



VITALS

A Weekly Safety Newsletter For Medical Transport Professionals

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An Unsettling Settlement 1

It doesn't matter where this happened or who was involved. An event that occurred in 2006 resulted in a situation in which a county settled for \$925,000, and the involved ambulance service paid around \$600,000. Although the judge threw out charges that the medics acted with negligence and discrimination against a person with mental illness, a wrongful death claim was permitted.

Medics were called to a scene in which police took a man into custody after a struggle. The police did not describe the extent of their physical interaction with him, other than he was acting strangely and maybe urinating in the street. The medics who responded indicated his vital signs were normal. They had a police officer sign a form for the man declining transport to the hospital.

The police transported the man to jail, where he had a seizure and lost consciousness. When the jail nurse told the police that the jail would not book the man, police put the man in a patrol car. He died on the way to the hospital.

The state medical examiner ruled the cause of death was blunt force trauma to the chest. Multiple rib fractures which punctured the left lung were apparently sustained "early in his encounter with police." The man was schizophrenic. His toxicology screen was negative.

Naturally, the man's family obtained legal representation. Further discussion of the incident brought out more details. The medics found the man on his right side, handcuffed with his feet tied to his hands. The officer declined the medic's request to remove the hobble, but moved the man's feet toward his hands to create some slack. The medic discovered a BP of "119/73," pulse of 100, and respirations of 18-20. Because of decreased blood flow to the man's hands, as a result of pulling on the handcuffs, the medic decided it was impossible to measure oxygen saturation. The man's face was described as "a little pale" and the rest of his skin color as "good."

The medic further stated that although "emergency transport to a hospital was not medically indicated," an offer was made to transport the patient, which the officer declined and stated the man would be going to jail. The medic overheard officers opine the man was on drugs, but was unaware of the man's mental illness. Other responders testified that the man had an altered mental status and was using words that did not make sense.

The family's attorney argued that the medics failed to follow their trauma and altered mental status protocols. The absence of a "head-to-toe" physical exam and the lack of contact with medical control were also viewed as violations of the standard of care. In fact, a respected paramedic educator, hired as an expert witness, concluded that the medics involved acted with a "deliberate indifference towards the medical needs of their patient."

The Articles Continues Next Week

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