

STATE OF INDIANA) IN THE MARION CIRCUIT / SUPERIOR COURT
)SS:
COUNTY OF MARION) CAUSE NO.:

CRAIG INMAN, INDIVIDUALLY AND AS)
FATHER AND NATURAL GUARDIAN OF)
M.I., A MINOR,)

 Plaintiffs,)

 v.)

ACADIA HEALTHCARE COMPANY, INC.,)
OPTIONS TREATMENT CENTER)
ACQUISITION CORPORATION, a Domestic)
For-Profit Corporation, d/b/a OPTIONS)
BEHAVIORAL HEALTH SYSTEM,)

 Defendants.)

COMPLAINT FOR DAMAGES AND
DEMAND FOR JURY TRIAL

Come now Plaintiffs, Craig Inman, Individually and as Father and Natural Guardian of M.I., a minor, by counsel, and for their Complaint for Damages and Demand for Jury Trial allege and state as follows:

PARTIES

1. Plaintiff, M.I., is a resident of the State of Indiana, County of Clinton, and was admitted for care at Options Behavioral Health System and was harmed by the conduct of Defendants in Marion County, Indiana. M.I. is and was at all times relevant to this matter, a minor.

2. Plaintiff, Craig Inman, is a resident of the State of Indiana, County of Clinton, and has been, at all times relevant, the father and custodial parent of M.I.

3. Defendant, Acadia Healthcare Company, Inc., is a for-profit corporation formed in the state of Delaware operating a network of for-profit mental healthcare service providers with its principal office located at 6100 Tower Circle, Suite 1000, Franklin, Tennessee, 37067.

4. Defendant, Options Treatment Center Acquisition Corporation, is an Indiana corporation with its principal office located at 6100 Tower Circle, Suite 1000, Franklin, Tennessee, 37067.

5. Defendant, Options Behavioral Health System is located at 5602 Caito Drive, Indianapolis, Indiana 46226 in Marion County, Indiana. Options Behavioral Health System is an assumed name of Options Treatment Center Acquisition Corporation.

6. Defendants own and operate Options Behavioral Health System, an inpatient psychiatric hospital in the State of Indiana, County of Marion, City of Indianapolis.

7. Defendants are legally responsible for their employees and agents providing care to patients, including M.I., at Options Behavioral Health System.

ALLEGATIONS COMMON TO ALL COUNTS

8. Plaintiff M.I. presented to the emergency department at Witham Health on September 2, 2024 for a suspected overdose.

9. The care providers at Witham recommended inpatient mental health care and confirmed that there was a bed available at Options Behavioral Health System in Indianapolis, Indiana.

10. Plaintiff M.I. was transported to Options Behavioral Health System where she was to be placed in one-to-one monitoring for her safety.

11. Plaintiff M.I. was housed in unsanitary units and did not receive therapy, psychiatric evaluation, or appropriate one-to-one monitoring.

12. Plaintiff M.I. was involved in three separate fights over the course of a single day with a male patient who was housed on the same unit as M.I. At no time prior to the third

altercation was this other patient and M.I. taken for housing in separate units and no other interventions utilized to prevent further injury to M.I.

13. Instead of taking measures for the safety of M.I. and other patients, Options staff members injected M.I. with “the shot,” a measure regularly threatened for use on any patient creating commotion or additional work for Options staff members.

14. Upon information and belief, Plaintiffs understand “the shot” to be a highly potent intramuscular injection containing diphenhydramine, haloperidol, and lorazepam.

15. Victims given “the shot” by Options staff would cause patients to sleep for many hours, unaware of their surroundings and unable to protect themselves from harm.

16. Plaintiff Craig Inman and other members of M.I.’s family tried to transfer M.I. to another facility whose staff was willing and/or able to provide M.I. with the care she needed from her second day at Options. Staff at Options prevented family members and her regular care providers from speaking to M.I. about any issues, including efforts to get her out of the facility and transfer her elsewhere.

17. Options held M.I. against her will and contrary to the desires expressed by M.I.’s family until September 13, 2024.

18. M.I.’s mental health was worse after being held at Options against her will and she was transported directly to another care facility. This was the facility to which her family had been trying to transfer her all through her time at Options. With just days of proper care M.I.’s condition improved greatly. She has moved from one-to-one observation to residential care and therapy and has resumed her schoolwork since being freed from Options.

19. Options staff either remained intentionally ignorant of M.I.'s medical needs and concerns, or otherwise ignored them, and based treatment decisions and her length of stay upon the maximum amount Options could bill M.I.'s insurance.

20. Options willfully and intentionally held M.I. against her will and without any medical basis, consistent with its established business practices.

21. Options staff utilized threats and intimidation to prevent M.I. from leaving the facility even though she did not pose a threat of harm to herself or others.

22. M.I. has suffered tremendous harm because of Defendants' conduct, including physical injuries and grave fear at the prospect of seeking mental health care at any time since she was released from Options.

COUNT 1 – MEDICAL NEGLIGENCE

23. Defendants, individually and/or through their agents, were negligent in providing medical care to M.I., which failed to meet the applicable standard of care. Plaintiffs allege that the conduct of Defendants fell beneath the standard of care in one or more of the following non-exhaustive ways:

- a. Defendants failed to obtain informed consent for treatment and services provided to Plaintiff, M.I.;
- b. Defendants failed to use reasonable skill and care in providing care to Plaintiff, M.I.;
- c. Defendants failed to use reasonable skill and care in diagnosing Plaintiff, M.I.;
- d. Defendants failed to use reasonable skill and care by failing to provide necessary referrals for the further care of Plaintiff, M.I.;

- e. Defendants were negligent in failing to discharge Plaintiff, M.I.; when medically indicated.
- f. Defendants' refusal to discharge Plaintiff, M.I. and preventing her from leaving the facility without proper authority and when she did not pose a threat to herself, or others constitutes false imprisonment by Defendants; and/or
- g. Defendants were otherwise negligent in the provision of care and services to Plaintiff, M.I.

