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Millions awarded in suicide

Therapist could have prevented tragedy, family says

By **MARK SIEBERT**

REGISTER STAFF WRITER

The family of David Fleming, the Humboldt school superintendent who committed suicide in 1993 under heavy job-related pressure, has won \$3.4 million in a civil lawsuit against the psychiatrist who treated him.

A Webster County jury handed up the verdict Thursday against Dr. Josefina Hizon and her employer, the North Central Iowa Mental Health Center in Fort Dodge.

The jury awarded Elizabeth Fleming and her three children \$2.25 million for loss of parental and spousal companionship and almost \$1 million for loss of financial support.

Michael Galligan, the family's lawyer,

said: "Those are not the highest awards for spousal consortium or parental consortium in the state of Iowa. They are certainly very significant and reflect the significant losses."

It is unclear whether the judgment will be appealed.

Hizon's telephone number in Fort Dodge is not listed. Her lawyer could not be reached for comment Friday.

Fleming killed himself June 26, 1993. He took a length of hose and duct tape, drove his car to a secluded area and connected one end of the hose to the exhaust pipe and put the other in the car window.

The car keys were found in his hand, leading to speculation he had changed his mind about suicide.

Fleming, as superintendent of the 1,400-

student Humboldt district, had come under growing pressure in the spring of 1993.

The district was having trouble meeting its payroll, and buildings needed repair. In addition, Fleming was pushing for controversial changes known as outcome-based education.

Those proposals led to sharp criticism from the community, including from members of his Baptist church. He was threatened and personally attacked.

Fleming, who had no history of depression or other mental illness, began seeing Hizon.

Galligan said Thursday's verdict reflected the substandard care Hizon allegedly provided.

Fleming saw Hizon three times in June, including two days before he died. At that final meeting, Fleming told her he was considering

suicide.

"On June 24, she should have recognized he was at high risk and she should have hospitalized him," Galligan said.

Hizon had told Fleming to take time off for relaxation, prescribed anti-anxiety medication and even recommended hospitalization. But, Galligan said, she had diagnosed Fleming as suffering from depression, but did not inform him or his wife.

Lawyers for Elizabeth Fleming also argued before the Iowa Industrial Commission that she should be entitled to worker's compensation benefits because her husband's death was directly related to on-the-job stress. She won the case, but Galligan said she was not yet receiving the benefits because the ruling is on appeal.