

Psych Patient Elopes: Jury Finds Facility Not Liable.

When the individual appeared for arraignment in the county circuit court following his arrest the judge decided to send him to the state hospital for a 72-hour psych hold to assess whether he was in need of mental health treatment.

No Justification

For More Restrictive Measures

His initial psychiatric assessment would not justify more restrictive restraint measures than confinement to the unit with 15-minute checks at night and 30-minute checks during the day.

Other patients with an even lower level of restriction were allowed to ask staff to unlock the door from the unit to the outside so they could go out and smoke.

While an aide was unlocking the door for two patients with outdoor smoking privileges this patient suddenly ran by and bolted out the door.

He ran to the parking lot of another state-hospital building nearby and attempted unsuccessfully to car-jack a visitor in her vehicle.

Staff followed policies and procedures and carried out their roles appropriately.

COURT OF APPEALS OF KENTUCKY
September 26, 2008

The Court of Appeals of Kentucky upheld the jury's verdict that the facility was not at fault.

Staff had no basis to expect the patient to try to elope. There was no court order or directive from a designated mental health professional or other legal justification to put him in four-points or lock him in his room.

The staff member who opened the door looked around carefully and opened the door only long enough for the two smokers to go outside. **Peddicord v. Bluegrass Regional Psych. Services, 2008 WL 4368149 (Ky. App., September 26, 2008).**