24. As a direct and proximate result of Defendants' negligence, Plaintiff, M.I.; has unnecessarily suffered injuries, including but not limited to physical pain and suffering, emotional distress and anguish, and other injuries and damages; as well as the need for future treatment and expenses and unavoidable pain and suffering.

25. Plaintiff Craig Inman, is and was, at all times relevant to this action, the father of Plaintiff, M.I. He asserts all claims for damages incurred, including expenses incurred.

COUNT 2 – VIOLATIONS OF INDIANA CRIME VICTIM'S RELIEF ACT

26. Defendants made false or misleading statements as to Plaintiff M.I.'s condition to improperly obtain pre-approval for unnecessary medical expenses.

27. Defendants, with the intent to obtain property to which Defendants were not entitled knowingly or intentionally made false or misleading statements all in violation of I.C. 35-43-5-4(a)(1).

28. Defendants made false or misleading statements to M.I. and her family regarding her status at the hospital to improperly obtain payment for unnecessary medical expenses.

29. Defendants, with the intent to obtain property to which Defendants were not entitled knowingly or intentionally created a false impression in another person all in violation of I.C. 35-43-5-4(a)(1).

30. Plaintiffs have suffered a pecuniary loss because of Defendants' violations of I.C. 35-43 under I.C. 34-24-3-1. As such, Plaintiffs are entitled to compensation for actual damages, treble damages, costs of this action, a reasonable attorney's fee, expenses for producing witnesses in this cause, Plaintiffs' time for filing papers and attending court proceedings, and all other reasonable costs of collection. I.C. 35-24-3-1.

COUNT 3 – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

31. Defendants' conduct as alleged herein was extreme and outrageous in that it went beyond all possible bounds of decency, was atrocious and utterly intolerable in a civilized society.

32. Defendants, through their extreme and outrageous conduct intentionally or recklessly caused severe emotional distress to Plaintiff M.I.

33. Plaintiff M.I. is entitled to compensation for the emotional distress she experienced.

COUNT 4 – WILLFUL AND WANTON CONDUCT

34. Defendants' conduct as alleged herein was willful and wonton misconduct and done with malice, fraud, gross negligence, or oppressiveness.

35. Defendants' conduct as alleged herein was not the product of a mistake of fact, an honest error of judgment, overzealousness, ordinary negligence or other human failing.

36. Defendants' conduct as alleged herein entitles Plaintiffs to punitive damages.

COUNT 5 – GENERAL NEGLIGENCE

37. Defendants' conduct as alleged herein was negligent in that Defendants knew or should have known that their conduct would cause an unacceptably high risk of injury to Plaintiffs.

38. Defendants' conduct as alleged herein was the responsible cause of injuries suffered by Plaintiffs.

39. Plaintiffs are entitled to compensatory damages for all injuries of any kind proximately caused by Defendants' conduct as alleged herein.

COUNT 6 – CIVIL REMEDY FOR RACKETEERING ACTIVITY

40. Defendants' conduct as alleged herein constitutes violations of I.C. 35-43-5 and qualify as "racketeering activity" under I.C. 34-45-6-1(17).

41. Defendants have knowingly and intentionally received proceeds both directly and indirectly from a pattern of racketeering activity.

42. Defendants have used the proceeds from a pattern of racketeering activity and the proceeds derived therefrom to acquire an interest and property and to operate an enterprise, namely Options Behavioral Health System and other Acadia facilities.

43. Defendants' conduct as alleged herein constitutes at least two (2) incidents of "racketeering activity" and as such qualifies as a "pattern of racketeering activity" under I.C. 34-45-6-1(d).

44. Plaintiffs are entitled to damages under I.C. 34-24-2-6 as aggrieved persons of the corrupt business enterprise as detailed herein.

45. Plaintiffs seek under this count an amount up to three (3) times Plaintiffs' actual damages, costs of this action, a reasonable attorney's fee, and punitive damages.

COUNT 7 – BATTERY

46. Defendants' conduct as alleged herein constitutes a knowing and intentional unauthorized touching of a person in a rude, insolent, or angry manner.

47. At no time did Plaintiff M.I. authorize the touching which was knowing and intentional.

48. Defendants' employees and agents committed a battery against M.I. within the scope of employment and their activities were expressly or impliedly authorized by Defendants or were incidental to the employees' authorized activities.

49. Plaintiffs are entitled to damages for the physical and emotional distress experienced by M.I.

COUNT 8 – FAILURE TO PROTECT

50. Options Behavioral Health, as a residential mental health hospital, owes a duty to safeguard patients from its own staff and third parties.

51. Staff at Options ignored multiple red flags when it failed to separate M.I. from another resident known to be physically violent and dangerous.

52. Defendants breached their duty and failed to meet their obligations to safeguard M.I. throughout her stay, resulting in three separate physical confrontations and other harms.

53. Defendants' failures to safeguard M.I. proximately caused physical and emotional injuries for which Plaintiffs are entitled to recover.

JURY TRIAL DEMAND

54. Plaintiffs demand trial by jury on all issues so triable.

Wherefore, Plaintiffs pray for judgment against Defendants, in an amount which will compensate Plaintiffs for their injuries and damages, punitive damages, a reasonable attorney fee and for all other just and proper relief in premises.

Respectfully submitted,

COHEN & MALAD, LLP

By:



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