

SUPREME JUDICIAL COURT OF MAINE

Saunders v. Tisher, 2006 ME 94

902 A.2d 830 (Me. 2006) · Decided August 2, 2006

SUMMARY

The Maine Supreme Judicial Court affirmed dismissal of Kristopher T. Saunders's claims against psychiatrist Paul Tisher under M.R. Civ. P. 12(b)(6). The court held that claims arising from Tisher's alleged misuse of the involuntary commitment process were subject to the Maine Health Security Act and its three-year statute of limitations. Two justices dissented, concluding that the alleged retaliatory conduct could support civil-rights, emotional-distress, or wrongful-use-of-civil-process claims outside the MHSA.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Clifford, J.; Saufley, C.J.; Dana, J.; Alexander, J.; Calkins, J.; Levy, J.; Silver, J.
JURISDICTION	Maine
DECIDED	August 2, 2006
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from dismissal of a complaint under Maine Rule of Civil Procedure 12(b)(6) on the ground that the claims were governed by the Maine Health Security Act and barred by its three-year statute of limitations.
STANDARD OF REVIEW	The court reviewed de novo the judgment granting a Rule 12(b)(6) motion. It treated the complaint's factual allegations as admitted and viewed them in the light most favorable to the plaintiff, asking whether the complaint alleged facts supporting relief under any legal theory.
PRECEDENTIAL VALUE	Published Maine Supreme Judicial Court opinion; majority opinion precedential, with dissent.
PARTIES	Kristopher T. Saunders v. Paul Tisher

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether claims styled as civil-rights and emotional-distress claims based on a psychiatrist's alleged misuse of the involuntary-commitment process arise from the provision of health care services and therefore fall within the Maine Health Security Act.
2. Whether the Maine Health Security Act's three-year statute of limitations barred Saunders's claims when the alleged commitment occurred in February 1998 and the complaint was filed in February 2004.
3. Whether dismissal under Maine Rule of Civil Procedure 12(b)(6) was proper based on the statute of limitations apparent from the face of the complaint.

HOLDINGS

1. Claims arising from a psychiatrist's actions in determining whether a person should be involuntarily committed and admitted for mental-health treatment are actions arising from the provision of health care services and fall within the broad scope of the Maine Health Security Act, even when pleaded as civil-rights or intentional- or negligent-emotional-distress claims.
2. The MHSA's three-year statute of limitations barred Saunders's claims because the causes of action accrued in February 1998 and the complaint was not filed until February 2004.
3. Dismissal under Rule 12(b)(6) was proper when the complaint's allegations, accepted as true and viewed favorably to the plaintiff, established that the claims were MHSA claims filed outside the statutory limitations period.

KEY QUOTATIONS

"Those actions fall within the ambit of the very broadly worded and all-encompassing MHSA." (at 833)

"The 'or otherwise' language of section 2502(6) reflects a legislative intent that the MHSA 'occupy the field with regard to actions against health care providers.'" (at 834)

"Although Saunders styles his complaint as one for a violation of his civil rights, because the actions of Dr. Tisher described in Saunders's complaint regard health care services, and implicate medical malpractice insurance, the complaint falls within and is subject to the provisions of the MHSA." (at 835)

FACTUAL BACKGROUND

Saunders attended three counseling sessions with psychiatrist Paul Tisher in November 1996 and then terminated the doctor-patient relationship after declining recommended medication. On February 4, 1998, Tisher signed an application supporting Saunders's emergency involuntary commitment, allegedly falsely stating that Saunders posed a likelihood of serious harm and had no suitable less restrictive treatment resources. Saunders was arrested, transported to Acadia Hospital, and held involuntarily for twenty-one days. He filed suit in February 2004, asserting civil-rights and emotional-distress claims, among others.

PROCEDURAL HISTORY

Saunders filed an initial complaint in February 2004 and an amended complaint in April 2004 concerning his alleged involuntary commitment in 1998. The Superior Court for Penobscot County dismissed the claims under Rule 12(b)(6), concluding that they were subject to the Maine Health Security Act's three-year limitations period. Saunders appealed, and the Supreme Judicial Court of Maine affirmed.

DISPOSITION

affirmed

CASES CITED

- Libner v. Me. County Comm'rs' Ass'n, 2004 ME 39, 845 A.2d 570
- Napieralski v. Unity Church of Greater Portland, 2002 ME 108, 802 A.2d 391
- In re Wage Payment Litig., 2000 ME 162, 759 A.2d 217
- Johanson v. Dunnington, 2001 ME 169, 785 A.2d 1244
- Butler v. Killoran, 1998 ME 147, 714 A.2d 129
- Musk v. Nelson, 647 A.2d 1198 (Me. 1994)
- Dutil v. Burns, 674 A.2d 910 (Me. 1996)
- Appeal of Sleeper, 147 Me. 302, 87 A.2d 115 (1952)
- Taylor v. Herst, 537 A.2d 1163 (Me. 1988)
- Darling v. Augusta Mental Health Inst., 535 A.2d 421 (Me. 1987)
- Champagne v. Mid-Maine Med. Ctr., 1998 ME 87, 711 A.2d 842
- Henriksen v. Cameron, 622 A.2d 1135 (Me. 1993)
- Pepperell Trust Co. v. Mountain Heir Fin. Corp., 1998 ME 46, 708 A.2d 651
- Gray v. State, 624 A.2d 479 (Me. 1993)
- Price v. Patterson, 606 A.2d 783 (Me. 1992)
- Nyer v. Carter, 367 A.2d 1375 (Me. 1977)