually inappropriate and when such behaviors rise to the level of abuse.

If you have questions, you can contact the Department of Nursing Homes Triage Team at [DNH\\_TriageTeam@cms.hhs.gov](mailto:DNH_TriageTeam@cms.hhs.gov).

# Foundational Investigative Skills Module 5, Lesson 1



## What Is Sexual Abuse?

Sexual abuse is non-consensual sexual interaction. As defined in the SOM, Appendix PP, Interpretive Guidelines for Tag F223

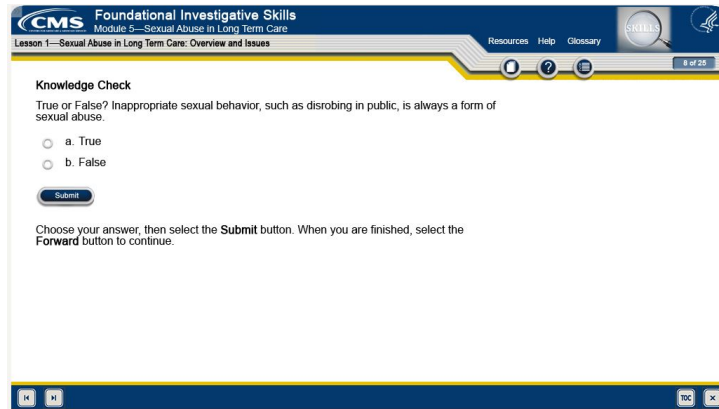
"Sexual abuse includes, but is not limited to, sexual harassment, sexual coercion, or sexual assault"

Residents may be abused by other residents, by facility staff, by visitors, or by family members. Sexual abuse is a crisis situation in which the health and safety of the individual, and possibly other individuals, is at risk. Allegations of sexual abuse require immediate investigation.

For allegations concerning possible sexual abuse, surveyors Should refer to the SOM, [Chapter 5—complaint Procedures](#), and [Appendix PP—Interpretive Guidelines for Long Term Care Facilities](#)

For complaints concerning possible sexual abuse, surveyors must often refer to the SOM, [Appendix Q, Guidelines for Determining Immediate Jeopardy](#).

## Foundational Investigative Skills Module 5, Lesson 1



### Knowledge Check

True or False? Inappropriate sexual behavior, such as disrobing in public, is always a form of sexual abuse.

- a. True
- b. False**

Choose your answer, then select the **Submit** button. When you are finished, select the **Forward** button to continue.

### Submit

True

Incorrect. Depending on the context of the behavior, inappropriate sexual behavior may not constitute sexual abuse.

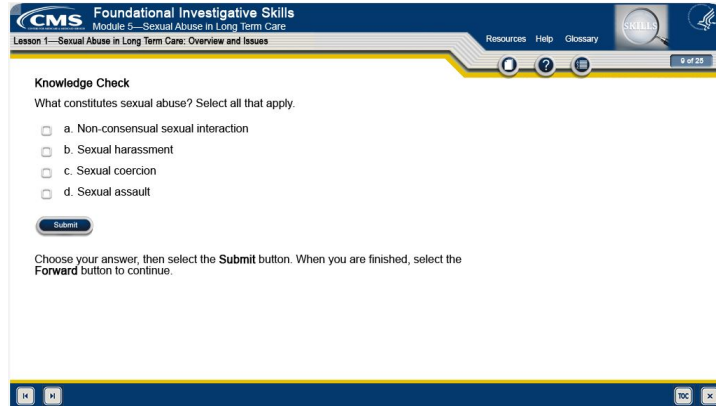
False

Correct. This statement is False. Inappropriate sexual behavior may not constitute sexual abuse.

**Correct answer: False**



## Foundational Investigative Skills Module 5, Lesson 1



### Knowledge Check

What constitutes sexual abuse? Select all that apply.

