

LEGAL EAGLE EYE NEWSLETTER

For the Nursing Profession

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Opiate Detox: Court Says Nurses Fulfilled Their Duty To Monitor Patient And Report Condition.

For one particular patient the physician elected to add methadone to the treatment center's standard medication protocol for opiate withdrawal. That meant giving it with the clonidine and Librium that were used routinely. According to the Court of Appeal of Louisiana the physician had tried this only once in ten years and it had never been done before at this facility.

The patient became progressively groggier, drowsier and more lethargic, began to drool, was unable to do art therapy, tried to eat something still in a plastic wrapper, became uncoordinated, slipped into a coma, stopped breathing and died. His family sued the physician for malpractice.

The court flatly refused to let the physician blame the nurses. It was a

Nurses must monitor patients and notify the physician of any significant changes or any changes for which the physician has requested notification.

The nurses pointed to thirty-two items in the records where they saw and charted the patient's advancing state of sedation.

The physician knew the patient was obtunded and should have given Narcan.

COURT OF APPEAL OF LOUISIANA, 2000.

new and totally unfamiliar medication regimen. The nurses carefully monitored and reported the patient's condition to the physician. According to the court, the physician should have realized there was a problem with the methadone and given Narcan.

The court did not fault a nurse for a critical chart entry written six hours after the patient died which related back to seven hours before he died.

The court was satisfied the nurse actually jotted something down at the time in question on a note pad she always carried around with her, and then honestly transferred it into the chart some hours after the fact. It was an acceptable but not advisable routine practice of nurses at this facility. ***Jones v. Shepard, 760 So. 2d 554 (La. App., 2000).***