

Chemotherapy: Nurse Ruled Negligent.

After hearing conflicting evidence the jury awarded the patient \$217,334 from the oncologist's medical practice group, legally responsible as the employer of the nurse who administered a Taxol chemo treatment which infiltrated the patient's arm causing serious complications.

The testimony of the medical and nursing experts is conflicting.

However, there is no dispute that the patient's brother vehemently complained to the patient's nurse that his brother's arm was becoming swollen about forty-five minutes after the chemo was started.

There is also no dispute that the patient's nurse continued the Taxol for more than two hours.

COURT OF APPEALS OF MISSISSIPPI
December 11, 2007

The Court of Appeals of Mississippi upheld the jury's verdict.

The patient's nursing expert had no experience with Taxol and was not certified in chemotherapy but had seen IV infiltrations and extravasations before.

The medical center's nursing expert was a certified chemo nurse. Her opinion was it was a hypersensitivity reaction.

The court pointed to testimony from a family member that the patient's nurse ignored obvious signs he reported to the nurse that something was wrong and instead of directly checking on him at least every fifteen minutes the nurse just left him sitting in a spot where she could see him from the nurse's station. ***Sacks v. Ne-
caise, __ So. 2d __, 2007 WL 4305461 (Miss.
App., December 11, 2007).***