

## Correctional Nursing: No Care Plan For Diabetic Inmate With Foot Ulcer.

The Court of Claims of New York awarded \$1,020,916 for nursing and medical malpractice to the estate of a former prison inmate who died after his release from prison from septic shock related to infection of a diabetic ulcer on his right big toe from which he suffered while he was an inmate.

A nurse performed a health screening when he was transferred from one correctional facility to a different facility within the state prison system.

The nurse made note that he was diabetic, walked with a limp and had a sore of some sort on his right foot. She claimed she also reviewed all of the inmate's previous medical records.

The nurse, however, did not physically examine the foot to assess the nature of the lesion or to determine whether it was infected, but she did make a recommendation he be examined by a physician. That exam did not take place until five days later.

In the meantime the nurse released the inmate to work in the kitchen, which required prolonged standing and walking, a decision which was soundly criticized in the family's lawsuit.

The patient eventually came under a physician's care, started taking antibiotics and continued treating after his release.

The nurse first saw him in September, 2005. He was released in August, 2006 and died in June, 2007 from a massive pulmonary embolism related to deep vein thrombosis after multiple debridement surgeries on the toe and foot.

The family's lawsuit, as it pertained to the health-screening nurse, alleged she should have physically examined the patient, should have become aware of the nature of his foot lesion and should have immediately started a nursing care plan to address the specific needs of a diabetic patient with a toe ulcer that was either already infected or had a high potential for infection. **Estate of Pickell v. New York, 2009 WL 6407960 (N.Y.Ct.Cl., November 19, 2009).**