

Choking: Disabled Patient Known To Have Problems, Was Not Supervised While Eating.

A lawsuit filed in the District Court, Dane County, Wisconsin by the family of a deceased fifty-six year old mildly retarded woman against the state mental health facility where she was committed resulted in a monetary settlement paid to the family, amount agreed to be kept confidential.

The woman had been diagnosed with mild retardation, schizoaffective disorder and mood swings. She was court-ordered to the facility because of threatening behavior toward others.

Staff Knew of Eating Problems Nothing Was Done

Staff observed the patient to have a propensity to stuff her mouth full of food and try to swallow but nothing was done by way of a care plan to monitor and assist her while she was eating.

For thirteen days after the patient was admitted to the facility four staff members observed her stuffing her mouth full of food and trying to swallow without chewing.

No orders were written for the nursing staff nor was any systematic effort made to assist and monitor the patient while she ate.

She choked on a peanut butter sandwich and died.

CIRCUIT COURT, DANE COUNTY
WISCONSIN
July 1, 2007

Nor was the dietary department notified to provide food in small or soft portions that would tend not to choke a person who had difficulty swallowing.

On the evening in question she stuffed a whole peanut butter sandwich in her mouth and started choking.

The emergency suctioning apparatus had never been used before and, it came out during the lawsuit, had not even been tested since the early 1990's. Unfortunately it did not work any more when it was actually needed.

It also came out in the lawsuit that another resident at the same facility died exactly the same way after this incident after two choking episodes with no care-plan or dietary modifications. **Groves v. State, 2007 WL 4898281 (Cir. Ct. Dane Co., Wisconsin, July 1, 2007).**