

## **Pitocin: Labor & Delivery Nurse Violated The Standard Of Care.**

**D**uring the night the mother's contractions were coming too frequently so the Pitocin was stopped at 3:20 a.m.

Then the fetal heart rate became tachycardic and variable decelerations began to be seen, a pattern that continued for more than two hours until 5:30 a.m. when the attending physician, an obstetrician from Turkey in his first year of residency at the hospital, ordered the Pitocin re-started.

The patient's labor and delivery nurse would later testify in court she knew it was wrong to re-start the Pitocin under these conditions, but she did it anyway.

The nurse went on to agree with the patient's nursing expert that she should have refused to re-start the Pitocin and should have gone to her nursing supervisor. Her supervisor then could have gone up the hospital's chain of command to get a more senior and more seasoned physician to review and most likely overrule the attending resident's decision.

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***Even if it is assumed the labor and delivery nurse did violate the standard of care, there is no proof that her errors or omissions had any effect on the outcome.***

***The labor and delivery nurse is entitled to be dismissed from the case.***

UNITED STATES DISTRICT COURT  
ILLINOIS  
January 6, 2010

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The US District Court for the Northern District of Illinois nevertheless dismissed the labor and delivery nurse from the case.

The experts pinpointed not starting the cesarean until 7:45 a.m., after the fetus was already deceased, as the cause of the bad outcome. No evidence was offered to the judge that the nurse's failing to advocate for her patient would have resulted in the physicians moving ahead more quickly. **Maldonado v. Mt. Sinai Hosp., 2010 WL 63986 (N.D. Ill., January 6, 2010).**