

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRENDA L. SANDS-REYES, : CIVIL ACTION
Administratrix for the Estate of
JOHN CALEP SANDS-REYES, III

v. :

LANCASTER COUNTY, et al. : NO. 99-5459

MEMORANDUM OF DECISION

THOMAS J. RUETER
United States Magistrate Judge

November 19, 2001

Presently before the court is Defendants' Motion to Prohibit Plaintiff From Arguing that Dr. Coldren's Release of Decedent Violated the June 29, 1999, 304 Order (Doc. No. 52), and plaintiff's response thereto (Doc. No. 58). For the reasons stated below, this motion is DENIED.

Plaintiff, decedent John Calep Sands-Reyes, an inmate at Lancaster County Prison, was placed under a "304 Order" on June 29, 1999, and was required to be housed in Lancaster County Hospital ("LCH") for a period of ninety days until a bed was available at Norristown State Hospital. The 304 Order was issued pursuant to the Mental Health Procedures Act, 50 Pa. Cons. Stat. § 7301, et seq., which provides for the involuntary commitment and treatment of a "severely mentally disabled person who presents a threat of harm to himself or others." 50 Pa. Cons. Stat. § 7304(a). The order was signed by the Honorable James P. Cullen of the Court of Common Pleas for Lancaster County.¹ On June 30, 1999, the day after the issuance of the 304

¹ The order provided the following: "Patient did not attend because the patient is a prisoner. Stipulation was agreed to between the patient and Dr. Brown that the patient has a diagnosis of Schizo Affective Disorder and mixed personality disorder, a clear and present danger to self and others, unable to care for basic needs. 90 days LCH until a bed is available at Norristown State Hospital, least restrictive."

order, defendant Sean Coldren, M.D., discharged Mr. Sands-Reyes from Lancaster General Hospital to the Lancaster County Prison, where according to a report of a pathologist, plaintiff subsequently died of self-inflicted head injuries.

The Mental Health Act provides that if “a director of a facility concludes that the person is not severely mentally disabled or in need of treatment pursuant to subsection (a), he shall discharge the person.” 50 Pa. Cons. Stat. § 7304(g)(3). In their motion, defendants “anticipate Plaintiff will argue that defendant Sean Coldren, M.D. violated a ‘304 Order’ of June 29, 1999, by releasing Decedent John Sands-Reyes to the Lancaster County Prison the following day” since Dr. Coldren was not a “director of the facility” as defined by 50 Pa. Cons. Stat. § 7103. (Defs.’ Mot. at 1.) Defendants contend that plaintiff may not argue that Dr. Coldren’s release of decedent to the prison violated the 304 order, since for purposes of the psychiatric treatment of the decedent, Dr. Coldren would qualify as the director of the facility.² Specifically, defendants contend that as the treating psychiatrist on call in the Lancaster General Hospital’s mental health unit, Dr. Coldren would qualify as the director of that facility. (Defs.’ Mot. at 2, n.1). Plaintiff counters that Dr. Coldren did not possess the requisite authority to discharge plaintiff since Dr. Anthony Russo, and not Dr. Coldren, was the director of the facility, and only the director of a facility could discharge a patient committed pursuant to a 304 order. (Pl.’s Resp. at 2-4).

The determinative issue presented by the motion is whether Dr. Coldren was the director of the facility from which plaintiff was released, since the statute only authorizes the “director of a facility” to discharge a patient who was involuntarily committed. To make this determination,

² The parties agree that the mental health unit of LCH is a mental health facility as defined by the Mental Health Act. See 50 Pa. Cons. Stat. § 7103.

the Mental Health Statute must be considered in its entirety, and the relevant terms must be examined in the context in which they are used in the statute, and ascribed their plain meaning. Knecht v. Medical Service Assoc. of Pennsylvania, 143 A.2d 820, 825 (Pa. Super. 1958). When the “words of a statute are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.” 1 Pa. Cons. Stat. § 1921(b). Moreover, as the Pennsylvania Supreme Court has stated: “When the statute’s meaning is plain, there is no occasion for resorting to rules of statutory interpretation or looking to the legislative history when doing so would alter the plain meaning of the statute.” Mohney v. McClure, 529 Pa. 430, 432 (1992).

The Mental Health Act clearly differentiates between a director of a facility and a physician. Section 7114 clearly distinguishes between various individuals who may be responsible for the treatment of an involuntarily committed individual. The language of that section provides that “a county administrator, a director of a facility, a physician, a peace officer or any authorized person who participates in a decision that a person be examined or treated under this act, or that a person be discharged or placed under partial hospitalization, out patient care or leave of absence...shall not be civilly or criminal liable” for a treatment decision in the absence of willful misconduct or gross negligence. 50 Pa. Cons. Stat. § 7114. This section demonstrates that the legislature intended to distinguish between a director of a facility and a physician working at the facility. More importantly, the legislature made an additional distinction in section 7304(g)(3). As stated above, this section provides that the “director of a facility” shall discharge an individual if the director concludes that the person is not severely mentally disabled or in need of treatment. It is reasonable to assume that the legislature intended

that the discharge of an involuntarily committed individual was a serious matter which warranted the review of the director of a mental health facility. Thus, this court finds that the statute requires that the director of a facility, not merely a treating physician, make the determination to release such an individual.

Dr. Coldren was not the director of the facility as defined by the Mental Health Act. Dr. Caldron testified at his deposition that Dr. Anthony Russo was the clinical director of the psychiatric unit at LCH in June of 1999. (See Dep. of Dr. Sean Coldren at 8.) Dr. Russo stated the same. (See Dep. of Dr. Anthony Russo at 69.) Dr. Richard Brown also testified at deposition that either he or Dr. Russo, not Dr. Coldren, was the director of the mental health unit at LCH during the relevant time period. (See Dep. of Brown at 78.) Defendants offer no authority for their proposition that a treating physician on call qualified as a director of a facility, aside from the deposition testimony of Dr. Brown that the medical director of the mental health unit at LCH was not required to sign off on discharges. Id. Assuming Dr. Brown accurately described the practice of LCH, this custom cannot supercede a defined procedure of Pennsylvania law that must be followed to terminate a court-ordered commitment to a mental health facility. Accordingly, defendants' motion must be denied since Dr. Coldren was not the director of the

mental health facility, and the stated basis for the discharge was that the decedent was no longer seriously disabled,³ a determination which can be made only by the director of a facility.

BY THE COURT:

THOMAS J. RUETER
United States Magistrate Judge

³ The discharge summary prepared by Dr. Coldren states that decedent's "symptom picture did not in my mind justify ongoing acute psychiatric treatment." (Discharge Summary Prepared by Dr. Sean Coldren, Ex. B to plaintiff's response to defendants' motion.)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRENDA L. SANDS-REYES, : CIVIL ACTION
Administratrix for the Estate of
JOHN CALEP SANDS-REYES, III

v. :

LANCASTER COUNTY, et al. : NO. 99-5459

ORDER

AND NOW, this 19th day of November, 2001, upon consideration of Defendants' Motion to Prohibit Plaintiff From Arguing that Dr. Coldren's Release of Decedent Violated the June 29, 1999, 304 Order (Doc. No. 52), and plaintiff's response thereto (Doc. No. 58), and for the reasons stated in the accompanying Memorandum of Decision, it is hereby

ORDERED

that Defendants' Motion is **DENIED**.

BY THE COURT:

THOMAS J. RUETER
United States Magistrate Judge