

Cause Of Death: Death Certificate Not Conclusive.

The District Court of Appeal of Florida refused to dismiss a case of alleged nursing home negligence simply because the death certificate did not seem to support the family's case.

The cause of death noted by the attending physician or coroner on a death certificate is not conclusive evidence.

The family in this case was ruled to be entitled to have a jury at least consider their medical expert's theory linking the patient's demise to failure to monitor oxygen saturation levels. **Marshall v. HQM of Winter Park, __ So. 2d __, 2007 WL 1647561 (Fla. App., June 8, 2007).**