

Family Member Panics: Nurse Refused To Contact The Doctor, License Suspended.

The sixteen-month-old child was in the hospital for surgeries to correct ongoing problems related to prematurity.

Concerned because her baby was grunting and flailing her arms the mother insisted that the nurse call the physician.

The nurse checked the infant and reassured the mother.

Hours later the nurse called in the nurse practitioner and the nurse practitioner phoned the physician.

The nurse was reported to the state board of nursing and her license was suspended for three months.

The Court of Appeal of Louisiana ruled that “urgency and panic in the mother related to the status of her child” was sufficient reason to compel the nurse to contact the physician as the mother requested.

The court did not see a valid defense in the fact it was standard practice at the hospital that an LPN usually reported to the nurse practitioner who, in turn, made decisions whether or not to contact the physician. Lawhead v. Louisiana State Board, __ So. 2d __, 2008 WL 4766830 (La. App., October 28, 2008).