

Trache Care: Nurse Fell Asleep, Settlement Paid For Child's Death.

A lawsuit filed in the Circuit Court, Winnebago County, Illinois contained a long list of alleged errors and omissions by the home health nurse, her agency and its CEO and medical social worker.

The nurse was accused of accepting an assignment she knew she was not trained to handle, misrepresenting her qualifications, not having got sufficient sleep beforehand and taking medications that can cause drowsiness.

The agency and its principals were accused of negligently hiring a nurse who had no training with the particular vent equipment in use, failing to train her and neglecting to insure that the nurse they assigned was certified in pediatric advanced life support for the possibility of an emergency requiring resuscitation.

Reportedly the patient's tracheostomy cannula came out while the nurse was asleep and when she awoke she was not able to re-establish an airway and resuscitate the child. The parents settled the lawsuit for \$2,000,000. **Zagal v. Independence Plus, 2008 WL 5517424 (Cir. Ct. Winnebago Co., Illinois, April 8, 2008).**