

Skin, Foley Care: Suit Alleges Understaffing, Large Settlement Paid By Rehabilitation Facility.

The deceased patient's family's lawsuit in the Superior Court, San Diego County, California contended that the rehab facility where the patient was admitted after a fall at home was chronically understaffed to the point that even the patient's most basic needs could not be met.

The patient developed a closed blister on his right heel which the nurses classified as a Stage II pressure ulcer. While the lesion progressed to an open gangrenous wound little was done. The facility's policy was that progression of a skin lesion's staging required a new physician consult and updated treatment orders and nursing care plan.

When he got to the hospital for the skin lesion it was discovered that neglect of his Foley catheter had caused major erosion of the surrounding tissue.

The facility's policies and procedures called for the nurses to obtain a physician consult and reconsider the care plan when the staging of a patient's pressure lesion progressed.

They continued to treat a lesion as a Stage II pressure ulcer after it had progressed to an open gangrenous wound with dark brown eschar surrounding red tissue.

SUPERIOR COURT
SAN DIEGO COUNTY, CALIFORNIA
October 11, 2010

It was apparent that daily inspection of the Foley site by a licensed nurse and appropriate cleansing had never been done, despite documentation in the chart that it had been done.

A nurse testified that nurses were too busy to give the care that was needed and often would simply chart appropriate care that was not done.

The family's lawyers were prepared to argue that the facility's parent corporation knew the facility was understaffed to the point that staff were too busy to care for their patients but failed to implement funding so that appropriate levels of staffing could be maintained.

The family's lawsuit was settled for a total payment of \$1,000,000. **Shulkin v. Point Loma, 2010 WL 5781053 (Sup. Ct. San Diego Co., California, October 11, 2010).**