

Sexual Expression in Long-Term Care

The Iowa Office of the State Long-Term Care Ombudsman (OSLTCO) plays an integral role in advocating for the rights of over 54,000 long-term care (LTC) residents and assisted living program (ALP) tenants. The right to freedom of sexual expression among these populations has proven a sensitive and sometimes controversial topic, particularly when cognitive capacity is in question.

By federal law, individuals residing in long-term care are afforded multiple rights, many of which are relevant to sexuality. These rights include but are not limited to: the rights to privacy, confidentiality, dignity and respect, the right to make independent choices, and the right to choose visitors and meet in a private location. The OSLTCO strives to preserve these rights by promoting attitudes of awareness, acceptance, and respect of sexual diversity.

Through guidance and sexuality education to residents, family members, administrators, directors, and staff, the OSLTCO supports residents and tenants in developing maximum self-reliance and independence regarding their sexual choices without restricting or regulating their behaviors. Oftentimes, this involves providing assistance in developing sexuality policies which clarify acceptable/unacceptable forms of sexual expression and establish consistent and ethical response strategies so sexual expression can be facilitated in a safe manner.

Though outcomes to sexually-related situations vary innumerable, as each is different and must be considered independently, the OSLTCO believes a multidisciplinary effort is necessary to develop a thoughtful process from which to draw and support conclusions. It is not the responsibility of the long-term care facility or assisted living program (or a single staff member) to solely determine whether a resident/tenant should or should not be sexually expressive. If a resident's/tenant's safety or capacity to consent is in question, the interdisciplinary care team must collectively assess the individual's level of capacity to determine benefits or potential risks associated with the act. Residents/tenants who maintain cognitive capacity to consent should be afforded the same rights to privacy, respect, and freedom to sexual expression as they would if they were living in the community.

If you would like more information or resources on LTC residents' or ALP tenants' rights to sexual expression contact the Office of the State Long-Term Care Ombudsman at 866.236.1430.

The Office of the State Long-Term Care Ombudsman works to advocate for the rights and wishes of residents and tenants in long-term care, including those living in nursing facilities, residential care facilities, assisted living programs and elder group homes.