14 ELEMENTS OF A GOOD SECLUSION/RESTRAINT POLICY, REGULATION AND/OR LAW

1. A strong purpose statement

- A statement of legislative intent or purpose, that seclusion and restraint (S/R) are extraordinary and dangerous interventions and that the state’s goal is to substantially reduce or eliminate their use.

2. Definitions and conditions for use

- Recognizing that S/R are safety measures of last resort to be used only in emergencies that can be objectively defined as imminently dangerous
- Types of S/R (e.g., mechanical, physical, drug, seclusion) should be identified and defined.
- A very tight and specific definition of emergency.

3. Definitions and limits on kinds of S/R and related procedures

- Prone restraint including takedown procedures
- Restraint chairs
- “Walking restraints,” (belts, cuffs and shackles)
- Restraint nets
- Any technique that obstructs the individual’s airway, puts pressure on back, head, neck, chest or abdomen including takedown procedures
- PRN S/R orders of all kinds

4. Admission requirements

- Assessment for risks
  - Elderly
  - History of trauma
  - Obesity or abdominal girth
  - Respiratory and/or Cardiac problems
  - Intoxication at the time of the restraint
  - Recent ingestion of fluids
  - Medication side effects
  - Back Problems
  - Deafness or other physical disabilities

- A person-centered S/R reduction or emergency response plan also known as crisis plans, safety plans, or de-escalation plans developed in the first hours or day of admission

5. The Order – By Whom & What it Must Say
Strong preference for MD or Licensed Independent Practitioner (LIP) (required for drug)
Face to face MD/LIP evaluation within 1 hr if not sooner
Order must:
- state the reasons for the restraint in conduct-specific terms, not conclusory terms,
- describe the alternatives to be tried, and how those alternatives relate to event documentation,
- include the duration of the restraint and clear criteria for earliest possible release from the restraint.

6. Monitoring, assessment & comfort
- Ongoing constant monitoring (watching and engagement)
- Regular periodic assessment (for medical problems and for release)
- Standards to ensure the individual comfort (e.g., bathroom breaks)

7. Duration of order
- One to three hours max per order
- Restriction on number of cumulative hours
- Notice to “executive leaders” if beyond certain hours
- Shorter durations for youth and adolescents

8. Renewal
- Emergency situation must continue to exist and be clearly documented for an order to be renewed.
- Subsequent orders should state the justification for the renewal and the criteria for release.
- If the S/R order is renewed more than once, someone in authority (e.g., facility head, Commissioner) must be notified.

9. Debriefing
- After every S/R event
- Includes both individual and staff
- Identifies event antecedents including institutional triggers, what happened in a step-wise, documented format and suggestion on how to prevent in the future
- Results in review of individual’s treatment plan

10. Staff training
- Prevention approach
- Trauma informed care
11. Transparency

- Data collection and open dissemination to insure transparency and promote reform.
- Data should be made available to other like-hospitals so that facilities may compare utilization.
- Data should be available to the public so that the public (and advocates) can monitor utilization and progress.

12. Leadership notification

- Notification to oversight agency and/or facility leadership for oversight and review.

13. P&A and family notification

- All restraints to family for children and adults (if consent provided)
- All or injuries or death related use of S/R to P&A within 24 hours

14. Licensing requirements

- A facility or agency specific S/R reduction plan that involves leadership commitment/reinforcement; the transparent use of data; workforce training and supervision, inclusion of consumers, families and advocacy groups; and the use of rigorous event analysis (debriefing processes).
- The facility should be required to demonstrate progress to reduce and eliminate the use of S/R.
- Policies in accordance with the current statute but that seek best practices and go beyond minimal standards

References


