

# What You Should Know

Many resident rights support the right to sexual expression and include, but are not limited to:



- Privacy
- Confidentiality
- Dignity and respect
- Self-determination
- Visitors
- Freedom from abuse

Long-term care facilities should understand your rights and support you in your choices, including your right to sexual expression.

Saying yes to any sexual activity must always consider your ability to make your own decisions and your safety and autonomy.

Contact the Office of the State Long-Term Care Ombudsman

**Toll Free:**  
866-236-1430

**Email Address:**  
[sltco@hhs.iowa.gov](mailto:sltco@hhs.iowa.gov)

**Mailing Address:**  
321 E 12th St.  
Des Moines, IA 50319

## Resources

For more information, scan the QR Code.



Health and Human Services  
Long-Term Care Ombudsman Program

# Right to Sexual Expression in Long-Term Care



Health and Human Services  
Long-Term Care Ombudsman Program

## Are You Able To Make Your Own Decisions?

You should be afforded the same rights to privacy, respect and freedom to sexual expression as if you were living in the community. Sexually related situations must be looked at for every person on a case-by-case basis. To support you in your right to sexual expression, it is important to know:

- It is not the responsibility of a long-term care facility, your representative or a single staff member to solely determine whether you should or should not be sexually expressive.
- If your capacity seems diminished, people and professionals involved in your care should collectively assess your level of capacity to determine benefits or potential risks associated with any sexual act.

## What If You Do Not Have The Ability To Make Decisions?

Any time a facility has reason to suspect an individual does not wish to engage in sexual activity or may not be able to consent, steps must be taken to look into any situation. While it is your right to participate in consensual sexual activity, a facility is required to protect you and others from non-consensual sexual relations. Sexual contact is generally non-consensual if you:

- Appear to want the contact to occur but lack the cognitive ability to consent,
- Do not want the contact to occur, or
- Are sedated, temporarily unconscious, or are in a coma, for example.

## When Is It Abuse?

Non-consensual sexual activity is considered abuse regardless of the existence of a pre-existing or current sexual relationship. When suspected abuse is reported, whether by you, facility staff, or others, the facility must complete an investigation and report alleged sexual abuse to the proper entities.

## How Can You Be Supported In The Right To Sexual Expression?

Engaging in conversations, encouraging training for facility staff, understanding facility policy, and promoting attitudes of awareness and acceptance can help everyone be better prepared in approaching situations regarding your right to sexual intimacy and expression.