

## Asthma: Heavily Sedated Patient Dies, Family Obtains Settlement.

The twenty-seven year-old asthmatic patient came to the E.R. for an upper respiratory infection, was sent home and was sent back to the same E.R. several days later by her doctor with shortness of breath, wheezing, non-stop cough, chest pain and tachycardia.

The patient was admitted to the hospital and was started on several IV medications which can produce CNS and respiratory depression, including Dilaudid, Ativan and Benadryl.

The nurses charted she was getting adequate pain relief and relief from anxiety with her medications. The physician added po anti-depressant trazodone and po anti-convulsant Neurotonin to the list of medications she was getting.

A respiratory therapist noted diminished breath sounds, expiratory wheezing, labored breathing and oxygen saturation of only 92% after giving the patient a breathing treatment.

The patient was found unresponsive by her nurse eighty minutes after IV push doses of Dilaudid and Ativan.

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***The patient received an additional 4 mg of Dilaudid IV and 4 mg of Ativan IV.***

***The patient was not checked for eighty minutes.***

***A nurse found the patient seated in her bed unresponsive. A code was called but the patient was pronounced dead.***

SUPERIOR COURT  
SAN DIEGO COUNTY, CALIFORNIA  
October 14, 2009

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Even though there were discrepancies between the coroner's report and the family's private pathologist's toxicology findings as to the cause of death, the family got a settlement of \$1,175,000 for their lawsuit filed in the Superior Court, San Diego County, California. **Confidential v. Confidential, 2009 WL 4916568 (Sup. Ct. San Diego Co., California, October 14, 2009).**