

Hospital Slip and Fall Negligence Liability

The hospital's physician/director of adolescent psychiatry injured her foot while teaching an in-service class on professional assault-response techniques.

She applied for and received worker's compensation benefits for time loss for temporary disability and was eligible for worker's compensation medical expense payments.

She went to the same hospital for treatment. She was on crutches. She had an MRI on her foot and was being escorted by a radiology technician to another room for a foot x-ray, when she slipped and fell on the wet floor.

A hospital patron on crutches who slips and falls on a wet hospital floor can sue the hospital for negligence.

At the time of this injury the employee was not at the hospital for work-related purposes. She was a patient who was at the hospital for treatment.

COURT OF APPEAL OF CALIFORNIA, 1997.

The Court of Appeal of California ruled the slip-and-fall was not an on-the-job injury. This hospital employee had the same right as any other patient to sue the hospital for the radiology tech's professional negligence and the same right as any other hospital patron to sue the hospital for premises liability for the wet floor. It made no difference she was a hospital employee getting treatment for an on-the-job injury sustained earlier at the same hospital. **Weinstein v. St. Mary's Medical Center, 68 Cal. Rptr. 2d 461 (Cal. App., 1997).**