

Fall: Nurses Did Not Meet Standard Of Care, But Were Not Responsible For Patient's Injuries.

The patient had been admitted to the hospital several days earlier for complaints of lightheadedness and shortness of breath.

He had a longstanding history of congestive heart failure.

The patient was given Ambien 10 mg and then later was found on the floor in his room with head trauma diagnosed as a subdural hematoma. He died two years after that from unrelated causes.

The nurses should have warned the physician the patient was a fall risk when they obtained the order for Ambien and should have implemented other fall precautions.

SUPREME COURT
SUFFOLK COUNTY, NEW YORK
February 8, 2010

The jury in the Supreme Court, Suffolk County, New York found numerous departures from the standard of care by the patient's nurses prior to his fall.

The jury ruled at the same time, however, that none of those departures actually caused the fall. The hospital, therefore, had no liability to pay damages.

The nurses should have alerted the physician the patient was a fall risk when they got the order for the Ambien. The jury determined the physician nevertheless already knew that, prescribed the drug anyway and was not negligent for doing so.

The patient should have had a sticker on his chart, a sticker on his ID bracelet and signs in his room about his fall risk, but their absence, the jury believed, was not a factor behind his fall. **Williams v. Brookhaven Mem. Hosp.**, 2010 WL 1212980 (Sup. Ct. Suffolk Co., New York, February 8, 2010).