

Attorneys:

Plaintiff: William E. Aetz, Arlington
Andrew J. Waghorn, Arlington

Defendant: Withheld

Facts: The family of a patient who sustained a skull fracture while recovering in the hospital from a cardiac catheterization settled with the anonymous hospital and anonymous nurse for \$1,000,000.

Plaintiff's decedent entered the defendant hospital in June 2002 for a cardiac catheterization after recent onset of chest pain and a positive stress test. The procedure was completed at 3:30 p.m. and showed no arterial abnormalities. The decedent was transferred to a room on the telemetry ward, where he was under the care of defendant nurse. At 7:30 p.m., defendant nurse allegedly allowed decedent to get out of bed and attempt to walk to the bathroom. While decedent was in the bathroom, he became dizzy and fell backward. He struck his head on the floor rim of the shower and sustained a skull fracture with massive intra-cranial bleeding. Decedent died the next day.

Plaintiff alleged the nurse and hospital committed medical malpractice in failing to monitor the decedent in his hospital room and did not appreciate the fact that decedent was still under the effects of the medication given during the cardiac catheterization. Plaintiff also claimed that decedent was not stable enough to urinate unassisted and unattended in the bathroom. Plaintiff claimed that the wife of decedent's hospital roommate was prepared to testify that decedent was unstable on his feet and had to be assisted to the bathroom by defendant nurse. The same witness alleged defendant nurse left the room while the decedent urinated in the bathroom without assistance behind a closed door. Plaintiff further asserted that defendant nurse was required to have decedent complete his first void following the catheterization in a bedside unit rather than walking to the bathroom.

Defendants contended a proper nursing assessment was performed and the decedent was stable enough to urinate unassisted in the bathroom behind a closed door. The assessment determined decedent was stable and not faltering on his way to the bathroom. Defendants argued that the decedent was instructed to sit while he urinated. Defendants maintained it was not a breach in the standard of care to give decedent his privacy in a closed bathroom when he was in stable condition. Defendants stated the decedent had recovered from the effects of the medicine given during the catheterization and the bathroom fall and subsequent skull fracture were unforeseeable events.

Plaintiff Profile: Plaintiff's decedent was a 41 year old married white male. Decedent was survived by his wife and three minor children.

District of Columbia

Superior Court

Fall in Hospital Bathroom Yields Large Settlement

Case Caption:

Estate of John Doe v. Anonymous Nurse and Anonymous Hospital

Settlement: \$1,000,000

Judge: N/A

Settlement Date: 6/2005