

## Bed Rails: Nursing Home Patient Dies From Asphyxiation.

The eighty-three year-old patient was suffering from what was described as end-stage dementia.

While sleeping in her bed in a hospital's skilled nursing facility her head became trapped between the bed and the bed rails with her face down against the mattress.

The patient was found dead from asphyxiation.

The family's lawsuit filed in the Supreme Court, Clinton County, New York alleged that it is below the standard of care for an elderly dementia patient who does not need bedrails for his or her own safety to have bedrails on the bed, given the potential danger of entrapment of the head and resulting asphyxiation. The facility had actually already begun removing the bedrails from some of the other beds.

The lawsuit also claimed there should have been a monitor installed, although the nursing home's experts were prepared to argue that would not have made a difference because the nurses routinely get lots of false alarms from bed monitors that do not signal anything wrong with the patient.

The facility agreed to a \$190,000 settlement after the jury had deliberated three days without reaching a verdict one way or the other. **D'Aust v. Champlain Valley Physicians Hosp., 2010 WL 1747533 (Sup. Ct. Clinton Co., New York, March 17, 2010).**