

Jonathan Rosenfeld's Nursing Homes Abuse Blog

Jury In Nursing Home Abuse Trial Doesn't Buy Argument That Patients Bed Sores Were 'Unavoidable'

Posted by [Jonathan Rosenfeld](#) on November 02, 2010

We recently [discussed](#) a pending wrongful death trial in Texas where the family of a deceased nursing home patient has been pursuing a civil claim against the skilled nursing facility where the bed sores allegedly developed and advanced to the point that the wounds became infected.

After just a day of jury deliberations, the jury has awarded the deceased patient's family almost \$600,000 for physical pain and suffering, mental pain and anguish and subsequent medical bills.

Like many cases involving bed sores (also referred to as: pressure sores, pressure ulcers or decubitus ulcers) the nursing home argued that the patients wounds were 'unavoidable'.

While there may be a limited number of circumstances where skin-breakdown occurs despite the implementation of all feasible preventative measures--- most cases of bed sores simply result from downright faulty care-- the facility simply not doing its job in caring for the patients.

Unfortunately, this judgment against a nursing home will be reduced substantially pursuant to Texas tort reform caps that curtail a jury's award to comply with state imposed caps.

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.

Nursing home trials, such as this, should really be about improving care for similarly situated nursing home patients in the state. Unfortunately, when caps on recovery are imposed by state legislatures, injured people are the real losers as the arbitrary caps on recovery provide little incentive for facilities to change the way they operate and impose new safety measures.

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