

Care home admissions risk breaching human rights of older people

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Thousands of older people in low and middle-income countries are at risk of abuse and human rights violations when being admitted to care homes, according to new research led by the University of East Anglia (UEA).

The study provides the first systematic analysis of admissions practices for residential long-term care facilities, assessing the extent to which [older people](#) are involved in admission decisions and whether current practices respect fundamental [human rights](#).

The research, which focused on care homes in Argentina, reveals that a substantial proportion of those admitted do not have high levels of care dependency, raising questions about the grounds for admitting them.

In some cases, this may be due to homelessness or the genuine unavailability of family members to provide low-level care. However, the authors found indications of coercive admission by family members, sometimes in order to obtain access to older people's homes and other property and finances.

Care homes do not usually require or even seek the informed consent of older people, regardless of their cognitive status. The results also suggest that care home owners and staff sometimes collude with [family members](#) in inappropriately admitting residents.

There are a growing number of care homes in Asia, Africa and Latin

America, yet there is very little information about the appropriateness of procedures for admitting older people. Previous research has suggested that the industry is weakly regulated.

As well as data from a government-commissioned national survey, this new research used care homes in the city of La Plata, 35 miles south of Buenos Aires, as a case study. A novel aspect was a patient survey led by local pensioners who went 'undercover' to find out about admissions practices.

The study, published in *The Gerontologist*, involved researchers from UEA's Schools of International Development and Health Sciences, and the SIDOM Foundation in Argentina.

Lead author Peter Lloyd-Sherlock, professor of social policy and international development at UEA, said that in light of their findings, changes to national legal provisions are now being considered by policy-makers.

"Assessing the appropriateness of care home admissions is a complex challenge in all countries," said Prof Lloyd-Sherlock. "Regardless of the quality of care individuals receive once they have been admitted into a residential care home, inappropriate admission in some cases amounts to abuse, criminal behaviour and the infringement of fundamental human rights."

Prof Lloyd-Sherlock and his co-authors, Bridget Penhale of UEA and Nelida Redondo at the SIDOM Foundation, are calling for comparative research to be conducted in other countries, in order to establish both the extent of abuses and raise awareness.

"Our research indicates that this practice, which can entail elements of kidnap and false imprisonment, appears to be widespread in countries

like Argentina," said Prof Lloyd-Sherlock. "To date, it has received scant recognition from policy-makers, human rights organizations or academics.

"If the Argentine experience of admissions is representative of this region, hundreds of thousands of older people will be experiencing this form of abuse. There is an urgent need for researchers, policy-makers, and civil society to acknowledge the scale of abuse and develop safeguards."

Commenting on the findings Bethany Brown, a researcher at Human Rights Watch, added: "Argentina is a party to the Inter American Convention on Protecting the Human Rights of Older Persons, which requires that states party to the Convention establish mechanisms to ensure that the initiation of long-term care services are subject to an indication by the older person of their free and express will."

The authors point to a number of other factors that exacerbate older people's vulnerability to coercive [care home](#) admission, many of which are evident elsewhere in Latin America and beyond. They include a failure of state agencies to develop appropriate legal frameworks to safeguard rights, and their limited capacity to enforce whatever safeguards do exist.

Increased economic opportunity gaps between older people and younger generations, minimal state support for family carers and an inheritance law that fails to protect the interests of surviving spouses also increase the risk of coercive [admission](#).

The case study in La Plata drew on interviews with hospital staff working in geriatric care, local government officials responsible for care services and representatives of local NGOs, as well as focus group discussions with pensioners in different neighbourhoods.

It also involved pensioner-researchers calling and visiting care homes to ask staff questions, for example about the services offered, admissions procedures and requirements. They also carried out observational research regarding perceived quality of care. Interviews were conducted in 30 homes, which account for roughly half of those in La Plata.

More information: 'The Admission of Older People Into Residential Care Homes in Argentina: Coercion and Human Rights Abuse', *The Gerontologist* (2018). [DOI: 10.1093/geront/gny014](https://doi.org/10.1093/geront/gny014)

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