

## **Restraints: Drugs Not To Be Used For Discipline Or Convenience.**

A rehabilitation facility filed suit against a former patient who did not pay her bill.

The resident's attorney filed a counter-suit alleging, among other things, that the patient was illegally subjected to a chemical restraint to keep her in the facility for three weeks in a stuporous state, basically to run up her bill.

This allegation stemmed from the fact an appointment was scheduled with her neurologist, then cancelled, then rescheduled three weeks later. The neurologist determined her confusion was caused by one of her meds, discontinued the med, and her confusion promptly resolved.

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***Federal law outlaws physical or mental abuse, corporal punishment or involuntary seclusion.***

***That means physical or chemical restraints cannot be imposed for purposes of discipline or staff convenience when not required to treat the patient's medical condition.***

SUPERIOR COURT OF CONNECTICUT  
February 14, 2007

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The Superior Court of Connecticut ruled in favor of the rehab facility. One, managing her medications was her personal physician's responsibility. Two, there was no evidence of any wrongful intent by the facility's nursing staff.

If the patient's allegations could have been proven, however, she certainly would have had the right to sue her caregivers, the court said. Eden Park Management, Inc. v. Schrull, 2007 WL 706583 (Conn. Super., February 14, 2007).