

Patient Abuse: Nurse Used Pillow To Muffle Patient's Cries.

The eighty-two year-old hospital patient began to cry out in pain as his nurse tried to start an IV. When two more nurses came into the room to help with the IV, the patient began yelling for help.

Yet another nurse came into the room, grabbed a pillow and put the pillow over the patient's mouth to stop him from screaming. Her rationale was that other patients in adjacent rooms would be affected by the disturbing noises coming from the room. However, the nurse stopped trying to muffle the patient's cries when the other nurses insisted.

The Court of Appeals of Iowa ruled the one nurse's conduct fit the state criminal code definition of an assault and was, therefore, abusive. It was not necessary to wrestle with the definition of abuse in the state's patient-abuse statute. **Wyatt v. Dept. of Human Services, 2007 WL 911892 (Iowa App., March 28, 2007).**