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**Reduction of restraints in nursing homes begs question: Is this a good thing?**

Posted on: 7.29.2010 4:42:51 PM Posted by **Jonathan Rosenfeld, LTC Lawyer**

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Many skilled nursing facilities have made great efforts to reduce the use of restraints on residents. The reduction in restraint usage was **recently analyzed** by the Agency for Quality Improvement and Patient Safety. In short, the data seem promising: From 1999 to 2007, the number of nursing home patients who were restrained dropped more than 50%.

By most estimates, just 5% of nursing home residents are restrained these days. This certainly is promising news. But the question of whether to restrain or not is still gray and complex.

**To restrain or not?**

This really is a very difficult question to answer and responses vary significantly among experts. I feel restraints may be justified when the resident is at risk for harming themselves or others.

In my experience, I have witnessed facilities slow to utilize restraints—even after repeated episodes of falls. In one of my cases, the facility refused to restrain a resident despite 14 reported falls (many with associated injuries) while living at the nursing home. Unfortunately, the resident's 15<sup>th</sup> fall resulted in a head injury which ultimately cost her life.

In the course of litigation, I asked the director of nursing why the resident was not restrained. She advised that the facility was a 'no restraint facility'.

In this case, I think there certainly was a very strong argument to be made that with a no restraint policy, the facility was not properly equipped to care for this patient due to her extensive history of falls.

On the flipside, in another restraint case I worked on, a patient was seriously injured when she was left unattended in her geri-chair with an improperly placed lap belt. Apparently, the belt was too loose and when the woman slipped down in her chair, she became entangled and choked. In the course of litigation, the facility disclosed that lap belts were used on all patients—regardless of their physical abilities.

Certainly, residents must be supervised to ensure the usage / non-usage of restraints doesn't interfere with their wellbeing. It should also be noted that families will want to know where the facility caring for their loved ones stands on this issue.

**Jonathan Rosenfeld is a lawyer who represents people injured in nursing homes and long-term care facilities. Jonathan has represented victims of nursing home abuse and neglect throughout Illinois and across the country. Visit his personal blog at [www.nursinghomesabuseblog.com](http://www.nursinghomesabuseblog.com) and his Web site [BedsoreFAQ.com](http://BedsoreFAQ.com).**

**Comments:**

Monday, August 02, 2010 3:52:42 PM by **Anonymous**

Your argument makes the assumption that restraints will prevent fall and related injuries, however, the evidence does not support this.

- Capezuti E, Evans L, Strumpf N, Maislin G. Physical restraint use and falls in nursing home residents. J Am Geriatr Soc 1996;44:627-33.
- Capezuti E. Preventing falls and injuries while reducing siderail use. Annals of Long-Term Care 2000;8:57-63.
- Capezuti E, Maislin G, Strumpf N, Evans LK. Side rail use and bed-related fall outcomes among nursing home residents. J Am Geriatr Soc 2002;50(1):90-96.
- Neufeld RR, Libow LS, Foley WJ, Dunbar JM, Cohen C, Breuer, B. Restraint reduction reduces serious injuries among nursing home residents. J Am Geriatr Soc 1999;47: 1202-7.
- Si M, Neufeld RR, Dunbar J. Removal of bedrails on a short-term nursing home rehabilitation unit. Gerontologist 1999;39(5):611-4.
- Braun JA, Capezuti E. The legal and medical aspects of physical restraints and bed siderails and their relationship to falls and fall-related injuries in nursing homes. DePaul Journal of Healthcare Law 2000;3:1-72.

Secondly, you imply in the case with the belt restraint that if it fits correctly on a resident that it may not lead to injury. Again, research in this area demonstrates that regardless of "fit" with resident size, restraints can lead to fatal outcomes.

- Miles SH, Irvine P. Deaths caused by physical restraints. Gerontologist 1992;32:762-5.
- Miles S. A case of death by physical restraint: New lessons from a photograph. J Am Geriatr Soc 1996;44:291-2.
- Miles SH, Irvine PI. Common features of deaths caused by physical restraints. Gerontologist 1991;31:42.

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