

E.R.: Premature Discharge Allegedly Caused MVA, Jury Disagrees.

The patient was released after five hours in the hospital emergency department where she had been given Reglan, Phenergan and Ativan for acute pain from an ovarian cyst.

Driving home from the E.R. she crossed the center line and caused a motor vehicle accident in which the other driver was badly injured.

The jury in the Superior Court, Los Angeles County, California ruled the hospital was not to blame. The emergency department records documented that a nurse performed neuro and mental-status assessments and saw the patient successfully walk a line in the hallway, similar to a police field sobriety test, before letting the patient leave, knowing she would be driving herself home.

There was also expert pharmacological testimony that the meds were safely metabolized by the time the patient left. **Pacheco v. Hunting Memorial Hosp.**, 2008 WL 4557674 (Sup. Ct. Los Angeles Co., California, September 19, 2008).