- a. **Non-consensual sexual interaction**
- b. **Sexual harassment**
- c. **Sexual coercion**
- d. **Sexual assault**

Choose your answer, then select the **Submit** button. When you are finished, select the **Forward** button to continue.

Incorrect. The correct answers are non-consensual sexual interaction, sexual harassment, sexual coercion, and sexual assault.

Correct. Sexual abuse is non-consensual sexual interaction that includes, but is not limited to, sexual harassment, sexual coercion, or sexual assault.

**Correct answer: a, b, c, and d.**

# Foundational Investigative Skills Module 5, Lesson 1

The screenshot shows a web-based training interface. At the top, there is a blue header with the CMS logo and the text 'Foundational Investigative Skills' and 'Module 5—Sexual Abuse in Long Term Care'. Below this, a sub-header reads 'Lesson 1—Sexual Abuse in Long Term Care: Overview and Issues'. The main content area is white and contains the following text:

**The Scope of Sexual Abuse in LTC**

While investigating sexual abuse is not an everyday experience for the surveyor, it is important to maintain high awareness of the risk in LTC environments.

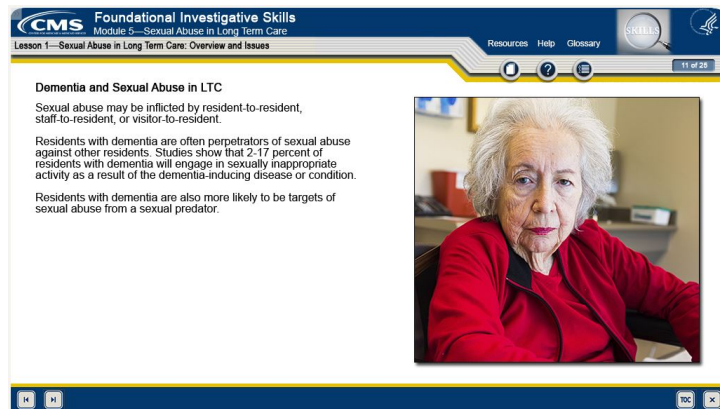
Due to the link between dementia and sexual abuse, the growing population of residents with dementia may contribute to an increased risk of sexual abuse incidents.

To the right of the text is a photograph of two elderly individuals, a man and a woman, looking towards the camera with serious expressions. The man is on the left, wearing a light-colored shirt, and the woman is on the right, wearing a dark blue top. The interface includes navigation icons at the bottom and a '15 of 28' indicator in the top right corner.

## **The Scope of Sexual Abuse in LTC**

While investigating sexual abuse is not an everyday experience for the surveyor, it is important to maintain high awareness of the risk in LTC environments.

Due to the link between dementia and sexual abuse, the growing population of residents with dementia may contribute to an increased risk of sexual abuse incidents.



The screenshot shows a web page from CMS (Centers for Medicare & Medicaid Services) titled "Foundational Investigative Skills" and "Module 5—Sexual Abuse in Long Term Care". The page is titled "Lesson 1—Sexual Abuse in Long Term Care: Overview and Issues". The main content is under the heading "Dementia and Sexual Abuse in LTC". The text states: "Sexual abuse may be inflicted by resident-to-resident, staff-to-resident, or visitor-to-resident." It then says: "Residents with dementia are often perpetrators of sexual abuse against other residents. Studies show that 2-17 percent of residents with dementia will engage in sexually inappropriate activity as a result of the dementia-inducing disease or condition." Finally, it states: "Residents with dementia are also more likely to be targets of sexual abuse from a sexual predator." To the right of the text is a photograph of an elderly woman with white hair, wearing a red jacket, looking directly at the camera. The page has a blue header with navigation links for "Resources", "Help", and "Glossary", and a "11 of 28" indicator.


## **Dementia and Sexual Abuse in LTC**

Sexual abuse may be inflicted by resident-to-resident, staff-to-resident, or visitor-to-resident.

