February 2, 2023

**Submission to the call for inputs on violence against older persons**

**2023 Human Rights Council Report**

The phenomenon of resident-to-resident incidents in nursing homes and assisted living residences is common, psychologically harmful, physically injurious, and deadly.

The National Center on Elder Abuse stated that this phenomenon is “more common than physical abuse by staff” while the Centers for Disease Control and Prevention stated:

“The amount of attention given to phenomena such as resident-to-resident aggression has increased tremendously over the last decade. Resident-to-resident aggression is not a form of elder abuse. However, its occurrence produces injuries and wounds identical to those resulting from abuse and may result when institutions fail to take action to prevent or manage aggression or take actions that are not sufficient to assure resident health and safety. Both of these phenomena may produce outcomes as harmful as those of elder abuse. They may also intensify the impacts of abuse if they are experienced concurrently.”

Source: CDC (2016). Elder abuse surveillance: Uniform definitions and recommended core data elements. <https://www.cdc.gov/violenceprevention/pdf/ea_book_revised_2016.pdf>

The following studies provide extensive empirical evidence for the above statements.

* Lachs et al. (2016). The prevalence of resident-to-resident elder mistreatment in nursing homes. *Annals of Internal Medicine, 165(4),* 229-236. <https://pubmed.ncbi.nlm.nih.gov/27295575/>
* Castle, N.G. (2012). Resident-to-resident abuse in nursing homes as reported by nurse aides. *JEAN, 24(4)*, 340-356. <https://pubmed.ncbi.nlm.nih.gov/23016729/>
* Shinoda-Tagawa et al. (2004). Resident-to-resident violent incidents in nursing homes. *JAMA, 291(5),* 591-598. <https://jamanetwork.com/journals/jama/fullarticle/198137>
* DeBois et al. (2020). Resident-to-resident aggression in long-term care: analysis of structured and unstructured data from the National Violent Death Reporting System, 2003-2016. JAG, 39(10), 1069-1077. <https://pubmed.ncbi.nlm.nih.gov/31319739/>
* Caspi, E. (2018). The circumstances surrounding the death of 105 eldersas a result of resident- to-resident incidents in dementia in long-term care homes. *JEAN,* 30(4), 284-308. <https://pubmed.ncbi.nlm.nih.gov/29851550/>
* Murphy B (2017). Deaths from resident-to-resident aggression in Australian nursing homes. *JAGS,* 65(12), 2603-2609. <https://pubmed.ncbi.nlm.nih.gov/29131309/>

Common terms used in care practice, research, and the media to describe this phenomenon include resident-to-resident “aggression” / “abuse” / “violence” and “elder mistreatment.” However, in the context of the majority of residents living with dementia who engage in these incidents, these terms are not only inaccurate, but they are labeling and stigmatizing for these individuals. Most importantly, they prevent us from identifying and proactively meeting the human needs underlying these episodes.

Support for the above statements is provided here:

* Grigorovich et al. (2019). The “violent resident”: A critical exploration of the ethics of resident-to-resident aggression. *Journal of Bioethical Inquiry, 16*, 173-183. <https://link.springer.com/article/10.1007/s11673-019-09898-1>
* Herron et al. (2021). Stories of violence and dementia in mainstreamnews media: Applying a citizenship perspective. *Dementia, 20(6*), 2077-2090. <https://pubmed.ncbi.nlm.nih.gov/33337247/>
* Caspi, E. (1.21.22). Conflicts between nursing home residents are often chalked up to dementia – the real problem is inadequate care & neglect. *The Conversation.* [*https://theconversation.com/conflicts-between-nursing-home-residents-are-often-chalked-up-to-dementia-the-real-problem-is-inadequate-care-and-neglect-173750*](https://theconversation.com/conflicts-between-nursing-home-residents-are-often-chalked-up-to-dementia-the-real-problem-is-inadequate-care-and-neglect-173750)
* Caspi, E. (2021). “A story of Neglect”: Understanding and preventing resident-to-resident incidents. Podcast. Long Term Care Community Coalition. <https://nursinghome411.org/podcast/story-of-neglect/>

The phenomenon has also been found to be prevalent and harmful in assisted living residences; the home of approximately one million residents.

