



### **E14 Overview of the Legal Issues Concerning the Discovery and Investigation and Prosecution of the Abuse of Elderly Patients in Healthcare Facilities and the Homicide of All Patients in Various Medical Treatment Facilities**

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The goals of this presentation are to recognize the many complex legal, social and forensic issues involved in incidents concerning the abuse and death of healthcare patients; to examine the necessary components for a comprehensive investigation, reconstruction and exhumation; to be aware of the legal issues and successful resolution of those issues commonly associated with the prosecution of healthcare professionals; and to share their experiences and concerns with the expert panel and to explore the options that may enhance the disco and investigation of the death of healthcare professionals and public confidence in the system to ensure that justice is accomplished.

This presentation will focus on the need to restore public confidence and trust in the placement of loved ones in the healthcare system. As society grows older, many families place their elders into the trusting care of healthcare professionals. When a loved one is sick in the U.S., they are placed with medical professionals in a hospital surrounding. Veterans who have served in wars are placed in special Veterans' Administration hospitals in order to pay them for their war service. When this medical service goes awry, much is lost. Proper investigation, identification, and prosecution is best accomplished by ensuring a comprehensive objective and legally scientifically sound investigation in attempting to determine the true cause of death of a patient.

The proper recognition, documentation, review of documentation and usually exhumation and proper preservation of tissue for forensic purposes associated with healthcare crimes will be discussed. The value of this process is the ultimate successful and just conclusion of incidents, which cannot be over emphasized. Many families need to fee secure that when those in need of special care are entrusted to the healthcare workers, that their improper care is not further complicated by inadequate crime scene analysis. If it is, all investigations and deaths in such settings can be tainted with uncertainty and confidence is eroded and jeopardized.

The Veterans Administration has taken the lead in the U.S. in identifying clusters of deaths, which may indicate errant healthcare workers. Many such workers have been doctors. The essential components of such identification will be discussed in reference to several high profile charged incidents that usually have involved serial killers. Serial killers on the street are dangerous; serial killers in a healthcare setting are not only dangerous, but undermine the trust in the medical care establishment that all need. Critique of these cases and the effect of public perceptions and confidences will be discussed such as to explore and develop strategies and philosophies to reduce future problems and shortcomings.

**Serial Killer, Healthcare Professional, Prosecution**