

PCA, Morphine Overdose: Court Puts Fault On Nurses.

After cystoscopic kidney-stone surgery, the patient received IM injections of morphine and was also placed on a patient controlled analgesia (PCA) morphine pump which allowed the patient to self-medicate for pain.

In the early morning hours of her second day post-op a nurse found the patient unresponsive with no pulse. She could not be resuscitated and was pronounced dead.

A higher than lethal level of morphine was found in her blood *post mortem*.

The hospital's investigation established that the PCA pump was not defective and had to have been functioning normally during the time in question.

Res Ipsa Loquitur

The Court of Appeals of Tennessee ruled that the family's civil liability lawsuit for damages should be submitted to the jury with instructions to the jury to take into consideration the legal rule of *res ipsa loquitur*. A principle sometimes applied in medical negligence cases, it is Latin for, "The thing speaks for itself."

Under the circumstances of this case, the patient dying from a morphine overdose is an event, the court ruled, which could not have happened in the absence of negligence on the part of the patient's caregivers. The patient's family does not have to explain any further how the deceased's caregivers were negligent. **Flowers v. HCA Health Services of Tenn., 2006 WL 627183 (Tenn. App., March 14, 2006).**