

Nurse/Patient Advocate: Physician's Suspension Upheld Based On Nurses' Complaints.

In a complex and lengthy legal opinion, the Court of Appeals of North Carolina upheld the decision of a hospital's executive committee to suspend a physician's staff privileges.

Proceedings were started against the physician after two nurses sent notes to hospital management complaining about substandard practices in the care of two patients.

Living Will, Family's Wishes Ignored

One patient, the eighty year-old grandmother of one of the nurses, was admitted for gangrene of the left foot.

The physician made arrangements for a surgical consult for her foot to be amputated, despite the fact the patient had signed a living will and the family strongly objected.

The nurses' handwritten notes were forwarded to the hospital CEO.

It does not matter whether the nurses had authority under the hospital's bylaws to start disciplinary action against a physician.

It was the hospital CEO who formally initiated the corrective action in this case, and the hospital CEO certainly has the authority to take such action.

COURT OF APPEALS
OF NORTH CAROLINA
October 18, 2005

The hospital executive committee concluded the patient did not have the mental capacity to consent. The living will and/or family's wishes should have been followed.

Code Status Not Clarified

A nurse asked the physician to clarify another patient's code status. The physician changed the code status twice, both times without consulting the patient's primary-care physician, then wrote orders which were too confusing for the nurses to follow.

The hospital executive committee agreed a DNR order is not to be changed without consulting the primary physician and that the orders as written were inappropriately vague. **Lohrmann v. Irede II Memorial Hosp., 620 S.E. 2d 258 (N.C. App., October 18, 2005).**