* Castle (2013). An examination of resident abuse in assisted living facilities. <https://www.ojp.gov/pdffiles1/nij/grants/241611.pdf>
* Caspi, E. (2015). Aggressive behaviors between residents with dementia in an assisted livingresidence. *Dementia 14(4),* 528- 546.

However, this form of neglect and mistreatment is not being tracked by the U.S. Centers for Medicare & Medicaid Services (CMS) in about 15,000 nursing homes despite ongoing calls for such tracking.

Left untracked, in effect, it doesn’t exist, and CMS is not in a position to address it.

* Caspi, E. (2017). A federal survey deficiency citation is neededfor resident-to-resident aggression in U.S. nursing homes. *JEAN, 29(4),* 193-212. <https://pubmed.ncbi.nlm.nih.gov/28535086/>
* Caspi, E. (11.29.21). Resident-to-resident incidents are a hidden source of harm in nursing homes. They shouldn’t be. *STAT*. First Opinion: <https://tinyurl.com/yc6rmayb>
* U.S. Government Accountability Office (2019). Nursing homes: Improved oversight needed to better protect residents from abuse. <https://www.gao.gov/products/gao-19-433>

The phenomenon is not being tracked nationally despite leading experts’ calls to “develop a comprehensive and data-driven national action plan to eliminate violence in NHs” – Professor Karl Pillemer (2018), Cornell University.

This researcher who studied this phenomenon extensively stated asked recently:

“We talk about violence-free schools. Why we don’t talk about violence-free NHs? What about ending violence in NHs as a policy goal?”

The phenomenon is also not being tracked in the Minimum Data Set (MDS) 3.0, which is the largest federally-mandated clinical dataset used in approximately 15,000 U.S. nursing homes. The MDS 3.0 is often used in large-scale research studies but without any variables on resident-to-resident incidents in it, the ability to conduct large-scale studies on this phenomenon remains limited.

* Caspi, E. (2013). M.D.S. 3.0 – A giant step forward but what about items on resident-to-resident aggression? *JAMDA, 14(8),* 624-625. <https://pubmed.ncbi.nlm.nih.gov/23769853/>

The phenomenon is remains understudied despite the fact that an instrument has been developed and evaluated in a large research study nearly a decade ago:

* Caspi, E. (2016). Deaths as a result of resident-to-resident altercations in dementia in long-term care homes: A need for research, policy, and prevention. *JAMDA, 17(1)*, 7-11. [Editorial] <https://pubmed.ncbi.nlm.nih.gov/26712487/>
* Teresi et al. (2014). Development of aninstrument to measure staff-reported resident-to-resident elder mistreatment (R-REM) using item response theory and other latent variable models. *The Gerontologist*, *54(3*), 460-472. <https://pubmed.ncbi.nlm.nih.gov/23448960/>

Prevention programs have been developed but they are not being used on a large-scale while demonstration of substantial reduction of these incidents has not been shown to date.

* Teresi et al. (2013). A staff intervention targeting resident-to-resident elder mistreatment (R-REM) in long-term care increased staff knowledge, recognition, and reporting: Results from a cluster randomized trial. *International Journal of Nursing Studies, 50,* 644-656. <https://pubmed.ncbi.nlm.nih.gov/23159018/>
* Ellis et al. (2014). Managing resident to resident elder mistreatment (R-REM) in nursing homes: the SEARCH approach. *The Journal of Continuing Education in Nursing, 45(3),* 112-123. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4178932/>

My award-winning book – the first focusing on the prevention of these incidents in the context of dementia in long-term care homes – was published last year (Health Professions Press):

Caspi, E. (2022). Understanding and preventing harmful interactions between residents with dementia.