Residents with dementia are often perpetrators of sexual abuse against other residents. Studies show that 2-17 percent of residents with dementia will engage in sexually inappropriate activity as a result of the dementia-inducing disease or condition.

Residents with dementia are also more likely to be targets of sexual abuse from a sexual predator.

## Foundational Investigative Skills Module 5, Lesson 1



The screenshot shows a web browser window with a blue header. The header contains the CMS logo, the title "Foundational Investigative Skills", and the subtitle "Module 5—Sexual Abuse in Long Term Care". Below the header, the page title is "Lesson 1—Sexual Abuse in Long Term Care: Overview and Issues". The main content area is titled "Peace River Case Study, Part 1" and contains the following text:

In the case of Peace River Nursing and Rehabilitation Center, surveyors identified a male resident engaged in inappropriate sexual behavior over a long period of time with some of the female residents at the facility.

The following video is a reenactment of actual events. It examines one example of possible sexual abuse by this individual.

Select the **Play** button to watch the video.

To the right of the text is a video player with a grey background and a play button icon in the center. The video player has a "Web object" label above it. The browser's address bar shows "12 of 26".

### Peace River Case Study, Part 1

In the case of Peace River Nursing and Rehabilitation Center, surveyors identified a male resident engaged in inappropriate sexual behavior over a long period of time with some of the female residents at the facility.

The following video is a reenactment of actual events. It examines one example of possible sexual abuse by this individual.

Select the **Play** button to watch the video.

## Foundational Investigative Skills Module 5, Lesson 1


**CMS Foundational Investigative Skills**  
Module 5—Sexual Abuse in Long Term Care  
Lesson 1—Sexual Abuse in Long Term Care: Overview and Issues

Resources Help Glossary 13 of 28

### Peace River Case Study, Part 1 (cont.)

At first glance, the incident identified by surveyors in the video you just watched might appear to be just an issue of a problematic individual—something all facilities must deal with on a daily basis. A closer examination of the Form CMS-2567, however, reveals that something much more dangerous may be happening.

- In all, surveyors uncovered more than twenty five unreported incidents of possible sexual abuse against several female residents at the facility over a period of several months.
- Clinical records for the male resident involved indicated that he had a history of sexually inappropriate behavior and had been admitted to the facility several years earlier with a diagnosis that included dementia and bipolar disorder.
- Staff at the facility continually reported that the male resident's sexual behavior was getting worse.

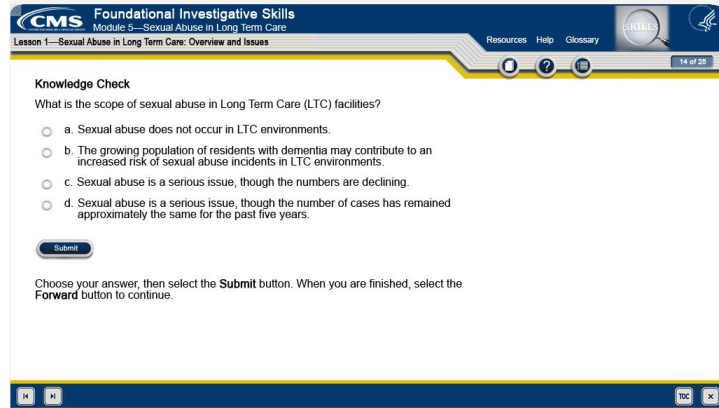


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- Staff at the facility continually reported that the male resident's sexual behavior was getting worse.

## Foundational Investigative Skills Module 5, Lesson 1



### Knowledge Check

What is the scope of sexual abuse in Long Term Care (LTC) facilities?'

- a. Sexual abuse does not occur in LTC environments.
- b. The growing population of residents with dementia may contribute to an increased risk of sexual abuse incidents in LTC environments.**
- c. Sexual abuse is a serious issue, though the numbers are declining.
- d. Sexual abuse is a serious issue, though the number of cases has remained approximately the same for the past five years.

