

Patient Falls: Jury Finds Nursing Assessment, Care Negligent, Awards Family \$1,000,000.

The eighty-four year-old patient was in the hospital recovering from cardiac surgery after a heart attack.

For several days she was heavily medicated and remained basically unconscious.

Four or five days after surgery she was beginning to regain consciousness and started using a bedside commode with hands-on help from two nurses.

The patient remained heavily medicated. That made her highly disoriented. While disoriented she tried several times to get out of bed by herself. The first few times nursing staff members were able to intervene and put her safely back to bed.

Then, during the night six days after surgery, she got up, fell, injured her head and elbow and broke her hip.

The patient's fall-risk should have been reevaluated at least every twenty-four hours after surgery.

The family expressly asked if they could stay with her the night following the day she was caught several times trying to get up but was safely put back to bed.

The nursing staff refused to allow the family to remain in the room.

SUPERIOR COURT, MARION COUNTY
INDIANA
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She died more than two years later from atherosclerosis unrelated to the fall. The family then filed suit for the injuries from her fall. The jury awarded them \$1,000,000.

The family's nursing expert testified that the patient's repeated attempts to get out of bed mandated ongoing reevaluation of her fall risk.

Even though the nursing staff were able to intervene, there was no guarantee that expecting to catch her in the act of getting up would continue to be an effective strategy. A bed alarm was not enough. All four bed rails should have been raised and the patient evaluated for restraints. The family should have been allowed to stay with her at night. **Estate of Gehrich v. St. Francis Hosp., 2008 WL 1051810 (Sup. Ct. Marion Co., Indiana, February 4, 2008).**