

Labor & Delivery: Nurses' Inaction Leads To Large Settlement.

The thirty-two year-old patient's prenatal workup pointed to a normal healthy baby.

She checked into the hospital at 1:30 a.m. in the first stage of labor and a fetal heart rate monitor was started.

Nurses Watching the Monitor Waited to Call the Obstetrician

At 9:32 a.m. the fetal heart rate suddenly dropped from a normal 140 to a dangerously low 60 beats per minute.

In the course of the resulting lawsuit the hospital's telephone records were subpoenaed to prove that there was a delay of almost thirty minutes from the time the monitor data became ominous before a call was placed to the patient's obstetrician's residence.

The obstetrician testified he was not actually called until 10:10 a.m.

It took the obstetrician twenty-five minutes to get to the hospital. Then another twenty minutes was wasted, allegedly due to the fact no anesthesiologist was available.

Once the emergency c-section was started the baby was delivered in under five minutes. It appeared that a compressed umbilical cord had been depriving the fetus of oxygen and that accounted for the low heart rate.

The hospital, the obstetrician, the labor and delivery nurse and the labor and delivery nursing supervisor were all sued in the Superior Court, Hudson County, New Jersey. The lawsuit alleged negligence for the unaccountable delay between the first recognition of signs of fetal distress and the emergency cesarean delivery.

Five days into a jury trial the hospital's insurance company agreed to pay a \$8,500,000 settlement.

\$6,000,000 will cover the child's special needs and \$2,500,000 went directly to the parents. The child, now almost six, is blind, cannot walk, is subject to seizures, can only take liquid nutrition through a straw and requires constant care. **Ordonez v. Bayonne Med. Ctr., 2011 WL 1491775 (Sup. Ct. Hudson Co., New Jersey, March 21, 2011).**