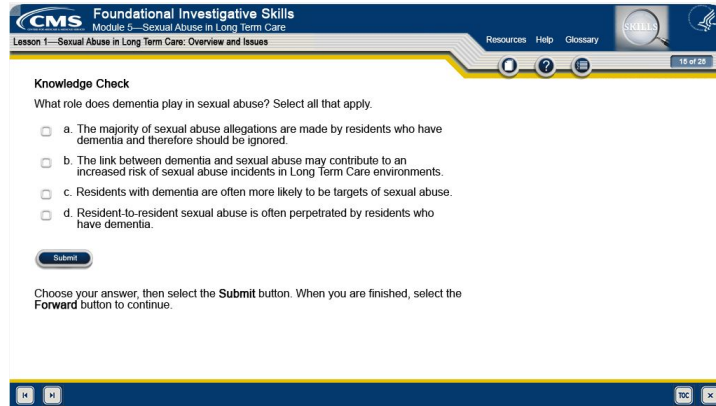
Choose your answer, then select the **Submit** button. When you are finished, select the **Forward** button to continue.

### Submit

Incorrect. The correct answer is that the growing population of residents with dementia may contribute to an increased risk of sexual abuse incidents in LTC environments.

Correct. The growing population of residents with dementia may contribute to an increased risk of sexual abuse incidents in LTC environments.

**Correct answer: b.**



## Knowledge Check

What role does dementia play in sexual abuse? Select all that apply.

- a. The majority of sexual abuse allegations are made by residents who have dementia and therefore should be ignored.
- b. The link between dementia and sexual abuse may contribute to an increased risk of sexual abuse incidents in Long Term Care environments.**
- c. Residents with dementia are often more likely to be targets of sexual abuse.**
- d. Resident-to-resident sexual abuse is often perpetrated by residents who have dementia.**

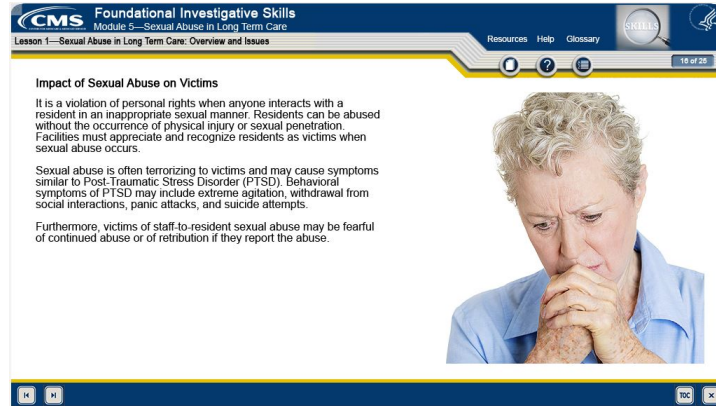
Choose your answer, then select the **Submit** button. When you are finished, select the **Forward** button to continue.

Incorrect. The correct answers are the link between dementia and sexual abuse may contribute to an increased risk of sexual abuse incidents in Long Term Care environments; residents with dementia are often more likely to be targets of sexual abuse, and resident-to-resident sexual abuse is often perpetrated by residents who have dementia.

Correct. The link between dementia and sexual abuse may contribute to an increased risk of sexual abuse incidents in Long Term Care environments; residents with dementia are often more likely to be targets of sexual abuse, and resident-to-resident sexual abuse is often perpetrated by residents who have dementia.

**Correct answer: b, c, and d**

## Foundational Investigative Skills Module 5, Lesson 1



The screenshot shows a web-based training module interface. At the top, it displays the CMS logo and the title 'Foundational Investigative Skills'. Below this, it specifies 'Module 5—Sexual Abuse in Long Term Care' and 'Lesson 1—Sexual Abuse in Long Term Care: Overview and Issues'. The main content area is titled 'Impact of Sexual Abuse on Victims' and contains three paragraphs of text. To the right of the text is a photograph of an elderly woman with her hands clasped in front of her face, appearing distressed. The interface includes navigation icons at the bottom and a '16 of 28' indicator in the top right corner.

