

Patient Falls: Restraint Was Removed, Hospital Found Liable.

The seventy-four year-old patient was placed in a waist restraint in bed while recovering from an allergic reaction to morphine which reportedly left her confused and disoriented.

She was later found on the floor in her room with a broken hip. Her waist restraint had somehow been removed.

The patient was hospitalized almost eighteen months after hip surgery before she died. The jury in the Court of Common Pleas, Hamilton County, Ohio returned a verdict of \$127,188.10 for the family.

An agency nurse who was not a hospital employee was assigned to care for the patient at the time she fell. The jury found no evidence that he was the one who negligently removed the restraint. The agency nurse and his agency were dismissed as defendants, leaving the hospital itself as the only defendant liable for the verdict. **Heidecker v. Mercy Hosp., 2008 WL 5744049** (Ct. Com. Pl. Hamilton Co., Ohio, September 5, 2008).