

## Fall: Jury Convinced Urine On The Floor Was The Cause.

The eighty-eight year-old patient came to the nursing facility following three days in the hospital after she fell and broke her arm at home.

During the night she fell and struck her head on the floor while getting out of bed unassisted. Nursing home staff found her right away. They checked her blood pressure, saw that her pupils were equal and reactive and put her back to bed.

At 6:15 a.m. she was found unresponsive and an ambulance was called. At 9:55 a.m. she died in the hospital from subdural hematomas.

### No Nursing Documentation

#### Details of Patient Being Found on the Floor

The family's lawyer convinced the jury she slipped and fell on urine on the floor. There was no nursing documentation of the pertinent details, so the nursing facility was left trying to defend only by saying that it had a policy to check and clean the floors on a regular basis. The jury in the Superior Court, Suffolk County, Massachusetts awarded the family \$97,307. Estate of Reilly v. Oakwood Living Ctr., 2008 WL 7070100 (Sup. Ct. Suffolk Co., Massachusetts, July 22, 2008).