**Impact of Sexual Abuse on Victims**

It is a violation of personal rights when anyone interacts with a resident in an inappropriate sexual manner. Residents can be abused without the occurrence of physical injury or sexual penetration. Facilities must appreciate and recognize residents as victims when sexual abuse occurs.

Sexual abuse is often terrorizing to victims and may cause symptoms similar to Post-Traumatic Stress Disorder (PTSD). Behavioral symptoms of PTSD may include extreme agitation, withdrawal from social interactions, panic attacks, and suicide attempts.

Furthermore, victims of staff-to-resident sexual abuse may be fearful of continued abuse or of retribution if they report the abuse.

### **Impact of Sexual Abuse on Victims**

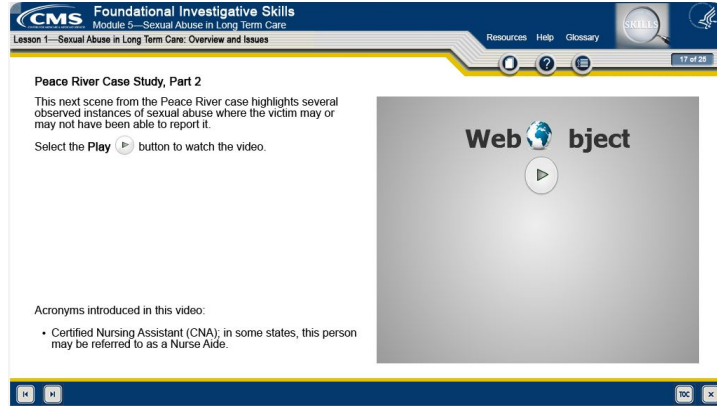
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# Foundational Investigative Skills Module 5, Lesson 1



## Peace River Case Study, Part 2

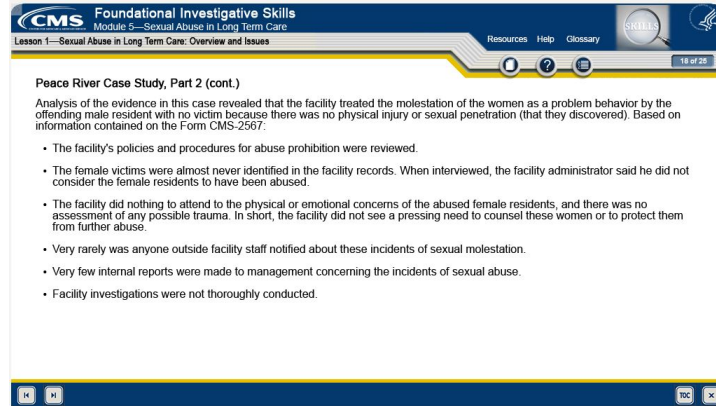
This next scene from the Peace River case highlights several observed instances of sexual abuse where the victim may or may not have been able to report it

Select the **Play** button to watch the video.

Acronyms introduced in this video

- Certified Nursing Assistant (CNA); in some states, this person may be referred to as a Nurse Aide.

## Foundational Investigative Skills Module 5, Lesson 1

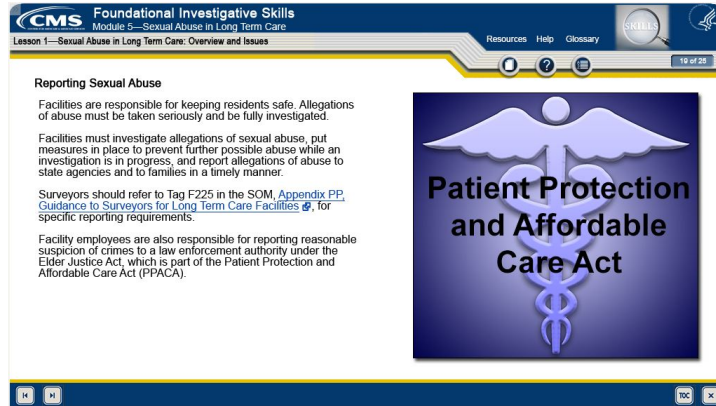


### Peace River Case Study, Part 2 (cont.)

Analysis of the evidence in this case revealed that the facility treated the molestation of the women as a problem behavior by the offending male resident with no victim because there was no physical injury or sexual penetration (that they discovered). Based on information contained on the Form CMS-2567:

