

Tennessee Supreme Court Affirms Privacy Rights for Dementia Patients - Even After Death

Landmark case led by The Higgins Firm sets nationwide precedent on elder dignity and accountability.



The Higgins Firm

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In a landmark decision with national implications for privacy and elder-care

law, the Tennessee Supreme Court has ruled that individuals retain their right to privacy even after death (No. M2022-00471-SC-R11-CV). The ruling stems from a deeply disturbing case in which a nursing-home employee live-streamed a dementia patient while assisting her in the shower — an incident only uncovered when law enforcement viewed the video inside a jail.



This case was about dignity - the idea that no matter someone's age, condition, or circumstance, they deserve to be treated with humanity."

*Jim Higgins, founding attorney
of The Higgins Firm*

Represented by [The Higgins Firm](#), the family of the late Annie Jones fought back after the facility argued that dementia nullified embarrassment and that privacy rights expired upon death. The Court unanimously rejected those defenses, holding that the "cause of action for invasion of privacy based on intrusion upon seclusion does not abate upon death."

"This case was about dignity — the idea that no matter someone's age, condition, or circumstance, they deserve to

be treated with humanity," said Jim Higgins, founding attorney of The Higgins Firm. "We're proud the Court affirmed that the right to privacy doesn't end at the nursing-home door, or even at death."

The case establishes new legal precedent for how courts and care facilities handle privacy violations involving vulnerable residents. It underscores that "the intrusion itself is the injury" — a principle now codified at Tennessee's highest judicial level.

About The Higgins Firm

Based in Nashville, The Higgins Firm represents individuals and families across Tennessee in cases involving nursing-home abuse, elder neglect, medical malpractice, and patient rights. The firm's Nursing Home Advocacy Team has secured justice in numerous high-profile cases, standing up for those unable to speak for themselves.

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