

## Premature Hospital Discharge: Nurse Faulted In Patient's Death.

The fifty-three year-old patient was admitted to the hospital for elective uvulopalatopharyngoplasty and a tonsillectomy to correct a longstanding problem with sleep apnea.

The surgery went well and her immediate post-operative recovery was unremarkable. She was discharged home the afternoon of the day of surgery.

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***The patient's discharge instructions after throat surgery were to return to the hospital if she experienced any bleeding from the mouth or had a temperature above 101°F.***

UNITED STATES DISTRICT COURT  
TEXAS  
January 15, 2009

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The next day the patient began spitting up blood and started running a slight fever. Her husband phoned the hotline number from the discharge paperwork.

The phone hotline nurse reportedly told the husband that the bleeding was no cause to worry and no medical follow-up was needed unless the patient's fever rose above 101°F.

The next morning the patient awoke with severe difficulty breathing, then collapsed and was taken to another hospital's E.R. in full cardiac arrest. She went into a coma and had four more arrests before she died four days later.

The judge in the US District Court for the Western District of Texas ruled the discharge itself was premature and that the post-discharge advice from the phone hotline nurse was below the standard of care. Damages of \$313,390 were awarded to the husband. ***Tello v. US, 2009 WL 531258 (W.D. Tex., January 15, 2009).***