

Cauda Equina Syndrome: Nurse Faulted For Patient's Paralysis.

The patient was admitted to the hospital for observation and treatment with epidural steroid injections after coming to the emergency room with lower back pain, tingling in his legs and trouble urinating.

Nurse Did Neuro Checks

Did Not Report Abnormal Findings

The pm shift nurse reportedly did the q 4 hour neuro checks that were ordered by the neurologist at 4:50 pm and 8:30 pm but did she not communicate her findings.

The jury assigned 60% of the blame to the nurse for the fact that surgery was delayed too long to relieve nerve compression effectively in the patient's lower back.

A neurosurgeon, his physician's assistant and a physician hospitalist were held responsible for the balance, basically for failing to communicate effectively with each other about what was going on.

Pages to Physician Not Charted

A separate issue that came up in the case was a claim by the hospitalist physician that he told the nurse to page the neurologist and his PA at 7:00 pm that evening.

An electronic reconstruction showed that two pages were made to the neurologist at intervals that evening from a hospital phone in the hallway near this patient's room.

However, the neurologist had other patients on the unit and they were being cared for by other nurses. There was no charting to substantiate that the pages were made by the nurse in question or concerning the patient in question.

The electronic records were useless in the nurse's defense of the lawsuit without documentation in the chart.

An odd legal wrinkle was that the patient did not actually sue the hospital or the nurse. Thus 60% of the damages awarded by the jury were not collectible. **Skrzywach v. Jensen**, 2009 WL 130130 (Wis. App., January 21, 2009).