

## Babies Switched In Nursery: Parents' Lawsuit Dismissed.

The parents' newborn baby spent her first night in the hospital's newborn nursery.

The next morning the nursery nurses put the baby with another maternity patient and put the other patient's baby with the mother in question.

Their baby was reportedly nursed by the other patient before the error was discovered and the babies were returned to the beds of their own actual mothers.

The parents filed a lawsuit against the hospital alleging extreme emotional pain, mental suffering and anxiety.

The New York Supreme Court, Appellate Division, dismissed their case.

Even if their baby somehow suffered a physical or emotional injury as a result of being nursed by a stranger who was not her own mother, for which there was no proof whatsoever, the baby's parents would not have grounds to sue for their own mental distress or emotional distress, as they themselves were not injured in any way by what happened. **Williams v. Long Island College Hosp.**, \_\_ N.Y.S.2d \_\_, 2011 WL 1440310 (N.Y. App., April 22, 2011).