

Civil Liability

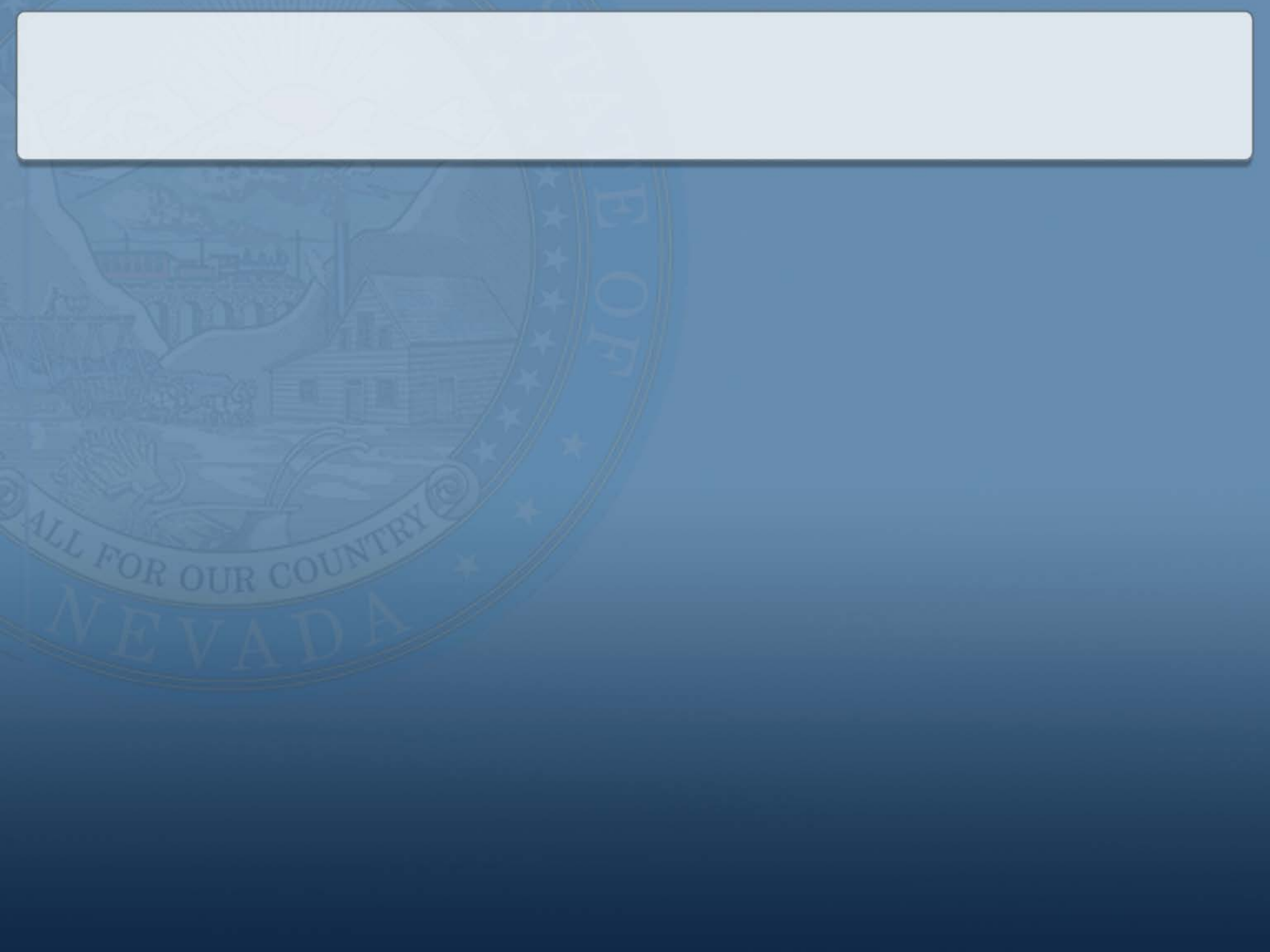
- There is a clear need for COM's
- The court averages 60-70 cases on calendar each hearing and 3.5 commitments per week
- But patient rights are also important to the equation
- Enforcement of those patient rights may be sought through civil liability

Civil Liability

- NRS 449.720(1): Every patient of a medical facility or facility for the dependent has the right to:
 - Receive considerate and respectful care
 - Refuse treatment to the extent permitted by law and to be informed of the consequences of that refusal
- No private of “private right of action” under NRS 433A or NRS 449 but they can be bases for negligence claims

Civil Liability

- The important things is to follow statutory procedures and professional standard of care
- Symborski v. Spring Mountain Treatment Center: “[Plaintiff] makes claims for malpractice, negligence, and negligence per se that do not sound in medical malpractice and, therefore, do not require a medical expert affidavit under [NRS 41A.071](#).”



[Redacted area]