



Jonathan Rosenfeld's Nursing Homes Abuse Blog

Jury Punishes Hospital With Verdict In Medical Malpractice Lawsuit Where Patient Developed Bed Sores During Admission

*Posted by **Jonathan Rosenfeld** on March 02, 2011*

Have you seen a bed sore? If you haven't, advanced bed sores are truly horrific conditions that are perhaps the most **gruesome example of institutional neglect**.

However, particularly when there are photographs of a gaping wound on a patient's buttocks or heels, many of these cases seem to miraculously get resolved prior to when they get presented to a jury. Perhaps some of the risk managers and lawyers defending these nursing homes and hospitals are providing useful advice to their clients to: settle, settle, settle?

Maybe the 'settle, settle, settle' message got confused in a recent case involving the development of bed sores during a hospital admission following a hip surgery. The family of Alfred Gonzales, filed a medical medical malpractice lawsuit against Christus St. Vincent Regional Medical Center (New Mexico) due to the bed sores that developed on his heels during his hospitalization.

Jonathan Rosenfeld represents victims of nursing home abuse and neglect throughout the country. For more information please visit Nursing Homes Abuse Blog (www.nursinghomesabuseblog.com), Bed Sore FAQ (www.bedsorefaq.com) or call Jonathan directly at (888) 424-5757 (www.rosenfeldinjurylawyers.com).

The jury awarded Mr. Gonzalez's family \$10.3 million.

Ignoring their own protocol, the hospital failed to provide Mr. Gonzalez with the appropriate care and devices to prevent the development of the bed sores (interchangeably referred to as: **pressure sores, pressure ulcers or decubitus ulcers**). Tom Rhodes, the lawyer representing Mr. Gonzalez's family said it best;

Shift after shift, they didn't do what they were supposed to do. After they know they had a problem, they charted saying that there was no problem. It was haphazard and reckless, like they were really doing the stuff; they were just writing it down. A lot of it had to do with the fact that he (Mr. Gonzalez) couldn't communicate well.

Obviously, the poor charting and blatant disregard for patient well being was conveyed to the jury in this matter. The award is comprised of \$595,000 in compensatory damages and a hefty \$9.75 million in punitive damages.

There is no doubt that the significance of this verdict will travel to hospital administrators across the country. Though many folks in hospital management positions may brush this case off as a freak situation, my hope is that a majority of the decision-makers take note of this case for the fact that jurors will no longer accept the fact that the development of bed sores during a hospital admission is an inevitable part of being hospitalized.

Related:

Why is it important to differentiate the type of facility where a bed sore developed?

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Medical Facilities Are Not Doing Enough To Prevent Pressure Ulcers On Patients' Heels

\$5 Million In Punitive Damages Awarded To Widow In Bed Sore Case Against Nursing Home & Hospital

What are some common defenses used by nursing homes and hospitals in lawsuits involving pressure sores?

Christus St. Vincent Medical Center slapped with \$10.3M penalty in bed sore lawsuit by Phaedra Hayward, the New Mexican, February 18, 2011