

Patient Will Not Leave Hospital: Judge Provides Court Order.

A patient was admitted for gangrene in both feet complicated by a history of diabetes, and for nutritional issues.

In a few weeks she was medically stable and appropriate for transfer to a sub-acute facility.

She refused to leave. Her caregivers found her difficult and demanding. She refused to abide by the rules, ordered in Chinese food and pizzas, went out for donuts and sneaked into the hospital kitchen at night to steal deserts, all contrary to her strict dietary restrictions.

Acute care hospitals have a legal duty not to allow their facilities to be diverted to uses which were not intended.

The utility of a hospital is in jeopardy when a patient who no longer requires services refuses to leave, thereby preventing other needy patients from using the space for inpatient care.

SUPERIOR COURT OF
CONNECTICUT
May 3, 2006

The Superior Court of Connecticut ruled it was not appropriate for her to remain in an acute care hospital. The hospital's mission is to treat other patients in need of acute care. Her dressing changes and nutritional management could be handled well in a skilled nursing facility.

The judge deemed she was illegally trespassing in the hospital and signed a court order for her to cooperate. She had to sign all necessary papers and move to a skilled nursing facility. **Midstate Medical Center v. Jane Doe, 2006 WL 1320149 (Conn. Super., May 3, 2006).**