

Transfusion: Nurses Did Not Clarify, Follow Orders, Death Tied To Negligence.

The patient was admitted to the hospital through the emergency room for treatment of gastrointestinal bleeding.

The emergency physician ordered two units of packed red cells, IV fluids and a telemetry unit.

According to the record in the Court of Appeals of Ohio, the physician did not specify the flow rate for infusion of the blood. He later explained in court he was going to set the infusion rate once the blood actually arrived, but admitted, nevertheless, it was substandard medical practice for him not to give the infusion rate along with the admitting orders on the phone with the patient's nurse.

Nurses Failed To Clarify, Follow Physician's Orders

Leaving aside the physician's negligence, the court also saw negligence on the part of the nurses which was to some degree a factor responsible for the patient's death.

The patient's nurse testified when a physician does not specify an infusion rate for blood it means the physician wants it to infuse at a standard rate of 125 ml per hour, which was how she set it.

The nursing supervisor testified it was the practice among the nurses to run IV's at 125 ml per hour if no other rate was specified by the physician, although the hospital's written nursing policies and procedures did expressly state it is the physician's responsibility to set an infusion rate or hang time for any IV.

In fact, given the urgency of the patient's condition, the physician wanted the blood to run wide open. When he visited the patient later that evening he assumed the nurses were running the blood wide open. However, he did not check the IV or the blood-infusion paperwork.

The nurses also did not run the fluid IV at the same time as the blood or get the telemetry monitor as ordered by the physician. **Czarney v. Porter**, 2006 WL 1360503 (Ohio App., May 18, 2006).

Expert testimony is required to establish the prevailing standard of care when the professional skill or judgment of a nurse or physician has been called into question in a civil negligence lawsuit.

The correct method to infuse blood or other substances intravenously is not within the common knowledge of lay persons on a jury. It is a subject area where expert testimony must be presented or the patient's lawsuit cannot go forward.

However, no expert is required to establish that it is beneath the standard of care for nurses to fail to clarify and follow physician's orders in the treatment of a patient entrusted to their care.

The jury must still determine whether the nurses' errors or omissions were what caused the patient's demise, and that issue does require expert medical testimony.

In this case the experts stated that the telemetry unit, if in use, would have alerted the nurses the patient was in dire distress.

COURT OF APPEALS OF OHIO
May 18, 2006