

## PRIVACY

### THE LAW

Each patient shall... "Have **reasonable protection of privacy** in such matters as toileting and bathing."

§ 51.61(1)(s), Wis. Stats. [Emphasis added.]

[NOTE: See also "**Privacy in Toileting and Bathing**" section in this digest.]

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### DECISIONS

1. An inpatient complained about **lack of interactions with staff** during her six-day stay. Each patient's needs and perceptions are unique, and staff cannot use a "one size fits all" approach. There is a **thin line between respect** for a **patient's privacy** and choices (e.g. to not have many interactions with others and to be given personal space), **and going too far in the other direction** (e.g., in trying to probe for interaction with many questions). In the latter instance, the patient could have complained that she was not respected and not given reasonable space or privacy. Here, the record reflects a **reasonable degree of staff attentiveness** and vigilance and, in the latter part of the stay, more discussion with her about issues. It was concluded that the patient's **right** to a humane psychological and physical environment was **not violated** in this circumstance. (Level III decision in Case No. 99-SGE-08 on 3/23/01)
2. A client staying at a transitional housing site was distressed when a **maintenance man** for the provider came to the apartment's door at the behest of the client's roommate. The client was in her own room off of the main room. When the client became aware of the male staff inside the apartment door, **she immediately yelled out that she was dressing, did not have clothes on, and wanted him to leave**. Then her roommate closed the client's door and the staff left. The **male staff did not see her undressed** in her room. It is concluded that the situation **did not rise to the level of a violation** of her right to privacy. (Level III decision in Case No. 09-SGE-09 on 2/25/11)

[See: "Introduction to Digest-Date Last Updated" page]