

Suicidal Patient: Court Rules Clinic Staff Acted Appropriately, Dismisses Patient's Lawsuit.

A medical assistant in the hospital's outpatient dermatology clinic answered what started out as a seemingly routine call from a patient who needed to cancel her appointment.

When she asked the patient why she needed to cancel, the patient said she just did not want the doctor to worry about her if she did not show up.

From the patient's tone the medical assistant alertly began to sense that something more serious might be going on. A little further into the conversation the patient stated she was embarrassed to be seen right now because she had not combed her hair or gotten dressed in a while, she did not feel good inside and her life was not worth living. She went on to say she had lost the battle, every day was too hard and she did not want to go on.

Patient's Phone Call Handled As a Suicide Threat

The medical assistant kept the patient on the phone and kept her talking. At the same time she let her charge nurse know what was happening. The charge nurse contacted a hospital social worker. The social worker knew it was not right to try to assess suicide risk over the phone, so the social worker called 911. The 911 operator dispatched police to the patient's residence to bring her to the hospital.

All the people at the hospital acted appropriately. There is absolutely no evidence to the contrary.

The state mental health treatment statute immunizes public and private agencies and their employees from civil damages lawsuits, provided the employees' actions in performance of their duties were in good faith without gross negligence.

The hospital's attorneys offered the patient the chance to dismiss her lawsuit voluntarily, and threatened to ask the judge to penalize her for filing a frivolous lawsuit if she refused.

The judge was correct not only to dismiss the patient's lawsuit but also to enter judgment against the patient in favor of the hospital for \$1,500 for filing a frivolous lawsuit.

COURT OF APPEALS OF WASHINGTON
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The patient would not open the door to let the police into her apartment, so they got the apartment manager to let them in.

Paramedics had to strap the uncooperative patient to the gurney for transport. At the hospital the E.R. triage nurse noted her patient was disheveled, anxious, tearful and withdrawn but she denied any suicidal ideation or plan.

An advanced practice psychiatric nurse assessed her and recommended involuntary hospitalization for major depressive disorder with suicidal intent. The county mental health professional, however, made the final judgment call not to admit her for treatment, as the evidence of current suicidal intent was not sufficient.

The patient was discharged home at 1:00 a.m. after being at the hospital seven hours.

Early that same morning the patient called back and spoke with the charge nurse in the dermatology clinic to complain about how she had been treated.

Charge Nurse Told Medical Assistant To Document Her Conversation

The patient threatened to sue for \$10.5 million. The charge nurse told the medical assistant right away to write out as completely as she could remember her conversation with the patient the day before. That proved very useful later on.

The Court of Appeals of Washington upheld the judge's decision to dismiss the patient's lawsuit and to order her to pay the hospital \$1,500 for filing a frivolous lawsuit. ***Thomas v. Univ. of Wash., 2010 WL 276107 (Wash. App., January 25, 2010).***