- The facility's policies and procedures for abuse prohibition were reviewed.
- The female victims were almost never identified in the facility records. When interviewed, the facility administrator said he did not consider the female residents to have been abused.
- The facility did nothing to attend to the physical or emotional concerns of the abused female residents, and there was no assessment of any possible trauma. In short, the facility did not see a pressing need to counsel these women or to protect them from further abuse.
- Very rarely was anyone outside facility staff notified about these incidents of sexual molestation.
- Very few internal reports were made to management concerning the incidents of sexual abuse.
- Facility investigations were not thoroughly conducted.

# Foundational Investigative Skills Module 5, Lesson 1



## Reporting Sexual Abuse

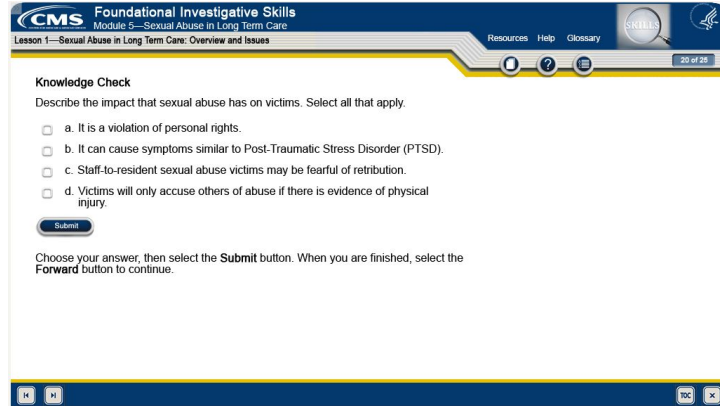
Facilities are responsible for keeping residents safe. Allegations of abuse must be taken seriously and be fully investigated.

Facilities must investigate allegations of sexual abuse, put measures in place to prevent further possible abuse while an investigation is in progress, and report allegations of abuse to state agencies and to families in a timely manner.

Surveyors should refer to Tag F225 in the SOM, [Appendix PP, Guidance to Surveyors for Long Term Care Facilities](#), for specific reporting requirements.

Facility employees are also responsible for reporting reasonable suspicion of crimes to a law enforcement authority under the Elder Justice Act, which is part of the Patient Protection and Affordable Care Act (PPACA).

## Foundational Investigative Skills Module 5, Lesson 1



### Knowledge Check

Describe the impact that sexual abuse has on victims. Select all that apply.

- a. It is a violation of personal rights.**
- b. It can cause symptoms similar to Post-Traumatic Stress Disorder (PTSD).**
- c. Staff-to-resident sexual abuse victims may be fearful of retribution.**
- d. Victims will only accuse others of abuse if there is evidence of physical injury.

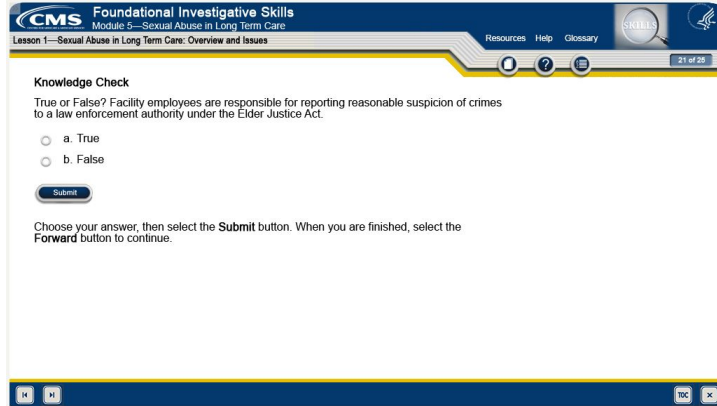
Choose your answer, then select the **Submit** button. When you are finished, select the **Forward** button to continue.

