

Patient Known To Wander: Court Rules It Is Mistreatment To Barricade Patient In His Room.

Anurse's aide was found guilty of mistreatment of a patient and fined \$1,500 by the state department of health, sanctions which the New York Supreme Court, Appellate Division, ruled were justified by the facts of the case.

The aide had been assigned to care for a patient in a nursing home. The patient was confined to a wheelchair but nevertheless was highly mobile, able to wheel himself about easily. The patient's reputation as a "wanderer" was borne out on the evening shift in question. He wheeled himself off to another wing on the same level or into other patients' rooms on four separate occasions, before the aide requested permission from the charge nurse to put him to bed in his room. The charge nurse said not to put him to bed.

It is mistreatment to barricade a patient in the patient's room, by moving a bed against the door, to keep a patient who is known to wander from wandering from the floor or into other patients' rooms.

The charge nurse had told the aide who barricaded the patient in his room not to put the patient to bed in his room, but to keep him under watch and to go get him when he wandered.

NEW YORK SUPREME COURT,
APPELLATE DIVISION, 1997.

The aide then wheeled the patient into his room, slammed the door, moved a bed into position so the door could not be opened wide enough to allow a wheelchair out, and verbally challenged the charge nurse to go ahead and "write her up." The charge nurse and another aide went to the patient's room and verified the patient had been barricaded in.

The court ruled the aide was guilty of deliberately mistreating a patient while in the course of discharging her duties as a nurse's aide.

The court discounted the aide's claim that the patient had barricaded himself in his room. The charge nurse testified this patient could not have done that, and the aide had already admitted in front of three other persons she had barricaded the patient in. ***Remmers vs. DeBuono, 660 N.Y. S. 2d 159 (N.Y. App., 1997).***