**Residents’ Rights to sexual expression**

A facility social worker contacts you to express his concern that two residents (one with diminished cognitive capacity, the other with intact cognitive capacity) are being prevented from engaging in a sexual relationship. The facility is aware that both residents’ desire to be sexually expressive with one another, and each of their physicians and interdisciplinary care teams have determined it is safe and consensual. However, the administrator advises staff to keep the residents apart due to fear of facility liability or receiving a citation from their state regulatory agency.

* Is this acceptable? What kind of guidance can you offer the social worker? What steps should the facility be taking to honor the residents’ rights, ensure residents’ safety, and alleviate fear of liability or regulatory action?

**Confidentiality**

During a regular visit to Happy Home Facility the Administrator and Director of Nursing tell you they are concerned about a resident named Ann who is 75 years-old and HIV positive. Staff have been hearing from other residents that Ann has had sexual “relations” with multiple residents at the facility. The staff feel it is their responsibility to notify Ann’s partners and their family members and offer to help them get tested for HIV.

* Is it acceptable to notify the residents and family members? What kind of guidance can you offer the administrator and DON?

**Understanding the meaning behind certain behaviors**

You receive a call from an administrator who reports that every evening at 5:00 pm an 81 year-old male resident named James begins to undress regardless of whether he is in his room, at the dining hall, or participating in a facility social event. Staff members are confused by this pattern of behavior and have determined it is sexual in nature. They are asking the administrator if it’s possible to give James drugs to stop the behaviors.

* Is this a sexual behavior? How can you tell? What kind of guidance should you offer the facility?