

Eloperments: Court Faults Facility's Actions, Civil Monetary Penalty Upheld.

After the resident's first elopement the facility got her a door-alarm ankle bracelet, but only the front door was alarmed and she went out again through a side door. After all the doors got alarms she figured out how to flip the switch to disarm the alarms and she eloped again.

The facility's response to the resident's third elopement, taping a piece of paper over the wall-mounted ankle-bracelet alarm bypass switch, would have stopped the average Alzheimer's patient, but it did not address this resident's individual level of cognitive ability.

UNITED STATES COURT OF APPEALS
FOURTH CIRCUIT
July 18, 2008

Staff taped a piece of paper over the alarm-disarm switch box, which probably would have confounded the average Alzheimer's patient but did not stop this resident from flipping the switch and eloping again. Finally a second buzzer was wired in to sound whenever the alarm was disarmed.

Alzheimer's – Patient Safety

Individual Cognitive Functionality

The US Court of Appeals for the Fourth Circuit ruled that Federal regulations require a facility caring for Alzheimer's patients to tailor patient-safety interventions to the particular resident's level of cognitive functional capacity even if that happens to be significantly higher and therefore significantly more problematic to deal with than that of the average Alzheimer's patient. Liberty Commons v. Leavitt, 2008 WL 2787675 (4th Cir., July 18, 2008).