

Patient's Fall: Jury Finds No Lapse In Nursing Judgment.

The eighty-nine year-old patient was in the hospital being treated with antibiotics, supplemental oxygen and bed rest for an upper respiratory infection .

While two nurses were trying to ambulate the patient to the bathroom her legs gave out completely and it was decided to lower her to the floor because the nurses were not able to hold her up. During the process both her femurs were fractured.

The patient's doctor had said he wanted the patient to be encouraged to get out of bed. She had been able to walk at home unassisted the same distance it was to the bathroom in her room.

When a patient has not had a procedure and does not have a medical condition which prohibits ambulation, the nurses may increase the patient's activity level according to the patient's ability.

COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA
September 29, 2010

The jury in the Court of Common Pleas, Allegheny County, Pennsylvania ruled the nurses were not negligent.

The jury did not buy the argument that the physician's order to get the patient up out of bed only meant she was to be transferred to a bedside chair but prohibited ambulating the patient a short distance.

The jury also was not persuaded that a patient's ability to ambulate with assistance may only be determined by a physician or a physical therapist and not by a nurse. Nor was the argument given credence that the patient should have been on portable oxygen while being ambulated. ***Czekalski v. Alle-Kiski Med. Ctr., 2010 WL 4633518 (Ct. Comm. Pl. Allegheny Co, Pennsylvania, September 29, 2010).***