

Jonathan Rosenfeld's Nursing Homes Abuse Blog

Morphine Overdose Of Patient Initiates A Lawsuit Against Doctor & Nursing Home

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Sometimes I see nursing home negligence cases where a facilities errors stem from the fact that staff fail to pay attention to an initial physician order or care plans developed by the facility for a patients care. Perhaps the order itself was ambiguous, or perhaps the writing was illegible? But what happens if a physicians order is just plain wrong?

Certainly, in cases where orders are ambiguous, illegible or downright suspect, it is up to the nursing home staff to clarify the orders with a supervisor at the facility or to take it upon themselves to confirm the order with the patient's physician. Put another way-- staff can not leave their common sense at the door when implementing patient care.

Frankly, I was pleased to see a recent jury verdict in a case where the jury acknowledged that that nursing home staff can not pass the buck in all situations-- even when the physician is partially at fault.

A California jury recently awarded a brain damaged woman \$3.1 million in a case where the staff at St. Edna Subacute & Rehabilitation Center administered an overdose of morphine to a rehab patient who was recovering from a foot

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.

surgery. The 57-year-old woman's podiatrist has mistakenly prescribed 50 mg of morphine instead of the 30 mg of Demerol that he intended.

Even though the morphine dosage was unusually high and staff were similarly warned of the excessive dosage by a pharmacist, the staff at St. Edna took it upon themselves to administer the mistakenly prescribed drug.

Even after the woman became visibly ill from the morphine, the facility still made errors in delaying the implementation of medical care and taking the woman to a hospital. The combination of the excessive morphine dosage as well as the delay in care resulted in the woman sustaining a brain injury.

The \$3.1 million award was composed of \$2.0 million for pain and suffering and \$1.1 million in medical costs. The jury further apportioned the nursing home 90% responsible and the prescribing physician 10% at fault.

In addition to the compensatory damages awarded above, the jury will also determine if punitive damages should be awarded based on the nursing home's conduct.

St. Edna Subacute & Rehabilitation Center is part of Covenant Care, a large nursing home operator with 25 facilities throughout California.

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