

Caregiver Misconduct – Simplified Definitions

| MISCONDUCT | SIMPLE DEFINITION | POSSIBLE EXAMPLES |
|-------------------------|---|--|
| ABUSE | <p><i>An intentional act that:</i></p> <p>Contradicts a health care facility's policy/procedures AND Is not part of the care plan AND Is meant to cause harm.</p> | <ul style="list-style-type: none"> Physical abuse – hitting, slapping, pinching, kicking, etc. Sexual abuse – harassment, inappropriate touching, assault Verbal abuse – threats of harm, saying things to intentionally frighten a client Emotional abuse – humiliation, harassment, intimidation with threats of punishment or depriving care or possessions |
| NEGLECT | <p><i>A careless or negligent act that:</i></p> <p>Fails to follow facility procedure or care plan AND Causes or could cause pain, injury or death BUT Is not intended to cause harm.</p> | <ul style="list-style-type: none"> Not using a gait belt when required or transferring a client alone Failure to perform ROM exercises Turning off a call light Leaving a client wet or soiled Skipping work in a client's home without notifying your employer Disregarding hydration orders Failure to deliver or administer medication |
| MISAPPROPRIATION | <p><i>An intentional act that:</i></p> <p>Is meant to permanently deprive a client of property OR Misuses a client's personal property AND Is done without the client's consent.</p> | <ul style="list-style-type: none"> Theft of cash, checks, credit cards, jewelry, medication, etc. Misuse of property, e.g. using a resident's cell phone, wearing a resident's jewelry, eating a resident's box of candy, etc. Identity theft |

These definitions apply to alleged violations committed against residents in health care facilities regulated by the Department of Health Services. The DHS Division of Quality Assurance investigates allegations of misconduct by non-credentialed caregivers. If a finding of abuse, neglect or misappropriation is substantiated, that caregiver will be listed on Wisconsin's Caregiver Misconduct Registry. Caregivers with findings may be permanently barred from working in long-term care facilities such as nursing homes. In addition, DQA investigates allegations of harm to residents in nursing homes by any person. Violations against residents allegedly committed by credentialed caregivers, family, friends or other individuals may also be reported to and investigated by agencies such as DHS, county Adult Protective Services, the Department of Safety and Professional Services, and law enforcement.