

UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

Daniel J. Scott v. Mary Benson

742 F.3d 335 (8th Cir. 2014) · No. No. 12-3356 · Decided February 4, 2014

SUMMARY

The Eighth Circuit reviewed an interlocutory appeal from the denial of qualified immunity to a nurse practitioner accused of providing constitutionally deficient medical care to a civilly committed patient. The court held that the district court applied the wrong constitutional standard, concluding that the deliberate-indifference standard, rather than the professional-judgment standard from *Youngberg v. Romeo*, governs the patient's Fourteenth Amendment medical-care claim. The court vacated the denial of summary judgment and remanded for application of the deliberate-indifference standard.

CASE DETAILS

COURT	United States Court of Appeals for the Eighth Circuit
WRITING FOR THE COURT	Gruender, Circuit Judge; Loken, Circuit Judge; Beth Phillips, District Judge, sitting by designation
JURISDICTION	Federal
DECIDED	February 4, 2014
DOCKET	No. 12-3356
DISPOSITION	vacated
PROCEDURAL POSTURE	Interlocutory appeal from the denial of a motion for summary judgment based on qualified immunity in a 42 U.S.C. § 1983 action alleging constitutionally deficient medical care.
STANDARD OF REVIEW	The denial of summary judgment based on qualified immunity was reviewed de novo, with the record viewed in the light most favorable to Scott and all reasonable inferences drawn in his favor.
PRECEDENTIAL VALUE	Published, precedential Eighth Circuit opinion
PARTIES	Mary Benson, ARNP v. Daniel J. Scott

TOPICS

- qualified immunity
- interlocutory appeal
- due process
- civil rights
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Eighth Circuit had interlocutory appellate jurisdiction over the denial of summary judgment based on qualified immunity.
2. Whether the district court applied the correct constitutional standard to Scott's Fourteenth Amendment claim alleging constitutionally deficient medical care.
3. Whether the existing record permitted the appellate court to determine at that stage whether Benson was entitled to qualified immunity.

HOLDINGS

1. The collateral-order doctrine gives the Eighth Circuit limited authority to hear an interlocutory appeal from the denial of qualified immunity.
2. A Fourteenth Amendment claim by a civilly committed person alleging constitutionally deficient medical care is governed by the deliberate-indifference standard applicable under the Eighth Amendment, not the professional-judgment standard from *Youngberg v. Romeo*.
3. To establish deliberate indifference to a serious medical need, Scott must show both that he suffered from an objectively serious medical need and that Benson actually knew of and deliberately disregarded that need.
4. The appellate court could not determine from the existing record whether Benson was entitled to qualified immunity because the district court applied the wrong constitutional standard and did not fully resolve or analyze the material factual disputes under the deliberate-indifference framework.

KEY QUOTATIONS

“liability may be imposed only when the decision by the professional is such a substantial departure from accepted professional judgment, practice, or standards as to demonstrate that the person responsible actually did not base the decision on such a judgment.” (at 339)

“Under the objective prong, Scott must show that he suffered from an objectively serious medical need.” (at 340)

“Under the subjective prong, Scott must show that Benson actually knew of but deliberately disregarded his serious medical need.” (at 340)

FACTUAL BACKGROUND

Scott was an involuntarily committed patient at the Iowa Civil Commitment Unit for Sex Offenders, where Benson was the advanced registered nurse practitioner primarily responsible for his medical care. In August and September 2010, Scott sought treatment for boils or an infection that allegedly worsened, eventually developing gangrene and requiring hospitalization and surgery. The parties disputed the timing and substance of the encounters and whether Benson examined Scott, prescribed antibiotics, or otherwise treated the infection. Scott later developed sepsis and underwent a leg amputation.

PROCEDURAL HISTORY

Scott sued Benson and other defendants under 42 U.S.C. § 1983, alleging inadequate medical care while involuntarily committed at the Iowa Civil Commitment Unit for Sex Offenders. Benson moved for summary judgment on qualified-immunity grounds, but the Northern District of Iowa denied the motion. Benson brought an interlocutory appeal, and the Eighth Circuit vacated the denial and remanded for application of the deliberate-indifference standard and a complete qualified-immunity analysis.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Remand to the Northern District of Iowa to apply the deliberate-indifference standard and conduct a full qualified-immunity analysis in the first instance, including consideration of the disputed facts and the treatment Benson provided at the various points in time.

CASES CITED

- Krout v. Goemmer, 583 F.3d 557, 563-64 (8th Cir. 2009)
- Johnson v. Jones, 515 U.S. 304, 311-12, 319 (1995)
- Nelson v. Shuffman, 603 F.3d 439, 442-43, 446 n.3, 449 (8th Cir. 2010)
- McDonald v. Eilers, Civ. No. 88-2751, 1988 WL 131360, at *2 (E.D. Pa. Dec. 7, 1988)
- Youngberg v. Romeo, 457 U.S. 307, 323 (1982)
- Cruzan by Cruzan v. Director, Missouri Department of Health, 497 U.S. 261, 280 (1990)
- Senty-Haugen v. Goodno, 462 F.3d 876, 889-90 (8th Cir. 2006)
- Meuir v. Greene County Jail Employees, 487 F.3d 1115, 1118-19 (8th Cir. 2007)
- Coleman v. Rahija, 114 F.3d 778, 784-86 (8th Cir. 1997)
- Camberos v. Branstad, 73 F.3d 174, 176 (8th Cir. 1995)
- Gordon v. Frank, 454 F.3d 858, 862 (8th Cir. 2006)
- Taylor v. Bowers, 966 F.2d 417, 421 (8th Cir. 1992)
- Logan v. Clarke, 119 F.3d 647, 650 (8th Cir. 1997)
- Roberson v. Bradshaw, 198 F.3d 645, 648 (8th Cir. 1999)
- Santiago v. Blair, 707 F.3d 984, 990 (8th Cir. 2013)
- Handt v. Lynch, 681 F.3d 939, 944-45 (8th Cir. 2012)