

Fall: Nurses Neglected To Catheterize The Patient.

The elderly resident fell in her room approximately one month after she was admitted to long term care.

The resident had a bladder-retention problem and was on a program for regular urinary catheterization by the nursing staff. One evening the nurses did not perform the procedure. The resident had the urge to urinate and had to get up by herself. While trying to ambulate to the restroom her bladder voided spontaneously. She slipped and fell in the puddle of her own urine.

She fell again about a week later. At that point a CT scan revealed a spinal compression fracture from one of the falls.

The New York Supreme Court, Appellate Division, ruled the resident had grounds to sue for common-law malpractice and for violation of the state's nursing home residents' bill of rights statute. **Kash v. Jewish Home**, __ N.Y.S.2d __, 2009 WL 323306 (N.Y. App., February 11, 2009).