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Pitocin Drip: Court Says Nurse Should Have Monitored The Patient More Closely.

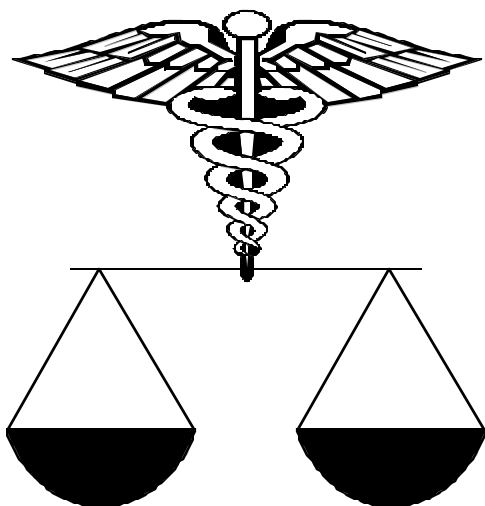
The infant was born with cerebral palsy. The parents claimed it was caused by birth asphyxia and sued the obstetrician, his medical group, the medical center and the labor and delivery nurse for negligence.

The parents' lawsuit claimed it was negligent for the nurse to increase or even to continue the pitocin drip when a monitor strip became unreadable and not to call the obstetrician. The lawsuit also claimed the obstetrician was required to be aware of what was going on whether or not the nurse was actually watching the strips or knew what to do.

The obstetrician and the labor and delivery nurse received a favorable ruling from the jury. They were absolved from blame. The case was appealed and the jury's verdict of no negligence was upheld at the first level of appeal.

However, at the top level the Supreme Court of New Jersey disagreed with the outcome and ordered a new trial. The Supreme Court ruled the trial judge was in error to give the jury a generic "best medical judgment" instruction, which unfairly biased the jury against the parents. Instead, the jury should have been instructed to consider the specific facts of this particular case, the Supreme Court said.

The Supreme Court said the jury in



The nurse must closely watch a patient on pitocin.

This nurse increased the pitocin drip rate even though a monitor strip had become unreadable.

Not watching the strips and not taking action when a strip becomes unreadable is below the standard of care. The drip should have been stopped and the physician called.

SUPREME COURT OF NEW JERSEY, 2000.

this case should have been instructed they had to decide from the testimony if the nurse was actually monitoring the patient while she was on the pitocin. If the nurse was not closely monitoring this patient, that in itself was below the legal standard of care for a labor and delivery nurse.

There was conflicting testimony whether a monitor strip or strips were unreadable. The jury should have been instructed they had to decide whom to believe and that they had to make a definitive determination of the facts on this issue.

If one or more monitor strips became unreadable as the parents' expert witnesses testified, then it was mandatory that the nurse take action.

The hospital's expert witnesses conceded if a monitor strip becomes unreadable the nurse has to stop the pitocin drip and contact the physician at once to report the patient's condition and obtain instructions what to do next, the Supreme Court pointed out.

According to the Supreme Court, there would be no room at that point for the nurse to exercise the nurse's "best medical judgment." Stopping the drip and contacting the physician would be the nurse's only options at that point,

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