

## Post-Mortem Care: Hospital Did Not Inflict Emotional Distress On Family Member.

Even though the hospital's policies and procedures were not followed to the letter, the Supreme Court of Delaware refused to allow a family member to sue for infliction of emotional distress for inadvertently being allowed to glimpse the remains fresh post-autopsy.

The court did endorse in general terms the hospital's policies and procedures for handling requests by the next of kin to view the remains of a family member.

### **Requests to View Remains Post-Mortem**

Hospital staff were to forward requests to view remains to the clinical coordinator.

If the case was not under the medical examiner's jurisdiction and the requesting party was an immediate family member the morgue was to be contacted beforehand to prepare the body for viewing.

### **Nurse's Role As Support Person**

When the time came, a nurse was to be assigned to act as the support person to accompany the family member to the morgue. The court said that the unit secretary who accompanied the family member to the morgue in this case was not the right person for the support-person role.

The family member was to view the remains from a room adjacent to the room where the bodies were stored and worked on, separated from that room by a window with blinds kept closed and opened only at the appropriate moment.

In this case the family member decided at the last moment she did not want to view the remains. She could still see through a gap in the viewing-window blinds.

She saw the deceased on the autopsy table not yet prepared for viewing by a family member post-autopsy. **Goode v. Bayhealth Medical Center**, 2007 WL 2050761 (Del., July 18, 2007).