

Contractures: Facility Ruled Not Liable.

The jury in the Superior Court, San Diego County, California returned a defense verdict in a lawsuit filed against a nursing facility over an infected toe and bilateral knee contractures in an eighty-one year-old patient.

The nursing experts differed on the question whether the facility's nursing staff should have detected the infection in her toe soon enough that reporting it to the physician would have saved the toe from amputation.

The jury ruled the facility was not at fault for the contractures. The patient's daughter reportedly strongly believed in alternative medical cures. She was the patient's legal surrogate decision-maker and would not give consent for her elderly mother to get pain medication so that the physical therapists could work on range of motion for her knee contractures.

The facility nursing staff knew the contractures were a problem and asked the physical therapist to see the patient. However, they could not give pain medication and would not allow physical therapy without it. **Green v. Chase Care Center Inc., 2008 WL 747873 (Sup. Ct. San Diego Co., California, February 27, 2008).**