

## Labor & Delivery: Nurses Advocated For Antibiotics, Ruled Not Negligent.

At thirty-six weeks the mother came to the hospital where her new daughter was to be delivered by the ob/gyn who had provided her prenatal care. Because the mother's labor was slightly premature the labor and delivery nurses contacted the ob/gyn to recommend antibiotics as a precaution against Strep infection.

The ob/gyn never ordered antibiotics, the mother never received any and the infant developed complications shortly after birth.

After the ob/gyn settled, the case against the hospital went to trial in the Circuit Court, Hancock County, Indiana. Without allowing the jury to deliberate, the judge dismissed the case, ruling that the nurses fulfilled their duty to advocate for the patient and were not negligent to assume the patient's ob/gyn had good reason not to order antibiotics, which the nurses themselves could not give without an order. **Ogle v. Hancock Regional Hosp.**, 2010 WL 4676325 (Cir. Ct. Hancock Co., Indiana, June 10, 2010).