Incorrect. The correct answers are sexual abuse is a violation of personal rights; can cause symptoms similar to PTSD, and staff-to-resident sexual abuse victims may be fearful of retribution.

Correct. Sexual abuse is a violation of personal rights; can cause symptoms similar to PTSD, and staff-to-resident sexual abuse victims may be fearful of retribution.

**Correct answer: a, b, and c.**

## Foundational Investigative Skills Module 5, Lesson 1



### Knowledge Check

True or False? Facility employees are responsible for reporting reasonable suspicion of crimes to a law enforcement authority under the Elder Justice Act.

- a. True
- b. False

Choose your answer, then select the **Submit** button. When you are finished, select the **Forward** button to continue.

### Submit

True

Correct. The statement is True. Employees are responsible for reporting reasonable suspicion of crimes as specified in the Elder Justice Act.

False

Incorrect. Employees are responsible for reporting reasonable suspicion of crimes as specified in the Elder Justice Act.

**Correct answer: True.**

# Foundational Investigative Skills Module 5, Lesson 1

The screenshot shows a web-based training interface. At the top, there is a blue header with the CMS logo and the text 'Foundational Investigative Skills' and 'Module 5—Sexual Abuse in Long Term Care'. Below this, a sub-header reads 'Lesson 1—Sexual Abuse in Long Term Care: Overview and Issues'. On the right side of the header, there are links for 'Resources', 'Help', and 'Glossary', along with a 'SKILLS' icon and a page indicator '22 of 26'. The main content area is titled 'Your Role' and contains the following text: 'A surveyor's role is to ensure that facilities are in compliance which, in turn, protects the health and safety of residents. You may be in the best position to uncover the truth about what has happened and/or is happening in the facility.' This is followed by a paragraph: 'In addition to the facility's failure to prevent the abuse that may have been identified during the investigation, you may uncover facility failures in areas such as:' and a bulleted list: '• Resident rights', '• Quality of care', and '• Quality of life'. Below the list, it says: 'Other agencies, such as law enforcement, may also be involved in cases concerning criminal activity.' To the right of the text is a photograph of three professionals: a woman in a dark suit, a woman with curly hair in a white shirt, and a man in a grey suit and tie. At the bottom of the slide, there are navigation icons for back, forward, and search, and a 'toc' icon.

## Your Role

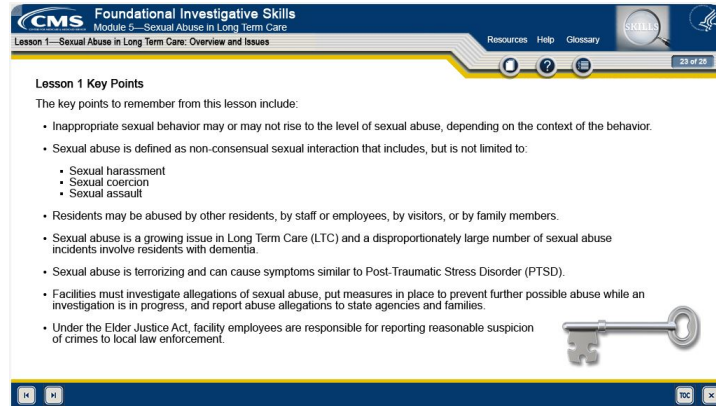
A surveyor's role is to ensure that facilities are in compliance which, in turn, protects the health and safety of residents. You may be in the best position to uncover the truth about what has happened and/or is happening in the facility.

