

Psych Patient Jumps From Hospital Window: Psychiatrist, Psychiatric Nurse Ruled Not Negligent.

The jury in the Superior Court, Middlesex County, Massachusetts agreed with State Department of Health investigators that the patient's caregivers were not at fault. His caregivers had no reason to foresee their patient would attempt suicide.

After he came to the E.R. having ingested gamma-hydroxybutyric acid and Klonopin over a period of four days the patient was involuntarily transferred to a psychiatric facility where it came out that the patient was self-medicating for intractable insomnia, not trying to harm himself.

His psychotic symptoms were diagnosed as side effects from the medications.

The psychiatrist ordered fifteen-minute checks which staff did conscientiously. The psychiatric nurse assessed her patient at the beginning of the shift and charted that he still had auditory and visual hallucinations and paranoid ideation.

However, the psychiatrist and the psychiatric nurse never had reason to handle their patient as a suicide risk. They were not at fault for not putting him on direct observation or other suicide precautions, the jury reportedly believed. Jennings v. Li, 2008 WL 2747045 (Sup. Ct. Middlesex Co., Massachusetts, April 18, 2008).

The patient never verbalized any suicidal ideation, intent or plan.

The psychiatrist and the psychiatric nurse both testified the patient was not suicidal or homicidal, based on their assessments.

The psychiatrist ordered checks every fifteen minutes. The psychiatrist also wanted frequent vital signs to monitor withdrawal from the drugs with which the patient had self-medicated for insomnia that were believed to account for his medication-induced psychosis.

The nurse had assessed the patient at the beginning of her shift, finding him still hallucinating and paranoid.

An aide had checked on him fifteen minutes before he threw a chair through a window and jumped out.

SUPERIOR COURT
MIDDLESEX COUNTY, MASSACHUSETTS
April 18, 2008
