

**Failure to attempt resuscitation**  
**16HDC01539, 14 June 2018**

*Registered nurse ~ Rest home ~ CPR ~ Right 4(1)*

A man was admitted to a rest home for respite care following surgery. He discussed his wishes regarding resuscitation in the event of a collapse with the GP at the rest home. The man read an information pamphlet about resuscitation and completed a “resuscitation status” consent form. He ticked the option on the consent form that expressed his wish to be resuscitated, and signed the form. He did not sign a “Do Not Resuscitate” order.

Early one morning, a registered nurse discovered the man partially clothed and unconscious in his bathroom. She called for help and conducted a brief “signs of life” assessment, but did not attempt to resuscitate him. The registered nurse left the man lying uncovered on the floor and called an ambulance. She then attended to other duties.

The ambulance officer attempted to resuscitate the man, but her attempts were unsuccessful.

The policy on resuscitation at the rest home differentiated between a witnessed and an unwitnessed collapse.

**Findings**

The registered nurse should have attempted to resuscitate the man, and her decision not to do so was a failure to provide an essential and potentially life-saving service to the man. In addition, the registered nurse made only a brief assessment for signs of life, left the man alone at the scene, and did not protect his dignity by covering him. In doing so, the registered nurse failed to provide services to the man with reasonable care and skill and, as a result, breached Right 4(1).

It is not standard practice in aged care residential facilities for policies to differentiate between witnessed and unwitnessed collapses. By doing so, the rest home did not take reasonably practicable steps to prevent the acts and omissions of the registered nurse. Accordingly, the rest home was found vicariously liable for the registered nurse’s breach of Right 4(1).

Adverse comment was made about the lack of insight demonstrated by the rest home in its response to this complaint. The rest home said that the registered nurse’s decision not to resuscitate the man was the correct decision as the form that the man signed stated that he had requested resuscitation in the event of a witnessed collapse, and the collapse was unwitnessed. The consequences of this interpretation are highly concerning, as it means that in its view, any resident who has not signed a DNR order and wants to be resuscitated will not be resuscitated unless the collapse is witnessed.

**Recommendations and follow-up**

It was recommended that the registered nurse provide a written apology to the family and undertake training in resuscitation. The registered nurse was referred to the Director of Proceedings for the purpose of deciding whether proceedings should be taken. The Director decided not to issue proceedings.

It was recommended that the rest home apologise to the family and review its policy and documentation regarding resuscitation.