In addition to the facility's failure to prevent the abuse that may have been identified during the investigation, you may uncover facility failures in areas such as:

- Resident rights
- Quality of care
- Quality of life

Other agencies, such as law enforcement, may also be involved in cases concerning criminal activity.

# Foundational Investigative Skills Module 5, Lesson 1

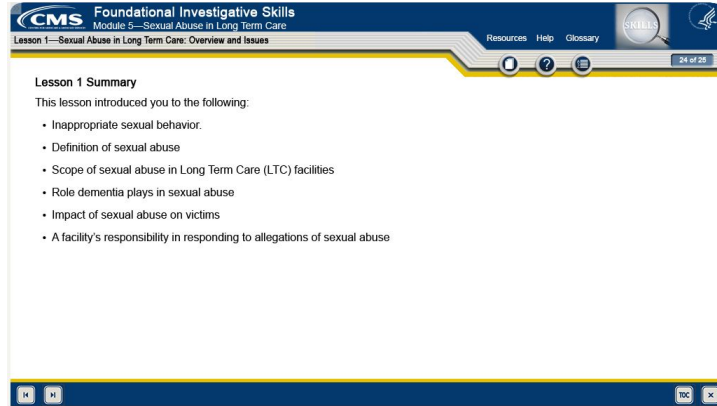


## Lesson 1 Key Points

The key points to remember from this lesson include:

- Inappropriate sexual behavior may or may not rise to the level of sexual abuse, depending on the context of the behavior.
- Sexual abuse is defined as non-consensual sexual interaction that includes, but is not limited to
  - Sexual harassment
  - Sexual coercion
  - Sexual assault
- Residents may be abused by other residents, by staff or employees, by visitors, or by family members.
- Sexual abuse is a growing issue in Long Term Care (LTC) and a disproportionately large number of sexual abuse incidents involve residents with dementia.
- Sexual abuse is terrorizing and can cause symptoms similar to Post-Traumatic Stress Disorder (PTSD).
- Facilities must investigate allegations of sexual abuse, put measures in place to prevent further possible abuse while an investigation is in progress, and report abuse allegations to state agencies and families.
- Under the Elder Justice Act, facility employees are responsible for reporting reasonable suspicion of crimes to local law enforcement.

# Foundational Investigative Skills Module 5, Lesson 1



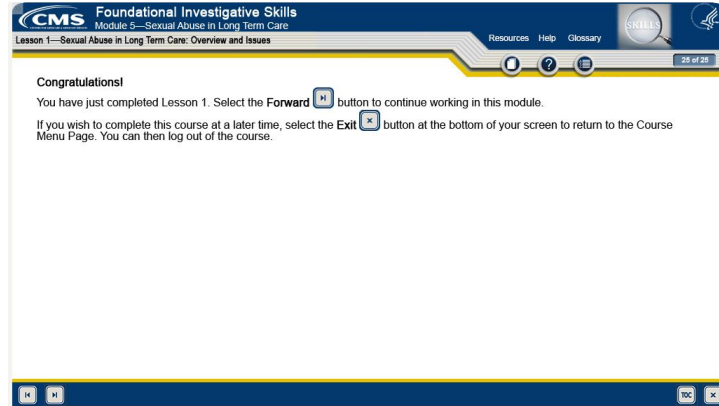
## Lesson 1 Summary

This lesson introduced you to the following:

- Inappropriate sexual behavior.
- Definition of sexual abuse
- Scope of sexual abuse in Long Term Care (LTC) facilities
- Role dementia plays in sexual abuse
- Impact of sexual abuse on victims
- A facility's responsibility in responding to allegations of sexual abuse



## Foundational Investigative Skills Module 5, Lesson 1



### **Congratulations!**

You have just completed Lesson 1. Select the **Forward** button to continue working in this module.

If you wish to complete this course at a later time, select the **Exit** button at the bottom of your screen to return to the Course Menu Page. You can then log out of the course.