

Pitocin: Jury Rules Hospital's Nurses 100% At Fault For Baby's Death.

The patient came to the hospital's labor and delivery department at 10:00 a.m. and said she had been having labor contractions since 3:00 a.m. along with some bloody discharge.

The first nursing assessment on the labor and delivery unit with the monitor showed a fetal heart beat that was non-reactive and non-responsive to scalp stimulation. A prolonged fetal heart rate deceleration reportedly occurred at 10:42 a.m. lasting three to four minutes.

The nurses reported these findings to an obstetrician who ordered the patient admitted for induction of labor.

Despite non-reactive fetal monitor tracings and intermittent fetal heart rate decelerations, the labor and delivery nurses continued the Pitocin for more than five hours.

DISTRICT COURT
CLARK COUNTY, NEVADA
June 1, 2009

At 4:00 p.m. the fetal heart rate dropped to 40 and then fetal heart tones were lost altogether. The infant was delivered by cesarean in cardiac arrest with a cord pH of 6.8.

The jury in the District Court, Clark County, Nevada returned a verdict which expressly found the hospital 100% at fault and let the obstetrician walk away.

The hospital was held liable as the employer of the labor and delivery nurses who started and continued the Pitocin notwithstanding the physiologic findings indicating fetal distress.

The hospital itself was also faulted for not having explicit guideline parameters in place which would have contraindicated the use of Pitocin under these circumstances. **Benitez-Cordova v. Mayes, 2009 WL 5449875 (Dist. Ct. Clark Co., Nevada, June 1, 2009).**