

**POLICIES AND PROCEDURES
CONCERNING SEXUAL EXPRESSION
AT THE
HEBREW HOME AT RIVERDALE**

Updated by

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INTRODUCTION

The Hebrew Home at Riverdale ("the Home") recognizes and respects the importance of emotional and physical intimacy in the lives of older adults. Such close human interactions are viewed as a normal and natural aspect of life.

Planning for the social needs of older adults, including those with Alzheimer's disease and dementia, carries with it a responsibility to uphold their personal and sexual choices. This Sexual Rights Policy applies to all older adults receiving services from or residing at the Home (i.e. tenants, clients, participants), hereafter referred to as "residents".

The Home's policy and practice is based on the assumption of autonomy, civil and privacy rights of all people, including the protected rights of all older adults residing in Medicaid/Medicare settings.

This policy recognizes and supports the older adult's right to engage in sexual activity, so long as there is consent among those involved. Consent may be demonstrated by the words and/or affirmative actions of an older adult:

- a) with intact decision-making ability; or**
- b) with intact decision-making ability who is non-verbal; or**
- c) with Alzheimer's disease or Dementia**

The former may require, and the latter does require an assessment conducted by clinical staff, using the Home's "Assessing Consent to Sexual Activity" guidelines¹, to confirm that consent was and continues to be given, and to insure the safety of those involved.

It is recognized that all adults are entitled to their personal beliefs, choices and practices in matters of sexuality. In assessing sexual activity in the context of this policy, professionals and caregiver staff, however, should set aside personal biases and judgment to maintain objectivity in upholding the sexual rights and choices of all older adults in the Home's care.

Following is the translation of these tenets into a set of Policies and Procedures which serve as the basis and reference for sexual expression at the Home.

¹ Available on Hebrew Home website @ www.hebrewhome.org

A. Resident Sexual Rights

Preamble A

For the purposes of the following rights and responsibilities, sexual expression is defined as:

"Words, gestures, movements or activities (including reaching, pursuing, touching or reading) which appear motivated by the desire for sexual gratification"

Residents have the right to sexual activity providing in each instance that the activity does not involve:

- (1) non-consensual acts**
- (2) acts with minors**
- (3) acts between persons if there is any possibility of the transmission of an STD**
- (4) acts that impact negatively on the resident community as a whole through public display**

In the case of older adults with physical and/or cognitive impairment, the above noted provisions apply in addition to an assessment by the clinical staff to insure consent.

Rights

- 1. Residents have the right to seek out and engage in sexual expression as defined above.**
- 2. Sexual expression may be between or among residents, and may include visitors subject to the conditions expressed in Preamble A. Sexual expression between a resident and visitor, which is arranged by a resident and/or family, is further subject to the stipulation that it is a legal arrangement; and there is no solicitation of other residents.**
- 3. Residents have the right to access and/or obtain, for private use, materials with legal but sexually explicit content: books, magazines, film, video, audio, pictures, or drawings.**
- 4. To the extent possible, residents have the right of access to facilities, most notably private space, in support of sexual expression.**
- 5. Residents have the right of access to professional counseling pertaining to sexual expression of self or others.**

In instances where conditions expressed in Preamble A are not fulfilled, including those involving cognitively impaired residents, the relevant Interdisciplinary Care Team (ICT) will make clinical determinations weighing the relative benefits or potential harm associated with the resident's(s') sexual expression. Involvement of a family member or legal representative may be indicated only in instances where the involved resident(s) is cognitively impaired. In such cases, it is the facility's responsibility to uphold the choices and rights of cognitively impaired residents, and to work with families and/or legal representatives if their suggested course of action is discrepant.

B. Staff Responsibilities

Preamble B

Staff should maintain an awareness of the Home's mission and policy, which respects the centrality of intimacy and privacy as a foundation for sexual experience and expression. Generally, it is the function and responsibility of staff to uphold and facilitate resident sexual expression.

Specific Responsibilities

- 1. Staff is responsible for maintaining an awareness of sexual expression, so as to ensure conformity to Preamble A.**
- 2. Staff shall not intervene in resident sexual expression, except in instances where:
 - a. the conditions expressed in Preamble A are likely to be violated; or**
 - b. interventions recommended by the ICT are not followed.****

In such instances and pending ICT care planning, staff interventions will emphasize diversion rather than prohibition.

- 3. Staff is responsible for recommending appropriate use of private space to the extent that it is available.**
- 4. Staff is responsible for providing or obtaining consultation regarding sexual expression to residents upon request.**
- 5. Staff is responsible for referring cases of sexual activity not covered by this policy, so that appropriate amendment can be made to both policy and practice.**

C. Organizational Responsibilities

Preamble C

Just as residents have certain rights and staff certain responsibilities with respect to sexual expression, so the Hebrew Home has certain associated responsibilities, as follows:

- 1. The facility should ensure residents' privacy rights and, to the extent possible, make arrangements which facilitate sexual expression, e.g., a private room for one member of a couple.**
- 2. The facility should develop and maintain an orientation and sensitization training program, in order to equip all staff with the skills necessary to upholding the sexual rights of all residents.**
- 3. Through administrative directive and clinical supervision, the facility should ensure that the procedures outlined in this policy, are communicated to and followed by all staff.**

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