

## Labor & Delivery: Nurse Waited To Report To The Obstetrician.

The now-four-year-old child has been diagnosed with cerebral palsy due to hypoxic brain injury suffered immediately before birth.

At 4:15 a.m. the monitor began to show a drop in the fetal heart rate along with persistent variable decelerations. The decelerations continued more than an hour and a half before the patient's nurse started her on O<sub>2</sub> and then waited ten more minutes to call in the obstetrician.

The obstetrician recognized the situation posed a threat to the fetus's life and delivered the infant vaginally.

The patient's expert witnesses were prepared to testify the nurse should have summoned the obstetrician no later than one hour after she first observed the drop in the fetal heart rate and variable decelerations. The obstetrician would have done an immediate cesarean which would have prevented the brain damage the infant sustained, it was alleged.

The lawsuit in the Superior Court, Atlantic County, New Jersey settled for \$6,250,000.

\$5,312,500 was reportedly allocated for the infant's future developmental needs and \$937,500 for the mother's emotional distress. **Long v. Shore Memorial Hosp., 2009 WL 1677200 (Sup. Ct. Atlantic Co., New Jersey, May 12, 2009).**