

Fall: No Bed Alarm, Patient Gets Settlement.

An advanced dementia patient living in a nursing home got up from her bed to close her curtains, fell and fractured her humerus. The fracture meant she could no longer use a walker as she had before.

The nursing home paid her a \$110,000 settlement. The legal basis for her case was a state statute requiring adequate supervision of nursing home residents. Her lawyer argued that adequate supervision meant in her case that a bed alarm was required to alert staff whenever she was up and out of bed. **Perby v. East Rockaway Progressive Care**, 2008 WL 612034 (Sup. Ct. Queens Co., New York, February 22, 2008).