

Bed Rail Entrapment: Settlement Paid For Resident's Death.

The settlement of the case filed in the Superior Court, Wake County, North Carolina was reported on condition that the names of the patient, nursing facility, medical director, medical equipment supplier and manufacturer remain confidential.

The settlement was \$1,635,000 for the family of a sixty-one year-old Alzheimer's patient who died from positional asphyxia after his head was caught in the bed rails of an obsolete hospital bed model which had been recalled by the manufacturer several years earlier for the very same entrapment hazard.

This was an older-style hospital bed which had been recalled by the manufacturer because the bed rails presented an entrapment hazard.

The first time the resident's head was caught in the bed rails staff did nothing. The second time he was strangled and died.

SUPERIOR COURT
WAKE COUNTY, NORTH CAROLINA
September 1, 2009

The facility staff did nothing the first time the resident's head got caught in the bed rails. The resident was not injured but the incident did put staff on notice of a potentially fatal entrapment hazard.

It was not clear how or why the medical supply company filled the order specifically for this resident with a make and model hospital bed known in the industry to have been recalled several years earlier and whether the supplier or the manufacturer was responsible for the fact it was still in stock. **Confidential v. Confidential**, 2009 WL 5766598 (Sup. Ct. Wake Co., North Carolina, September 1, 2009).