

Post-Surgical Ambulation: Court Sees No Deviation From Legal Standard Of Care.

The day after hip-replacement surgery the surgeon wrote orders for the patient to stand, bear weight and walk to the extent she was able to tolerate it.

The patient's nurse and a licensed physical therapist stood by as several physical therapy assistant students ambulated the patient from her bed to the restroom in her hospital room.

A gait belt was used. One student held the belt firmly from behind when the patient was on her feet. The patient held on to a walker. A second student was by her side the whole time and another student followed behind with a wheelchair.

A student helped her stand up from the toilet and gave her her walker. While they were negotiating the narrow bathroom door she fell. The Court of Appeals of Mississippi described it as a "controlled descent" slowed by the student who had been grasping the gait belt.

The proper technique for assisting a patient to stand and walk who has just had hip replacement surgery is not something that is within the common knowledge of lay persons.

To sue a healthcare provider for negligence, expert testimony is required.

COURT OF APPEALS OF MISSISSIPPI
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Even though the patient did dislocate her hip, the court dismissed her personal-injury lawsuit. ***Lyons v. Biloxi H.M.A., Inc.***, ___ So. 2d ___, 2006 WL 772869 (Miss. App., March 28, 2006).