

LEGAL EAGLE EYE NEWSLETTER

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Medication Ordered Is Contraindicated: Court Discusses Nurse's Legal Responsibilities.

The patient was admitted to the hospital for treatment of his rheumatoid arthritis. He was also experiencing renal failure and was undergoing hemodialysis.

To treat his rheumatoid arthritis his physicians ordered methotrexate, a medication which is contraindicated for use with patients in renal failure.

The patient died from lymphoma related to immunosuppression related to methotrexate toxicity. It was not until the lymphoma appeared that his physicians realized the methotrexate was causing a problem.

Medication Contraindicated Nursing Negligence

Above and beyond the negligence of the deceased's treating physicians, the widow's lawsuit alleged negligence by the hospital's nurses who followed the physicians' orders and gave the methotrexate even though it is contraindicated for a patient in renal failure.

The Appellate Court of Illinois ruled the county circuit court judge was in error to dismiss the widow's lawsuit against the hospital itself.

The Appellate Court endorsed the testimony of a registered nurse who, although not involved hands-on in this patient's care, was the care coordinator for the unit where he died.



The physicians were not hospital employees, although the consent forms the hospital knew they were using could have confused patients into thinking they were.

Nevertheless, the hospital is responsible for the negligence of its nurses who carried out the physicians' orders by giving a medication clearly contraindicated for this patient.

APPELLATE COURT OF ILLINOIS
December 12, 2006

Giving medication to patients is the legal responsibility of the nurse assigned to the patient. A nurse who actually administers a drug is required to know the reason for giving it, the drug's risks and side effects and whether it is contraindicated for a particular individual patient.

Resources available to nurses include the Physician's Desk Reference and online subscription-based information services.

The patient care coordinator testified that if a nurse received an order for a drug the nurse found to be contraindicated for the patient's medical condition she would tell the nurse to hold the drug and she would discuss the issue with the pharmacist or the physician, or have the patient's nurse do that.

It that did not resolve the issue she would go to the nursing administrator and/or the clinical director with the problem and leave it to the higher-ups in the nursing and medical chain of command to resolve the problem.

A second nurse, brought in as a outside expert, agreed that it was below the standard of care for a nurse to give a medication that is contraindicated based on the online medication database printout the nurse should have reviewed per hospital policy. ***Schroeder v. Northwest Community Hosp.***, __ N.E. 2d __, 2006 WL 3615559 (Ill. App., December 12, 2006).

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