

Sedated Patient Scalded In Shower: Court Finds Evidence Of Negligence By Obstetric Nurse.

The patient was admitted to the hospital for nausea and other problems associated with her pregnancy.

She had been a diabetic since childhood and had some degree of neuropathy in her lower extremities.

Her nurse gave her Phenergan and Reglan IV per her physician's orders. Either medication alone can cause drowsiness, even stupor when given together.

The nurse insisted the patient take a shower. She escorted her to the shower stall, put her on a shower chair with a back, turned on the water and placed the hand-held nozzle in the patient's hand. Then the nurse left her alone.

The patient fell asleep with scalding water running on her upper thigh until the nurse returned to check on her over an hour later.

The patient's nurse knew that the patient was diabetic and had neuropathy in her lower extremities.

That is, the patient sometimes could not feel heat or pain in her legs.

The patient's nurse also knew that the patient was on Phenergan and Reglan, having given her the meds herself, and knew that these meds can cause, and in this particular patient were causing drowsiness.

COURT OF APPEALS OF GEORGIA
May 5, 2009

The Court of Appeals of Georgia ruled there were grounds to sue.

The patient's lawsuit had been dismissed by the lower court on the grounds that the patient's nursing expert was not qualified to testify in a malpractice case.

The Court of Appeals pointed out that the patient's nursing expert was a licensed RN who had been working in obstetrics full time four of the previous five years and served as adjunct faculty at two nursing schools. She was qualified to testify as an expert.

Even without an expert opinion the nurse's negligence seemed clear.

The Court of Appeals also faulted the hospital for not installing a device to regulate the temperature of the water going to patients' showers. **Lee v. Phoebe Putney Mem. Hosp., ___ S.E. 2d ___, 2009 WL 1199450 (Ga. App., May 5, 2009).**