

Duty To Warn: Nurse's Actions Vindicated.

After showing signs of anxiety and verbalizing suicidal thoughts, a manufacturing company employee was referred by his employee assistance program to a psychiatric nurse practitioner.

The patient told the nurse practitioner that he was hearing voices, which the nurse categorized as command hallucinations, telling him to harm the company's human resources director with whom he was having ongoing conflict over his job performance. He also revealed to the nurse practitioner that he had access to a gun.

The human resources director was a clearly identified potential victim. The nurse saw it as her legal duty to warn him notwithstanding her legal duty to maintain medical confidentiality.

The patient's psychologist confirmed later that the patient was highly irritable, was having suicidal thoughts and homicidal thoughts about the human resources director with whom he was in conflict.

The Supreme Court of Iowa dismissed the patient's lawsuit against the nurse, the human resources director and the company for being fired. **Evans v. Benson**, ___ N.W. 2d ___, 2007 WL 1299261 (Iowa, May 4, 2007).