

Emergency Room: No Negligence, Staff Not Liable For Cardiac Patient's Death.

The thirty-two year-old patient came to the E.R. stating that he had been having chest pains more than twelve hours.

He was given an EKG and seen by the E.R. physician within forty minutes of arrival. The EKG was not abnormal. When his abnormal enzyme results came back from the lab, however, another EKG was obtained which indicated that interventional cardiac treatment was needed.

The hospital did not have a cath lab capable of meeting his needs so arrangements were made to transfer him to another facility, where he died almost upon arrival.

The patient waited at home twelve hours to go to the E.R. for his chest pain.

He did not share with the E.R. personnel the full extent of his history of heart problems.

He threatened the E.R. nurse, shouted profanities and demanded to be seen sooner even though the E.R. was full of patients.

CIRCUIT COURT
WAYNE COUNTY, MICHIGAN
January 7, 2009

The jury in the Circuit Court, Wayne County, Michigan ruled the E.R. nursing and medical staff at the first hospital met the standard of care and did all they could for the patient. The case ended in a defense verdict which has not been appealed.

The first EKG did not substantiate a cardiac emergency. When there were positive indications of such an emergency from the lab results and the second EKG an appropriate transfer was arranged in a timely fashion to a medical facility with major cardiac-care capability. **Estate of O'Neal v. Neher**, 2009 WL 4758625 (Cir. Ct. Wayne Co., Michigan, January 7, 2009).