

Hospital Gown Change: Patient's Rotator Cuff Reinjured After Surgery.

A judge in the District Court, Tangipahoa Parish, Louisiana awarded the patient a \$49,900 judgment against the hospital.

The patient was on a med/surg floor recovering from rotator cuff surgery when a nursing assistant pulled his hospital gown forcefully upward, twisting his arm and pushing it against his chin. The patient reportedly heard a pop and felt pain immediately in the operative shoulder.

Six months later he had a second surgery to redo the rotator cuff reconstruction. A complication in the case for the patient was the fact he did yard work and exercises not recommended by his physical therapist during the time between his two surgeries. The judge reduced his damages by 25% to account for the patient's own negligence. **Hester v. Hospital Service Dist., 2009 WL 3824818 (Dist. Ct. Tangipahoa Par., Louisiana, August 6, 2009).**