

Labor & Delivery: Nurse Tried To Ambulate Patient Too Soon After Epidural, Liable For Patient's Fall.

The patient was resting in a post-delivery room shortly after the birth of her third child, a normal healthy baby girl.

According to the patient, her nurse told her she needed her to get out of bed and go into the bathroom and clean herself up before the end of the nurse's work shift.

The patient testified she told the nurse she could not feel her legs, that is, her epidural had not worn off yet. The nurse nevertheless moved the patient to the side of the bed, drooped her legs over the side of the bed and tried to help her stand up.

The patient fell right to the floor and landed on her hip.

The patient's nurse put a note in the chart after the fact that the patient was only pretending to be injured so that she could stay in the hospital an extra day.

SUPERIOR COURT
KING COUNTY, WASHINGTON
November 20, 2009

The jury in the Superior Court, King County, Washington found the nurse 60% at fault and the patient 40% at fault.

It was reportedly not clear that it happened as the patient said. The nurse testified she never actually told her patient to try to stand but was only trying to assess her ability to stand when the patient herself decided to stand up and lost her balance and she assisted her to the floor.

However, the physician had written an order for strict bed rest until the epidural had worn off. Thus the jury was able to fault the nurse for getting her patient out of bed prematurely. The jury also reportedly was suspicious that the nurse did not chart the incident right away and then wrote a post-dated note after the fact. **Howe v. King County, 2009 WL 5945486 (Sup. Ct. King Co., Washington, November 20, 2009).**