

**Inadequate care provided by rest home to a male dementia
patient who exhibited sexually inappropriate behaviour
(04HDC07008, 29 June 2006)**

*Nurse Manager ~ General Practitioner ~ Rest Home ~ Licensee ~ Standard of care ~
Management of inappropriate sexual behaviour and abuse ~ Incident reporting ~
notification of families ~ Reassessment ~ Rights 4(1), 4(5)*

Caregiver staff at a rest home that provided a high level of dementia care discovered a long-term resident in a female resident's room behaving in a sexually inappropriate manner. The acting Nurse Manager (the home had recently been sold) was informed by staff that the resident had a long history of inappropriate sexual behaviour, which was often directed towards female residents in the home. This included a previous serious incident of sexual assault towards the same resident, and the touching of other residents' breasts and genitals. The new owners were concerned that a situation of long-term abuse may have been allowed to continue. The matter was referred to the Commissioner for investigation.

It was held that the nurse manager and the rest home's general practitioner breached Right 4(1) of the Code by not appreciating that the resident's behaviour had deteriorated to the extent that he was a risk to the safety of other residents, and by failing to refer him for reassessment. They both also breached Right 4(5) of the Code by failing to undertake adequate consultation and review in relation to the resident.

This case highlights the importance of ensuring that dementia patients who have displayed inappropriate sexual behaviour do not become a risk to other residents. It also shows the necessity of having appropriate procedures in relation to sexual abuse and incident reporting.