

Nurses' Duty To Monitor, Advocate: Court Sees Grounds For Suit.

The patient was in the nursing home for only two weeks before she was transferred to a hospital where she died in intensive care.

The family sued the nursing home for wrongful death due to nursing negligence.

The nursing home's lawyers filed papers with the Superior Court of Connecticut challenging the adequacy of the expert's opinion filed with the lawsuit, an expert's opinion being a mandatory prerequisite to filing such a lawsuit in Connecticut as in most US jurisdictions.

The nurses violated the nursing standard of care by failing to monitor, assess, collect data, advocate for the patient, obtain necessary labs in time, notify the physician of changes in the patient and recommend discharge to a hospital.

SUPERIOR COURT OF CONNECTICUT
May 24, 2011

The Court ruled the expert's report in fact did state grounds for a lawsuit for nursing negligence.

The Court focused on the fact that the patient's vital signs, lab values and medical diagnoses pointed to life-threatening abnormalities.

The problems documented in the nursing home chart included low BP of 95/31, extremely elevated INR, high BNP and BUN, acidosis, hyponatremia, low bicarbonate, lower and upper extremity edema, *C. difficile* with diarrhea and chronic renal failure, according to the Court.

The nurses had the responsibility to monitor these data, understand their significance, report to the attending physician and advocate for transfer of the patient to a hospital much sooner than was eventually done, the Court said. **Estate of Vissicchio v. CSC Enterprises, Inc., 2011 WL 2418684 (Conn. Super., May 24, 2011).**