

O.R.: Chart Review Is A Nursing Responsibility.

The surgeon went ahead and started the hysterectomy unaware that the patient was actually pregnant. He was censured by the state medical board.

The circulating nurse testified it is routine practice for the nurse to review the patient's chart before the case is started.

Anything that stands out from the chart that needs to be brought to the surgeon's attention must be brought to the surgeon's attention.

If any critical tests are missing from the chart the nurse must call or print them out for the surgeon.

DISTRICT COURT OF APPEAL
OF FLORIDA
October 22, 2008

The District Court of Appeal of Florida, however, ruled the evidence was insufficient to fault the surgeon.

The court did endorse expert medical testimony that it is below the standard of care to start a hysterectomy on a patient who has a positive pre-op pregnancy test. Nevertheless, it is not below the physician's standard of care for the surgeon to rely on the perioperative nurses for the results of the pre-op testing, the court ruled.

There was no print-out of the pregnancy test result in the chart. The circulating nurse reportedly told the surgeon the pregnancy test was negative and the case went ahead, even though the nurse also testified it is a basic perioperative nursing responsibility to verify important patient data like this to be able to report authoritatively to the surgeon before the case is allowed to start. ***Fox v. Dept. of Health, __ So. 2d __, 2008 WL 4643822 (Fla. App., October 22, 2008).***