

Advance Directives: Court Says When In Doubt, Resuscitate.

The Court of Appeal of Louisiana dismissed a lawsuit filed by the family of a patient who was resuscitated in a nursing home despite three advance directives in her chart, then taken to a hospital and allowed to expire based on hospital personnel's interpretation of the same advance directives. The family sought damages for the deceased's pain and suffering from the time she was resuscitated until she expired naturally in the hospital.

The court ruled the nursing home was not at fault for resuscitating the patient. One of the three advance directives, six years old, was supposed to be signed by two physicians but was only signed by one. A second advance directive said the patient should be taken to the ICU, but should not get CPR, an absurd contradiction in the court's judgment. The third was signed only by a family member, not the patient, which is not valid. **Terry v. Red River Center Corp.**, __ So. 2d __, 2006 WL 3307399 (La. App., November 15, 2006).