

Fecal Incontinence: Hospital Can Terminate Nurse For Medical Reasons.

The individual had a life-long battle with fecal incontinence stemming from congenital medical issues.

She worked as a hospital unit secretary, went to nursing school and was hired back by the same hospital as an RN.

Her condition caused problems with stained clothes, stained chairs and odors. She was told she had to wear incontinence pads and have changes of uniforms with her at work and to change immediately if she had an accident, but it did not work.

She was terminated shortly after a co-worker sat in a feces-stained chair.

A hospital has the right to maintain decorum and is not required to allow an unpleasant work environment to continue for co-workers.

However, this is not a disciplinary matter. The nurse has tried her best and is not at fault.

She will be terminated for failure to return from sick leave.

COURT OF APPEALS OF LOUISIANA
February 8, 2008

The Court of Appeals of Louisiana turned down the nurse's wrongful-termination lawsuit, agreeing with the state civil service commission's handling of the case not as a disciplinary matter but as a more-or-less permanent medical leave.

The nurse was certainly not at fault for her condition, but the hospital was not required to accept or to accommodate the problems it was causing on the unit. **Sibley v. LSU Health Science Center, 2008 WL 426273 (La. App., February 8, 2008).**