<https://www.healthpropress.com/product/understanding-and-preventing-harmful-interactions-between-residents-with-dementia>

Our 20-minute documentary film *Fighting for Dignity* (Terra Nova Films) has shown the emotional impact experienced by family members of older residents seriously injured during these incidents:

<https://terranova.org/film-catalog/fighting-for-dignity-a-film-on-injurious-and-fatal-resident-to-resident-incidents-in-long-term-care-homes/>

Family members of loved ones injured or killed as a result of these incidents ask that no other older adult will experience the deep trauma their loved ones has experienced.

For example, the son of a resident with Alzheimer’s disease who died four days after being pushed by another resident with dementia said:

“*We want to see a solution. We don’t want the death of our father to be in vain….I want to see something done so this doesn’t happen again*.”

Source: Inquest (2015): <https://tinyurl.com/j2lc5fd>

Dr. Paul Raia who is a leading national dementia experts predicted in 2006:

“Due to the approaching retirement of the baby boomers and the estimated growth of elders with dementia, we are going to see increasing incidence of resident-to-resident violence. There will be more and more pressure from family members and advocacy groups to keep the residents safe.”

Sadly, his prediction proved accurate.

Vulnerable and frail older adults continue to be routinely injured and die as a result of the systemic neglect to meet their emotional/psychological, social, medical, and other human needs.

Two recent media reports from New Jersey serve as a reminder of these largely inviable tragedies:

91-year-old nursing home resident dies after alleged assault by another resident, family says (1.25.23):

<https://www.nj.com/news/2023/01/91-year-old-nursing-home-resident-dies-after-alleged-assault-by-another-resident-family-says.html>

# Family: Grandfather dies 2 weeks after being assaulted at Westfield nursing home (1.20.23):

<https://newjersey.news12.com/family-grandfather-dies-2-weeks-after-being-assaulted-at-westfield-nursing-home>

I’ve dedicated the past 15 years of my nearly 30 years career in the aging field to addressing this source of harm of older adults. I gave dozens of presentations about it at the local, state, national, and international professional and scientific forums (including at the United Nations) but I have yet to see large-scale change in care homes’ ability to prevent these incidents and realize older adults’ right to live in safe long-term care environments; their home.

My hope is that your report will raise awareness to this common, harmful but largely unaddressed phenomenon and drive meaningful action to address it.

Please let me know if you have any questions or if there’s a way in which I can be of assistance.

Thank you for the opportunity to provide this input.

Yours Sincerely,

Eilon Caspi BSW MA PhD

Gerontologist & Dementia Behavior Specialist

Assistant Research Professor

Institute for Collaboration on Health, Intervention, and Policy

University of Connecticut

Website: <https://chip.uconn.edu>

Adjunct Clinical Professor

School of Nursing

University of Minnesota

Website: <https://www.nursing.umn.edu>

Founder & Director

Dementia Behavior Consulting LLC

 Website: <http://dementiabehaviorconsulting.com>

Founding Member & Board Member

Elder Voice Family Advocates

Website: <https://www.eldervoicefamilyadvocates.org>

Policy Analyst

Long Term Care Community Coalition, NYC

<https://nursinghome411.org>

Editorial Board Member

*Journal of Elder Abuse & Neglect*

*Journal of Applied Gerontology*

Author of the book: *Understanding and Preventing Harmful Interactions Between Residents with Dementia*. Health Professions Press. 2022 National Mature Media Awards Winner – Silver Award

<https://www.healthpropress.com/product/understanding-and-preventing-harmful-interactions-between-residents-with-dementia/>

Co-director of Documentary Film: Fighting for Dignity: Prevention of Harmful Interactions Between Residents with Dementia in Long-Term Care Homes. Terra Nova Films.

Webpage:  <https://terranova.org/film-catalog/fighting-for-dignity-a-film-on-injurious-and-fatal-resident-to-resident-incidents-in-long-term-care-homes/>