

## HEALTH

# Park Royal Hospital faces more trouble with lawsuit over suicide of psychiatric patient ██████████.



Park Royal Hospital in Fort Myers, a 103-bed psychiatric facility, is pictured shortly before its completion in 2012. The hospital, which already had a sexual abuse scandal involving one of its employees, is now subject to a lawsuit involving the suicide of a patient in November 2014. (Naples Daily News file photo)

*By Jacob Carpenter of the Naples Daily News*

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The employee might have lied, but the video did not.

In November 2014, it fell to James Landers, a staff member at Park Royal Hospital in Fort Myers, to check every 15 minutes on psychiatric patient John Doe. In hospital documents, Landers wrote that he checked on [REDACTED] three times during a one-hour span, noting each time that John Doe was asleep, his chest rising and falling.

Except surveillance video showed Landers never did those checks. And [REDACTED] was, in fact, awake. Sometime during that hour, the 51-year-old Massachusetts native, who'd hinted at suicide in recent days, went into his bathroom, closed the door and hanged himself with a tied-up hospital gown.

The troubling details of [REDACTED] death are the subject of a recently filed lawsuit in Lee County against Park Royal Hospital and Landers. They also represent another black eye for the four-year-old hospital, which has already seen one employee sent to prison for sexually assaulting several patients and has had documented issues with failing to check on patients.



In the lawsuit, filed last month by [REDACTED] father, it's alleged that Landers abused [REDACTED] by "failing to timely check on the safety of the decedent so as to protect him from injury to himself," and that the hospital is liable for the abuse.

Doe's father declined to comment Friday, and his Fort Myers-based lawyer, **Dennis Webb**, could not be reached for comment last week.

[Click here to read Park Royal Hospital statement of deficiencies](#)

Officials from Park Royal Hospital and its parent company, Tennessee-based Acadia Healthcare, didn't return multiple calls and emails for comment last week. Efforts to reach Landers were unsuccessful. Neither the hospital nor Landers have filed responses to the lawsuit in court.

With 103 beds, Park Royal Hospital is the region's largest psychiatric inpatient facility. At the time of its opening, it was heralded as filling a major gap in mental health treatment in Southwest Florida, which had gone more than a decade without a psychiatric hospital.

### **Lapse in oversight**

Although the ██████ court case is in its infancy, government inspectors and the hospital's own staff have found significant oversights that might have contributed to ██████ death.

Investigators said ██████ was admitted to Park Royal Hospital on Oct. 28, 2014, under the Baker Act, a state law that allows for the involuntary commitment and evaluation of mentally unstable individuals. ██████ reported that he'd been feeling depressed, paranoid and hopeless, and that he'd been having suicidal thoughts, according to a Centers for Medicare & Medicaid Services report.

While at the hospital, ██████ was quiet and didn't participate in therapy sessions, employees said. Then, on Nov. 2, two days before his death, ██████ made a request to a social worker: He wanted forms to complete a living will. The social worker said he didn't ask ██████ the reason for the request, and he didn't report the request to anyone. ██████ filled out his will and wrote that he was not to be resuscitated, the CMS report said.



Two days later, on Nov. 4, [REDACTED] doctor ordered him to remain at the hospital. [REDACTED] "continued to be disorganized, confused and preoccupied with discharge," according to the doctor. [REDACTED] wasn't placed on suicide watch, but he was to be monitored every 15 minutes.

"If I had been made aware of the living will dated 11/3/2014, I would have placed the patient on suicide watch and one-to-one supervision immediately," the doctor told hospital investigators. The names of hospital employees are redacted from the CMS report.

That night, at 8:45 p.m., surveillance video showed [REDACTED] carrying a patient gown and entering his room. A hospital check sheet, which is used to document 15-minute checks of patients, showed that Landers wrote that he peeked in on [REDACTED] at 9 p.m., 9:15 p.m., and 9:30 p.m.

But those checks never happened.

It wasn't until 9:45 p.m. that Landers finally looked in on [REDACTED], discovering his body in the bathroom. And it wasn't until [REDACTED] doctor was writing up a discharge summary that he learned of the living will request.

"I was surprised to see the paper for the first time the day after my patient had expired," the doctor told hospital investigators.

### **Troubled history**

The hospital inspection records suggest that Park Royal Hospital employees should have been on heightened alert when it came to

checking on patients.

Six weeks before [REDACTED] death, a patient followed a staff member out through a locked door. The patient's absence wasn't discovered for 2 hours and 20 minutes.

But during that stretch, hospital staff wrote that they checked on the patient three times. Each time, they wrote the patient was sleeping, according to the CMS report.

An "action plan" was developed in response, and hospital management pledged to monitor the documentation of 15-minute checks. But in an interview two weeks after [REDACTED] death, the hospital's risk and quality manager said he "had not analyzed the data, and he is not sure what the supervisors were monitoring," the CMS report said.

[REDACTED] death also came about one year after the arrest of Benjamin Bland, a nonmedical staff member who pleaded guilty to sexual assault charges and received five years in prison.

In Bland's case, hospital administrators missed several red flags during Bland's interview process, including that he lied on his résumé and had admitted to choking a woman three years earlier.

In addition, the hospital's internal investigator gave false information to a sheriff's detective about whether Bland entered a victim's room during a specified time. (It wasn't clear whether the omission was intentional.) That information, which was provided early in the investigation, might have helped to validate the victim's account and prevent subsequent assaults.

The hospital's human resources director also testified at a civil deposition that he checked during the interview process with two hospital employees who had worked with Bland in the past. But both employees testified that was not true.

Eleven women eventually sued Park Royal Hospital. **Webb**, who also

represented the women, said in November that a settlement had been reached in their cases. He declined to disclose the terms, and they aren't available in court records.

**Webb** also filed another lawsuit against the hospital on Dec. 30, on behalf of a former patient who said she was sexually abused on two occasions by an employee in 2013. That employee was never arrested, and it wasn't immediately clear when she first reported the abuse.

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#### About Jacob Carpenter

Jacob Carpenter is a general assignment and courts reporter for the Naples Daily News. He has written for the Daily News since 2011, covering topics ranging from police to politics to education.

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