

Antibiotics: Nurse Did Advise Patient Of Side Effects.

The Court of Appeals of Indiana ruled the physicians did not commit malpractice and did not fail to obtain the patient's informed consent for treatment.

The patient developed ototoxicity after a lengthy course of gentamicin and vancomycin for a lower extremity laceration that had progressed to osteomyelitis before she entered the hospital.

Nurse Provided Product Information Had Patient Sign Consent Forms

The physicians testified it was their standard practice to explain the unusual risk of ototoxicity associated with these antibiotics. The patient testified that never happened with her.

Nevertheless, before the antibiotics were started a hospital nurse handed the patient printed product-information materials for the two antibiotics and obtained her signature on standard consent forms indicating she had been advised of the potential side effects and, aware of the risks and benefits, was electing to go ahead with the antibiotics. **Caldwell v. Anekwe, 2008 WL 3497829 (Ind. App., August 14, 2008).**