

Mistreatment: Court Sees Grounds For CNA's Firing.

The nursing home's director of nursing observed a CNA shouting at an agitated wheelchair-bound dementia patient in the facility's dining room.

The director stepped in and tried to calm the resident and told the CNA to leave the room. The CNA stayed and continued yelling at the patient. A co-worker had to escort the CNA away.

The New York Supreme Court, Appellate Division, upheld the CNA's firing for misconduct, that is, for placing a resident at risk and ignoring a direct order from a supervisor. **Claim of Volmar**, __ N.Y.S.2d __, 2009 WL 2176982 (N.Y. App., July 23, 2009).