

<b>POLICY</b> <b>III-75</b>	<b>Abuse of Patients or Residents</b>	<b>DOMAIN</b> <b>Quality of Care</b>
<b>SLT Sponsor:</b> Chief Executive Officer  <b>Policy Lead(s):</b> Clinical Quality Consultant		<b>Date Approved:</b> July 28, 2020
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For further information please contact [covenant.policy@covenanthealth.ca](mailto:covenant.policy@covenanthealth.ca)

NOTE: The first appearance of terms in **bold** in the body of this document (except titles) are defined terms – please refer to the Definition section

**Policy Statement:**

Covenant Health is committed to the provision of safe quality care, services, and treatment that upholds the right of any patient or resident to be treated with dignity and respect, and to be free from abuse by Covenant Health representatives. The abuse of patients or residents by Covenant Health representatives (this includes staff, physicians, contractors, students, volunteers) is considered to be unacceptable conduct.

Covenant Health staff, physicians, students, contractors, and volunteers shall report all incidents of patient or resident abuse as soon as reasonably possible once the safety of the patient or resident and others has been addressed. Failure to report abuse can lead to disciplinary action by Covenant Health, and/or penalties pursuant to legislation.

**Purpose Statement:**

This document confirms Covenant Health’s commitment to an **abuse** free environment and provides instruction to staff when they encounter a patient<sup>1</sup> or resident who has been abused – or when they suspect a patient or resident may have been abused.

For incidents of abuse of staff, physicians, volunteers or others acting on behalf of Covenant Health refer to Corporate Policy #II-145, [Workplace Abuse and Harassment](#).

**Applicability:**

This policy and procedure applies to all Covenant Health facilities, staff, medical staff, volunteers, students and any other persons acting on behalf of Covenant Health.

**Responsibility:**

All Covenant Health staff, physicians, volunteers, students and any other persons acting on behalf of Covenant Health will demonstrate commitment to providing an abuse-free environment for all patients and residents in its care. This commitment includes, but may not be limited to prompt reporting of all incidents of abuse immediately to the proper authorities, taking reasonable steps to protect the safety and wellbeing of patients and residents, and cooperating fully with investigative authorities.

Incidents of abuse are considered to be ‘adverse events’ and shall be managed through the Covenant Health Policy #III-45, [Clinical Adverse Events, Close Calls and Hazards](#).

<sup>1</sup> The terms “patient” or “resident” also refers to client, where applicable.

Abuse reporting shall occur per the Covenant Health [List of Known Reportable Events – Mandatory and Recommended](#), sections:

- Abuse of an Adult Receiving Care or Support Services from Publicly Funded Providers,
- Abuse/Neglect of a Child,
- Adverse Event – Clinically Serious, and
- Adverse Event Involving a Resident in Continuing Care Resulting in Moderate/Severe Harm or Death, as applicable.

### Principles:

Covenant Health has a legal and ethical duty to protect patients and residents from abuse and maintain a reasonable level of safety for them. Anyone who reports an incident of abuse or gives evidence in good faith (for example, for incidents of suspected abuse) will not be penalized for doing so.

Covenant Health shall obtain criminal records checks in accordance with Corporate Policy #II-16, Criminal Records Check.

### Definitions:

**Abuse (per Protection for Persons in Care Act [PPCA])** - is an act or omission with respect to a client (patient or resident) receiving care or support services from a service provider that:

- causes serious bodily harm
- causes serious emotional harm
- results in the administration, withholding or prescribing of medication for an inappropriate purpose, resulting in serious bodily harm
- subjects an individual to non-consensual sexual contact, activity or behavior
- involves misappropriating or improperly or illegally converting a significant amount of money or other valuable possessions
- results in failing to provide adequate nutrition, adequate medical attention or another necessity of life without a valid consent, resulting in serious bodily harm

The following are not considered to be abuse, per the PPCA:

1. When service providers carry out their duties in accordance with professional standards or practices, or any standards established under other legislation.
2. The care or support services provided are reasonably necessary in the circumstances.
3. The act or omission is the result of, or attributable to, a client refusing care or support services.
4. The act or omission is based on a decision made on behalf of a client by an authorized substitute decision maker.

**Covenant Health Representative** means all Covenant Health staff, medical staff, volunteers, students and any other persons acting on behalf of Covenant Health.

**Reasonably Possible** means a reasonably prompt time under the circumstances.

The test is: considering the practical opportunity for reporting and the circumstances of the situation, could we reasonably have been expected to report earlier than we did?

**Relevant Policy and Policy Support Documents:**

<b>A.</b>	<b>Policies:</b> III-45 <a href="#">Clinical Adverse Events, Close Calls and Hazards</a> III-35 <a href="#">Just Culture</a> II-16 <a href="#">Criminal Record Check</a> II-145 <a href="#">Workplace Abuse and Harassment</a>
<b>B.</b>	<b>Procedures:</b>
<b>C.</b>	<b>Guidelines:</b>
<b>D.</b>	<b>Job aids:</b> <a href="#">List of Known Reportable Events – Mandatory and Recommended</a>
<b>E.</b>	<b>Standards:</b>

**Keywords:**

Abuse

**References:**

Catholic Health Alliance of Canada (2012). Health Ethics Guide, 3<sup>rd</sup> Ed., Article 31, “Abuse of Persons Receiving Care” [http://www.chac.ca/ethics/Health%20Ethics%20Guide\\_2013.pdf](http://www.chac.ca/ethics/Health%20Ethics%20Guide_2013.pdf)

Covenant Health. [Our Commitment to Ethical Integrity](#)

Government of Alberta. Child, Youth and Family Enhancement Act, current as of January 1, 2017  
<https://open.alberta.ca/publications/c12>

Government of Alberta. Health Professions Act, current as of December 5, 2019  
<http://www.qp.alberta.ca/documents/Acts/H07.pdf>

Government of Alberta. Mental Health Act, current as of September 15, 2016  
<http://www.qp.alberta.ca/documents/Acts/M13.pdf>

Government of Alberta. Protection for Persons in Care Act, current as of Feb. 20, 2015  
<http://www.qp.alberta.ca/documents/Acts/P29P1.pdf>

Government of Alberta, Alberta Health. Resource page for Protection of Persons in Care Act, accessed December 12, 2019 @<https://www.alberta.ca/protection-for-persons-in-care.aspx>

Government of Alberta Continuing Care Branch. Continuing Care Health Service Standards (amended 2018), Standard 9 re: Staff Training <https://www.alberta.ca/continuing-care-accommodation-and-health-service-standards.aspx>

**Past Revisions:**

May 7, 2018

January 14, 2013