Adam Green is accused of the unlawful detaining of Bill Heckler, a resident at Midwest Nursing Home.

1. Was Adam’s action justified? In this case Adam’s actions were not justified. Mr. Heckler is fully alert and capable of walking on his own, without assistance. He stated he wished to return to his room. It’s important to note that he did not request that Adam escort him and did not pose a danger to anyone by leaving the dining area. The textbook tells us that Adam made his decision to lock the door, partially because he was being impatient. This also brings up questions of negligence, since Adam did not choose to assess the situation rationally and in a professional manner.
2. In your opinion, was this a case of false imprisonment? While I do not believe Mr. Green thought he was committing a crime at the time that he locked the doors to the dining hall, in my opinion he did falsely imprison Mr. Heckler. According to the text “false imprisonment occurs when a medical professional, or a hired person by that professional, takes an action to confine a patient.” (Fremgen, 2012). It’s important to realize that the term “confining” is not limited to restricting physical movement of the arms, legs or actual body part of an individual. The text goes further to tell us that “there have been cases in which patients were not allowed to leave a room or building when they wished, (much like the case of Mr. Green) and had no reasonable means of escape resulting in a tort of false imprisonment in which the patient won the case. (Fremgen, 2012).
3. What could Adam have done to defuse the situation? Adam could have defused the situation by letting Mr. Green return to his room while the rest of the residence finished their meal. Afterwards he could have checked on him once the meal was complete. Also, he could have called or sent for extra help to deal with the confused patients, or even offered to help Mr. Green find something else to eat.
4. Do the nursing home administrator and Nora Malone have any legal responsibility for Adam’s action? The nursing home administrator and Mrs. Malone absolutely have legal responsibility because of Adam’s actions. They are responsible for the overall health and welfare of their residence and must ensure that their employees and trained, certified and understand the laws that apply to their profession and obey them.

References:

Fremgen, B. F. (2012). *Medical Law and Ethics* (4th ed.). Upper Saddle River, NJ: Pearson Education, Inc.