

Labor & Delivery: Nurse Applied Fundal Rather Than Suprapubic Pressure.

Considerable evidence was presented in the courtroom that the four year-old child has significant problems with his dominant right arm.

His doctors testified the problems stem from Erb's palsy which resulted from cervical nerve-root damage suffered at or near the time of his birth.

He will need physical therapy throughout his childhood and multiple surgeries as an adolescent and will have a major disability for life.

His mother testified that during the delivery the infant's shoulder got caught. The obstetrician called to the nurse that he needed "pressure."

The nurse apparently knew what to do when shoulder dystocia was encountered during delivery. She began applying suprapubic pressure just above the mother's pubis to try to free the shoulder which was most likely hung up underneath the pubic bone.

Nurse Followed Physician's Orders

The obstetrician, however, told the nurse he wanted fundal rather than suprapubic pressure.

The nurse reportedly responded to the obstetrician's instructions by discontinuing suprapubic pressure and by placing her forearm over the mother's abdomen and using her own body weight to bear down and force the infant through the birth canal.

The jury in the Circuit Court, Norfolk, Virginia heard expert testimony from obstetric physicians that use of fundal pressure by a physician or a nurse is below the standard of care during a vaginal delivery in which shoulder dystocia has become an issue.

The jury returned a verdict of \$1.75 million.

In this case the attorney representing the child and his mother elected to sue only the obstetrician and elected not to sue the nurse, and thus only the obstetrician was found liable for negligence. **Williams v. Jones, 2009 WL 1586968 (Cir. Ct. City of Norfolk, Virginia, May 1, 2009).**