

Telephone Consults: Not A Licensed Nurse, Court Finds Negligence.

The parents took their six month-old child to an after-hours medical clinic because he was vomiting and had a fever of 103.6°F. The pediatrician's diagnosis was a stomach virus.

The next day, a Sunday, the mother called her own pediatrician's office. The pediatrician's phone was answered by a person who had graduated from a nursing school overseas but had three times failed the state nursing boards and was not licensed as a nurse. The mother told of the vomiting and high fever and the diagnosis of a stomach virus the previous day.

The non-licensed nurse told the mother to mix soda pop with Pedialyte and feed the child bananas, rice, applesauce and toast.

Two days later the parents took the child to an emergency room where bacterial meningitis was diagnosed.

It is negligent to allow a person who is not licensed as a nurse to answer phone calls from patients and to dispense medical advice without consulting with a physician.

COURT OF APPEALS OF GEORGIA
October 24, 2005

There were multiple allegations of negligence in the lawsuit. The Court of Appeals of Georgia said, among other things, that it is negligent to allow a non-licensed person to dispense medical advice over the phone.

A non-licensed person at most can only act as a go-between, relaying messages to and from the physician. **Snider v. Basilio**, __ S.E. 2d __, 2005 WL 2715854 (Ga. App., October 24, 2005).