

Fall: Care Plan Was Violated.

An aide reportedly attempted to lift a patient into bed without help from a second staff person. The patient's femur was fractured in the process. The patient had to be taken to the hospital and died six days later.

The jury in the Superior Court, Buncombe County, North Carolina awarded \$300,000 to the family of the deceased.

The jury verdict was based on the fact that the femur fracture was a direct result of a clear violation of the patient's care plan which called for two-person assistance in transfers. The jury did not believe the injury was caused by the paramedics who were called to transport her to the hospital. **Estate of Odom v. Aston Park Health Care**, 2009 WL 4758614 (Sup. Ct. Buncombe Co., North Carolina, August 21, 2009).