

ABUSE or INTIMACY



Older Adult Sexuality

Aging does not mean a loss of sexual intimacy, but when an older adult is cognitively impaired (Alzheimer's, dementia) it can be difficult to determine whether he/she is engaged in a healthy sexual relationship or is a victim of a sex crime.

Is there an in between?

What is it and how do you know?

What happens when a 3rd party gets involved?

Older adults should be actively involved in the assessment process to protect their rights and choices

1. Has a crime occurred?

Example: rape or forced sexual act by a perpetrator of any age

Report to law enforcement immediately if a violation of the law is suspected. Each state has specific laws defining sex crimes.

2. Has sexual abuse occurred?

Example: non-consensual sexual act between vulnerable older adults; no clear intention by perpetrator to commit sexual offense

Follow regulatory reporting requirements even if there is no violation of a specific law.

3. Has inappropriate sexual activity occurred?

Example: hyper-sexuality or poor impulse control in older adult with dementia

Intervention and care planning is required to prevent inappropriate conduct, even when a law or regulation has not been violated.

4. Has a real relationship occurred?

Example: sexual activity which appears consensual between older adults with cognitive or physical conditions

No intervention is required when older adult is able to express some evidence of consent to participate in a healthy relationship. Monitoring is advisable to ensure continued consent.



SEXUAL RIGHTS PROGRAM



The Harry & Jeanette Weinberg
CENTER FOR ELDER ABUSE PREVENTION

Assessing Consent to Sexual Activity in Older Adults

1. Ability to express choices/consent

Ask:

- What are your wishes about this relationship?
- Does your sexual partner make you happy?
- Do you enjoy sexual contact?

Consider:

- Observations and non-verbal clues when older adult is unable to verbalize choices (facial expressions and body language)
- Emotion and mood, before and after sexual contact

2. Ability to appreciate sexual activity

Ask:

- Do you know what it means to have sex?
- What does it mean to you/your partner?
- What would you do if you wanted it to stop?
- What if your partner wanted it to stop?

Consider:

- Nature of the relationship (monogamous)
- Emotion and mood, before and after sexual contact

3. Personal quality of life choices in the here and now

Ask:

- Was and is intimacy important in your life?
- What are your social and companionship needs?
- What brings happiness or fulfillment to your day?

Consider:

- Past and present relationships (including family)
- Impact of cognitive impairment (not an automatic reason to deny relationship)
- Privacy and intimacy rights
- Responsibility to uphold older adults' choices
- Policies for staff education and practice
- Impact of third party objectives or values on assessment process