

Substandard IV Technique: Court Declines To Hold Nurse Liable.

In a convoluted ruling, the Court of Appeal of Louisiana upheld a jury verdict finding a nurse not liable for a patient developing reflex sympathetic dystrophy in his hand after an IV insertion.

The IV was started by the nurse in connection with carpal-tunnel surgery on the other hand.

There was nothing wrong with the nurse's technique up to the point the patient reported an unpleasant electric shock sensation as the nurse started the needle. At that point the nurse should have gone to a completely different site away from that wrist.

COURT OF APPEAL OF LOUISIANA
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The court ruled that a nurse, once a patient has reported pain or another unpleasant sensation, should abandon the wrist and choose another site altogether.

However, in this case when the nurse moved the needle only a few millimeters and tried again in the same wrist, although improper technique in the court's judgment, nothing unusual happened.

Therefore, the nerve injury had to have been caused by the first insertion, which was not negligently performed, rather than the second insertion, which was.

Under accepted legal concepts of cause-and-effect, a nurse cannot be held liable for actions which are not negligent even if harm does occur to the patient. Frick v. Ochsner Foundation Hosp., ___ So. 2d ___, 2006 WL 910003 (La. App., April 11, 2006).