

Assisted Living: Facility Liable For Murder By Resident.

A resident of an assisted living facility murdered another resident. The District Court of Appeal of Florida ruled the victim's family had the right to sue the facility for negligence.

The murderer had been in a psychiatric facility for dementia. While in the hospital he was considered a danger to self and others. On admission to assisted living he was diagnosed with major depressive disorder, dementia and psychosis. He was sent to a psych hospital when he told facility staff he felt he could hurt himself or others, but was released. Then when his daughter became concerned about his increasing paranoia, his psychiatrist prescribed anti-psychotic medication.

The man was in need, and the psychiatrist wrote orders for his mental status and medication compliance to be monitored by a psych nurse, but no such nursing care was provided by the facility. **Pollock v. CCC Investments**, 933 So. 2d 572 (Fla. App., May 24, 2006).