

## Alzheimer's: Facility Must Appreciate Elopement Risk.

An elderly Alzheimer's patient exited the nursing home building into an enclosed courtyard. Either the door was left unlocked or he unlocked it himself.

In the courtyard he fell and sustained a serious head injury while he was being chased down by facility staff.

His legal guardian sued the facility for negligence.

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***A facility serving Alzheimer's patients must be aware of the patient's propensity for elopement.***

***This patient still had the presence of mind to watch staff open the door and remember the keypad code even while his dementia made him prone to nighttime elopement attempts with little, if any, appreciation for his own safety.***

UNITED STATES DISTRICT COURT  
MICHIGAN  
January 22, 2007

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The US District Court for the Eastern District of Michigan ruled this was not a professional negligence case and should not be dismissed for failure of the patient's attorney to provide an expert's opinion.

True, a nursing home must provide ongoing professional assessment of the degree of an Alzheimer's patient's dementia and the of consequent need for close monitoring, especially on days when the patient has been agitated and acting out.

However, this patient's injuries were caused by being chased down by staff, which is not a professional caregiving function. ***Ostrom v. Manorcare Health Services, Inc., 2007 WL 188132 (E.D., Mich., January 22, 2007).***