

LEGAL EAGLE EYE NEWSLETTER

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Acute Care, Hypotensive Patient: Jury Faults Nurses, Fall Caused By Nursing Negligence.

The seventy-nine year-old patient was in the hospital recovering after cardiac catheterization.

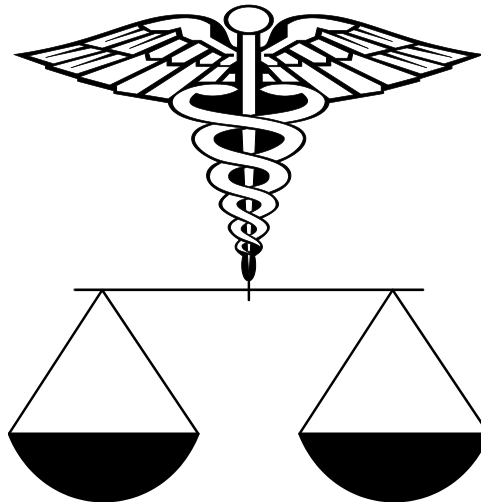
Her recovery was well underway when, early the morning she was scheduled to be released from the hospital, she fell and broke her hip while a nurse was assisting her to the restroom.

During the night before she fell her care was provided by a nurse temporarily reassigned from another unit who was not entirely familiar with the specialized needs of and treatment for cardiac patients.

According to the court record, the patient was on a nitroglycerine drip running at 90 micrograms per minute. Her night nurse, after consulting with his supervising nurse, but without getting authorization from the physician, increased the drip to 100 μ g per minute because her systolic pressure continued to exceed the upper limit of 150 which had been set by the physician.

The nurse recorded an episode of confusion during the night but did not inform the physician about this aspect of his patient's recovery.

First thing in the morning another nurse came on duty, but the nurse had not been fully briefed about the patient's condition and the events of the previous night.



The lawsuit alleged the nursing staff did not conform to the legal standard of care.

The allegations included under-trained staff, failure to communicate with the physician, failure to communicate between shifts, failure to review the chart before assuming care and failure to assess the need for and to give competent assistance.

MISSOURI COURT OF APPEALS
August 23, 2005

The husband arrived, believing he would be able to take the patient home. He rang for a nurse to help her to the restroom. Without checking the patient's chart or taking the patient's blood pressure the new day nurse helped the patient stand from a sitting position and had the patient push her own IV pole, a tripping hazard, as they proceeded toward the restroom.

Before they reached the restroom the patient fell. At that moment the nurse was not in physical contact with the patient. The patient soon arrested, was revived, went back to the cath lab, arrested again, and died.

Nursing Negligence Found Cause of Death Disputed

The jury ruled the nurses were negligent and were responsible for her fall and the jury awarded damages against the hospital for her death.

The Missouri Court of Appeals, however, overruled the jury's award of damages and ordered a new trial. Even assuming the nurses were negligent the jury was confused by misleading statements from the lower-court judge linking the patient's arrests and death to her fall, a dubious conclusion with her significant cardiac history. Woodward v. Research Medical Center, __ S.W. 3d __, 2005 WL 2007878 (Mo. App., August 23, 2005).

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