

Claim Review

Failure to Ensure Safety From Elopement

A woman with dementia wandered out of her senior living residence and fell after an exit door did not get relocked and alarmed following a fire drill.

| SPECIALTY | ALLEGATION | RESIDENT SAFETY & RISK MANAGEMENT FOCUS |
|---|---|---|
| <ul style="list-style-type: none"> Senior living community | <ul style="list-style-type: none"> Failure to ensure safety from elopement | <ul style="list-style-type: none"> Hazardous wandering, unsafe leaving and elopement |

42%
of Constellation senior living claims allege failure to ensure safety from falls

Facts of case

An 85-year-old woman with moderate dementia lived in a senior living memory care wing for three years. She had a history of wandering in and out of other people’s rooms and a history of falling. One afternoon the woman was found on the ground in the driveway outside of her building. Her face was bloody, and she was confused with no memory of her circumstances.

She was transported to the local hospital by ambulance with apparent facial and bilateral arm injuries. The emergency department (ED) physician diagnosed her with acute left intraventricular hemorrhage, acute complex left zygomaticomaxillary facial fracture, a right distal radius fracture and a left distal humerus fracture. The ED physician transferred her to a tertiary hospital for treatment. An orthopedist

treated her arm fractures conservatively, and one week later an ENT specialist performed surgery to repair her facial fracture. She was hospitalized for two weeks and was discharged to a different senior living community.

The family filed a malpractice claim against the senior living community alleging failure to ensure safety from elopement.

Disposition of case

The malpractice case was settled against the senior living community.

Resident safety and risk management perspective

The investigation into this claim revealed that earlier on the day the woman was found on the ground outside, the senior living community conducted a scheduled fire drill. As was their

usual practice, the maintenance team turned off all exit door alarms. Following completion of a fire drill, their usual practice was to turn off the fire alarms and re-arm all exit doors. However, on this afternoon a nurse who was new to the community turned off the fire alarm in the memory care wing because the noise was upsetting the residents. In turning off the fire alarm, the nurse did not realize she still needed to re-engage the door lock and door alarms, leaving residents vulnerable to elopement with no warning alarm.

The resident left the memory care wing through the unlocked door without tripping the door alarm, and she wandered outside the building and fell. Her care team did not know she had left the wing or the building until being notified that she had been found injured outside.

The experts who reviewed the claim criticized the senior living community for failing to inspect and test all secured exits following the fire drill, and for failing to educate the memory care team about elopement risks and the prevention plan, including how to safely engage door locks and alarms.

Failure to ensure safety from hazardous wandering and elopement

Hazardous wandering and unsafe leaving or elopement can put a person with cognitive and/or mobility issues at risk for injury, and lead to regulatory fines and malpractice claims for the senior living community. Constellation malpractice claim data shows that elopement is a low-frequency event, with only 2% of our senior living claims alleging failure to ensure safety from elopement or failure to monitor to prevent elopement. However, 42% of our senior living claims allege failure to ensure safety from falls, and fall-related injuries are a frequent outcome when a person with cognitive or mobility issues leaves their senior living community or building unsafely.

The Alzheimer's Association estimates 1 in 6 persons with dementia

Questions for senior leaders

- Does your organization assess new resident admissions for cognition, wandering and mobility?
- Does your organization provide your care teams with education and training on your resident safety program?
- Do you communicate regularly with an at-risk resident's family to talk about the risks of hazardous wandering versus the benefits of mobility and a sense of home?

wanders, and that anyone with memory or cognitive problems who can walk is at risk for injury due to unsafe wandering.¹ Elopement is generally defined as when a person with cognitive or memory problems leaves an area meant to keep them safe. Elopement may happen so infrequently that senior living communities may not have protocols to prevent unsafe leaving, or drills to respond to elopement situations. The use of door locks and alarms may give care teams a false sense of security; however, as this case illustrates, alarm technology is only as good as the human interface.

Risk and resident safety tips

- ✓ Complete resident risk assessments for cognition, wandering/elopement risk and mobility on admission, routinely and after a change in condition
- ✓ Implement a care plan with targeted, person-centered interventions for at-risk persons
- ✓ Provide resident, family, visitor and care team education
- ✓ Use care team communication processes and tools, including at-risk person identification
- ✓ Communicate with an at-risk resident's family about the benefits of mobility versus the risk of unsafe leaving using a shared decision-making model
- ✓ Utilize a sign-in/sign-out system or log

- ✓ Develop an elopement/unsafe leaving/missing person response plan and checklist
- ✓ Perform elopement/unsafe leaving/missing person drills
- ✓ Utilize internal environmental modifications and safeguards
- ✓ Use door/exit alarm technology, and routinely test and inspect
- ✓ Maintain external grounds in a safe manner and conduct routine safety rounds

References

1. Alzheimer's Association. **Wandering**. bit.ly/37yuwb5. Accessed February 22, 2020.

Resources

Find resources to prevent and manage unsafe leaving/elopement on the MMIC and UMIA websites by navigating as follows: [MMICgroup.com](https://www.mmicgroup.com) or [UMIA.com](https://www.umia.com) > Sign In > Risk Resources > Bundled Solutions > Long-term Care

Watch our webinar, "[Safe/Unsafe Leaving: A New Way to Think About an Old Problem of Elopements](#)"

LORI ATKINSON, RN, BSN,
CPHRM, CPPS

Content Manager and Patient
Safety Expert

Constellation

Lori.Atkinson@

ConstellationMutual.com



This article originally appeared in the Summer 2020 issue of *Common Factors*,TM published online twice each year by Constellation. Together with member companies MMIC, UMIA and Arkansas Mutual, Constellation is a growing portfolio of medical professional liability (MPL) insurance companies offering innovative products and services that reduce risk and support care teams. For more articles, providing health care leaders and professionals with data-driven insights and solutions, plus malpractice claims analysis and more on the latest health care topics, visit [ConstellationMutual.com](https://www.constellationmutual.com)