

Nurse Tells Patient He Might Have Lung Cancer: Court Discusses Liability For Patient's Suicide.

The US District Court for the Western District of Missouri has not yet ruled definitively whether the Federal government will be liable because a VA Hospital nurse told a patient he might have lung cancer, apparently triggering his suicide.

The court has agreed to take into consideration the family's psychiatric expert's report and the court has ruled out the summary judgment of dismissal demanded by the US Attorney.

According to the court, a nurse told the patient over the phone that they wanted him to come in for x-rays because they thought he had lung cancer.

The patient, under considerable emotional duress, said he might as well take a bottle of sleeping pills and get it over with and said that the VA was just using him as a guinea pig.

The court will take into consideration an expert medical report stating that a paranoid schizophrenic should not be flatly told over the phone that he has lung cancer.

A schizophrenic patient can rapidly decompensate under stress, become completely irrational and carry out acts that are the result of highly disturbed thought processes.

UNITED STATES DISTRICT COURT
MISSOURI
December 20, 2005

The patient then shot himself. The family sued for wrongful death.

The family's lawyer's medical expert, a psychiatrist, gave his opinion that the patient was schizophrenic and that schizophrenics when under stress are prone to profound decompensation in their thinking and impulse control.

The psychiatrist went on to say that being told he had lung cancer most likely drove this patient into a state of insanity that deprived him of the capacity to control his own behavior.

Under an insane delusion, induced by the nurse's actions, the man took his own life, according to the expert's report. Lentz v. US, 2005 WL 3478145 (W.D. Mo., December 20, 2005).