

Abuse: Aide's Firing Ruled Justifiable.

An aide was fired from her position in a nursing home for allegedly slapping the face of an elderly resident.

The Appellate Court of Illinois agreed with the state department of employment security the aide was fired for just cause.

Physical Discipline = Abuse

According to the court, any touching of a patient is considered abusive if it is not directly related to providing care.

That is, no physical contact whatsoever is permitted as a means to discipline a patient or to correct a patient's behavior.

It was not relevant whether the aide actually slapped the patient as was alleged, or merely touched her face to get her to calm down as the aide herself maintained.

Livingston v. Dept. of Employment Security, ___ N.E. 2d ___, 2007 WL 2163996 (Ill. App., July 27, 2007).