

Patient attempts suicide with hospital-issued robe

Severe brain damage;
dies two years later

\$1.7 million settlement

A 45-year-old woman who suffered from mental illness and drug addiction went to the hospital seeking treatment for worsening suicidal ideation and increased depression. Upon admission, she was deemed “high-risk” for suicide and became progressively worse, with increasing psychosis.

Hospital staff gave her a terrycloth bathrobe with a tie. The patient used the tie to try to hang herself in the hospital bathroom. Staff discovered her hanging from the ceiling and cut her down. She had no pulse and was given CPR.

She suffered severe anoxic brain injury and remained institutionalized for two years, requiring full-time care and support. She eventually died due to complications from anoxic encephalopathy.

The plaintiff produced an affidavit from an expert psychiatrist who concluded that the staff was negligent in providing the patient with a bathrobe tie, in failing to conduct a belongings search,



Jeffrey N. Catalano



Christine R. Thompson

and in failing to conduct and/or document appropriate 15-minute checks.

Through separate medical record requests, the plaintiff discovered altered medical records regarding the last time the patient had been checked prior to the hanging. The plaintiff also obtained a copy of the hospital’s policy through the Department of Mental Health that confirmed staff should have conducted random room searches.

The plaintiff also alleged that the treating psychiatrist failed to diagnose and properly treat the patient’s condition; specifically, he failed to make a formal assessment of her suicidal risk, failed to increase the frequency of her

checks, and failed to order that her room be searched for any dangerous items.

At the time of her admission, the patient was unemployed and unmarried. She had four children who were estranged from her due to her illness and drug addiction.

The case settled at mediation shortly after the complaint was filed.

Action: Negligence & tort/medical malpractice

Injuries alleged: Suicide attempt leading to death

Case name: Withheld

Court/case no.: Withheld

Jury and/or judge: N/A (mediated)

Amount: \$1.7 million

Date: Feb. 7, 2013

Attorneys: Jeffrey N. Catalano and Christine R. Thompson, of Todd & Weld, Boston (for the plaintiff)

TODD & WELD LLP
www.toddweld.com