

Fall: Elderly Patient's Estate Awarded Large Verdict.

An eighty year-old woman was involved in a motor vehicle accident in which three of her ribs were cracked.

Since she weighed only sixty-four pounds her doctor decided to admit her to a nursing home where supportive care would be available not just to help her recover from her injuries but also to regain her strength overall and put on some weight.

Five hours after admission to the nursing home she fell and fractured her hip while trying to get to the restroom unassisted. She was taken to a hospital for surgery, which was not successful, and she died in the hospital's ICU.

The family's lawsuit in the Superior Court, Fairfield District Court, Connecticut resulted in a verdict of \$1,453,177 after the jury discounted the damages for 5.9% for comparative negligence by the deceased.

Reportedly no treatment plan had been implemented for the patient on admission but one was created and inserted into her chart after she had already fallen in the nursing home and had died in the hospital.

Estate of Miller v. Darien Health Care, 2009 WL 4758488 (Sup. Ct. Fairfield Co., Connecticut, August 1, 2009).