

## **E.R.: Nurse Incorrectly Assessed Child’s Acuity Level.**

When the eighteen-month-old’s father filled out the paperwork on arrival in the hospital’s E.R. he wrote “blue/purple lips” as the reason for the visit.

When the E.R. nurse first spoke with the father she obtained a history that the child had been vomiting and having diarrhea for the previous eighteen hours. The child’s rectal temperature was 97.5° F.

The nurse triaged the child’s acuity level as 3/5. At this hospital that meant the child could wait up to one hour to be seen by the physician.

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***The child sat with his father in the E.R. waiting room for three hours without being seen by the physician and without being re-assessed by the nurse.***

***The father and other people kept telling the receptionist the child seemed to be getting worse.***

SUPERIOR COURT  
LOS ANGELES COUNTY, CALIFORNIA  
December 9, 2009

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The child had become severely dehydrated by the time he was actually seen by a physician. He was diagnosed with viral myocarditis. The treatment team had difficulty getting venous access for an IV. Once IV’s were started in his legs his left foot began to swell due to the fact his venous circulation was shutting down to protect blood supply to his core organs. The child’s foot had to be amputated.

The case filed in the Superior Court, Los Angeles County, California settled for \$420,000, more than half of which was paid by the nurse and her nursing agency.

The basis for the suit was that the child should have been seen by the physician within thirty minutes and not allowed to sit unattended for several hours. **Confidential v. Confidential, 2009 WL 5854045 (Sup. Ct. Los Angeles Co., California, December 9, 2009).**