Nurse Rescues Newborn, Mother: Court Validates Her Termination.

The eighteen year-old mother of a premature infant revealed to the neonatal intensive care nurse that she had been trying to hide her pregnancy from her father who she said would kill her if he ever found out.

The nurse gave her her own address and phone number.

Three weeks after discharge from the hospital the young mother showed up at the nurse's home with her new baby.

The nurse let them stay with her for a few days. Then the nurse phoned the parents, told them where she was and all about the baby and asked them to promise she would be safe if she came home. Her father and sister came for her and she reluctantly went away with them.

> *The nurse's union grievance resulted in an order of reinstatement. The arbitrator ruled the hospital acted hastily before fully investigating the allegations.*
>
> *That still does not give the nurse grounds to sue the hospital. Her termination was based on violation of patient confidentiality.*
>
> CALIFORNIA COURT OF APPEAL
> October 8, 2009

Child Protective Services soon became involved in the case. CPS saw it as inappropriate for the nurse to have contacted the mother's family. They notified the nurse's supervisor at the hospital.

The nursing supervisor fired the nurse for violation of patient confidentiality, but without discussing the details with the CPS worker or speaking with the mother. The California Court of Appeal ruled the nurse did violate patient confidentiality and had no right to sue the hospital over the disciplinary action that was taken against her. **Bentley v. Lucile Packard Children's Hosp., 2009 WL 3216248 (Cal. App., October 8, 2009).**