

Emergency Room: Personnel Failed To Diagnose Staph Infection, \$3,000,000 Settlement For Pediatric Patient.

The case was filed in the Superior Court, Orange County, California. Settlement of the case in court-ordered mediation was reported on condition that the identities of those involved remain confidential.

The patient was four years old at the time of the incident and is now six.

Septic shock from a cephalosporin-sensitive Staph infection led to amputation of both feet and parts of both hands, which, it was alleged, could have been prevented with a single IM dose of antibiotic.

Nursing Negligence

The evidence assembled on behalf of the patient and her family faulted the E.R. nurse in two respects.

First, the E.R. nurse failed to recognize signs of a systemic bacterial infection which required laboratory follow-up.

Second, given the seriousness of the patient's illness, the E.R. nurse failed to advocate for the patient to be seen by a physician rather than just having a physician's assistant send the patient home with instructions for the parents to take her to a children's clinic.

The lawsuit alleged the nurse should have recognized the following as signs of systemic infection:

- Fever 103.1°F;
- Petechial skin rash;
- Pustular rash in the mouth;
- Diminished capillary refill;
- Elevated heart rate;
- Low O₂ saturation;
- Lethargy.

The E.R. nurse reportedly charted a petechial rash, then crossed that out and wrote pustular. Either way, the rash required a physician's evaluation and laboratory tests, it was alleged, which were not done. The nurse did triage the patient as urgent.

The child was simply sent home with instructions to her parents to follow up at a pediatric clinic but without specific information where to go for that follow-up and without instructions on fever control, the lawsuit also alleged. **Confidential v. Confidential, 2008 WL 3166820 (Sup. Ct. Orange Co., California, January, 2008).**