

Scalding Hot Tea Spilled On Patient: Nurse Found Negligent.

The patient had been admitted to the hospital with a cough, shortness of breath, bronchitis and nasal congestion.

He asked for a cup of hot tea. His nurse got him a cup of tea but spilled the tea on him. The tea was scalding hot and burned his skin.

The legal issue for the District Court of Appeal of Florida was whether this is a case of professional malpractice.

The court found the nurse guilty of ordinary negligence but not guilty of professional malpractice.

That meant the hospital could not defend the patient's civil lawsuit on the basis that the patient's lawyer did not provide an expert witness's report as is normally expected in malpractice cases. **Quintanilla v. Coral Gables Hosp., Inc., __ So. 2d __, 2006 WL 3078909 (Fla. App., November 1, 2006).**