

Asthmatic Pediatric Patient: Court Upholds Jury's Verdict Finding Nursing Negligence.

The sixteen year-old patient was described as a brittle asthmatic who had a history of frequent flare-ups.

During an acute episode his parents took him to his pediatrician's office where he was given a corticosteroid shot and several albuterol breathing treatments. When his symptoms did not resolve, the parents were told to take him to the hospital for continuous albuterol treatment.

The patient was given a one-time albuterol nebulizer treatment in the E.R. and sent to the pediatric intensive care unit (PICU) as an overflow patient.

Nursing progress notes from the PICU showed that respiratory therapy was not notified for almost an hour that they had received a patient who needed continuous albuterol, and the albuterol was not started for more than an hour after that.

Shortly after the continuous albuterol was started it was stopped so that the patient could be transferred from the PICU to the adult respiratory floor.

He had been admitted to the PICU as an overflow patient rather than an intensive care patient, and his transfer to the adult floor was apparently done to free up space in the PICU. There was no physician's order allowing for the transfer.

About forty minutes after his continuous albuterol was started again he went into respiratory arrest and a code was called. He was revived and coma was induced to be able to intubate him without him bucking the respirator. Troponin lab values indicated he had suffered cardiac ischemia while in respiratory arrest. He survived but has medical complications.

The Court of Appeal of Louisiana approved a jury's verdict in the patient's favor for nursing negligence.

The nursing experts who testified to the jury faulted the nurses for significant delays in assessing the patient and in seeing to it that his needed respiratory treatments and IV medications were started and continued without interruption during his odyssey from the E.R. through the PICU to an adult acute care floor. **Richardson v. Christus**, __ So. 3d __, 2013 WL 692513 (La. App., February 27, 2013).

The patient's nursing expert pointed out that the patient was not assessed by the nurses for more than an hour after he arrived in the pediatric intensive care unit.

The attending physician's order to start continuous albuterol breathing treatment was not carried out for more than an hour and his IV medications were not started for two and one half hours.

While the sixteen year-old patient was being transferred from pediatric intensive care to the adult respiratory floor his oxygen and albuterol were discontinued for almost an hour.

The transfer from pediatric intensive care was apparently done without consulting with the attending physician or obtaining orders, apparently only to free up space in the pediatric intensive care unit.

The transfer did not comply with hospital policies. Before transporting the patient, the nurses were required to ascertain that a room was ready that was equipped to dispense the oxygen and albuterol. He had to wait while a suitable room was readied.

COURT OF APPEAL OF LOUISIANA
February 27, 2013

Assisted Living: Nursing Care For Constipation Faulted By Court.

The eighty-three year-old lived in an assisted living facility.

After a lengthy period of being very active and in good health she had to be hospitalized for a bout of constipation, then spent two months in a long-term care facility, then moved back into assisted living.

On her return to assisted living the nursing staff were given strict orders by her physician to administer an over-the-counter laxative daily, monitor the patient for constipation and report any problems with constipation to the physician.

The patient's physician prescribed one capful of an over-the-counter laxative daily and was to be notified if her constipation continued.

The laxative was given only sporadically.

The patient's severe constipation progressed to a perforated colon, sepsis and her death.

SUPREME COURT OF TENNESSEE
February 25, 2013

The Supreme Court of Tennessee approved a jury verdict finding the assisted living facility liable for failure to provide adequate nursing services.

The care records revealed that the nursing staff at the facility basically ignored the patient's physician's orders and failed to monitor the patient's digestive health and report to the physician.

The patient went twelve days without a bowel movement and her abdomen became distended. An enema earlier ordered by the physician was finally given after signs of an intestinal obstruction made it inappropriate. The patient was transported to the hospital near death from sepsis from a perforated colon and died in the hospital. **Wilson v. Americare**, __ S.W. 3d __, 2013 WL 658078 (Tenn., February 25, 2013)