

Choking: Patient Required Close Supervision For Impulse Disorder.

The patient was brain damaged from a diabetic coma as a young man.

His diet was carbohydrate controlled for dysphagia with close supervision while eating and with stand-by suction available.

All of his special care parameters were seemingly being met at the nursing home but one night he grabbed a half-eaten sandwich off the meal cart, stuffed it in his mouth, suffocated and died. The Court of Appeals of Kansas ruled it was not within the common knowledge of lay persons that the standard of care was violated. **Tudor v. Wheatland Nursing**, __ P. 3d __, 2009 WL 2834786 (Kan. App., September 4, 2009).