
Nurse Negligence Drug Allergy

Nurses and physicians have the legal responsibility to ask patients about allergies to medications before medications are prescribed or administered, and can be held liable if a patient suffers an allergic reaction due to their neglect in this regard.

However, if a patient is asked for known drug allergies, and is told she is to get a sulfa drug, and does not report a past problem with sulfa, and the physician and nurse go ahead with a sulfa drug, and the patient suffers a stroke as a result, the physician and nurse are not to be held liable, according to a recent case handed down by the Court of Appeal of Louisiana.

The nurse and physician both testified it was their practice always to ask a patient if he or she was allergic to any medications, to note the patient's response in the chart, and not to give any medication for which the patient reported a significant problem in the past.

The doctor and nurse could not remember if they had spoken with this patient about drug allergies in general or specifically about sulfa, but the court concluded they must have.

COURT OF APPEAL OF LOUISIANA, 1996.

The court accepted the doctor's and nurse's testimony about their routines for ordering and giving medications. Only a codeine allergy was charted. The court concluded that was all the patient reported, even though the patient testified she told them both she was allergic to sulfa. Regan vs. Gore, 670 So. 2d 268 (La. App., 1996).

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