

## Family Member Faints At The Sight Of Blood: Court Rules Hospital Is Not Liable For His Injury.

The husband went to meet his wife at the emergency room after she called him at work and said she had badly cut her hand.

When he arrived a nurse was trying to dress his wife's wound. The patient was highly agitated and kept drawing back her injured hand, making it difficult for the nurse. The husband got on the gurney, put one arm around his wife's waist and held her injured hand with his other hand so the nurse could treat her.

As he watched he said he was not feeling well. A PA told him to go back to the waiting room. He got up, started to walk, fainted, fell and hit his head.

The District Court of Appeal of Florida ruled the husband had no legal grounds to sue the hospital, even though he had been encouraged to assist

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***After trying to assist the nurse in the E.R. to dress the wound on his wife's hand, the husband fainted, fell and hit his head.***

***The hospital fulfilled its legal duty by telling him to leave the treatment room if he was feeling ill.***

***The husband was not the patient. The hospital was not responsible for his adverse reaction when he volunteered to help out.***

DISTRICT COURT OF APPEAL  
OF FLORIDA  
May 23, 2007

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the nurse in treating his wife and did not receive any form of assistance or care when he said he was feeling faint.

According to the court, a hospital owes legal responsibilities to its patients but not to visitors or family members who voluntarily choose to become involved in patient care.

Dozens of cases have come up around the country, the court pointed out, involving relatives trying to sue in this very same situation. This court agreed with other US courts that it would not be a sound legal precedent to impose additional responsibilities and liabilities on hospitals *vis a vis* family members, above and beyond hospitals' existing obligations to actual patients. **Ziegler v. Tenet Health Systems, Inc.**, \_\_\_ So. 2d \_\_\_, 2007 WL 1485861 (Fla. App., May 23, 2007).