

Medical Negligence

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Unfortunately, healthcare is also prone to cases of negligence, which might result negatively both for the patients and for the organization. The medical negligence occurs when the medical worker is unable to provide the care that is expected to be delivered by him or her in every case that might end up with an injury or even death of the patients. The following paper on a particular case study would look into a situation when a medical negligence occurred and what was the outcome of that.

The discussed case is a typical situation, where a patient was hurt due to medical negligence. The plaintiff is a 58-year-old man, who has received a treatment for prostate cancer for around 7 years. After the patient has taken a radiotherapy and prostatectomy, he had a relapse of the disease. Unfortunately, the cancer has spread to his other body organs and the man needed an intensive chemotherapy with Adriamycin. The plaintiff has presented the left chest port-a-cath intact to the cancer treatment medical center. The defendant, who is a nurse, has done all the necessary preparations to make an injection. She got the blood return and started the procedure related to the Adriamycin's infusion. The first fifteen minutes were okay, but after an hour the patient bended and felt a sharp pain in the area of the port-a-cath. Upon the notice about the pain, the defendant palpated the place, got blood return and continued the procedure. As another hour has come, the different nurse had checked the patient's port-a-cath and found a fluid collection under the skin of the plaintiff. After the director was informed about the situation, the conclusion was made that extravasation has happened. The patient received an immediate treatment on that and one day after he was called to get another dose of antidote.

The result was a massive wound that required additional treatment that included skin grafting, wound care and debridement. Thereafter, the patient has filed a claim with the information that the nurse failed to

deliver the chemotherapy injection professionally as she has opted for the wrong needle's size; did not react properly to the complains related to burn and pain in the area of port-a-cath; could not see that the site was affected; did not see the extravasation and continued the procedure; did not inform the physician and her supervisor of the episode of sharp pain. Moreover, the plaintiff also accused the cancer medical treatment facility of inability to treat the extravasation properly and for giving him a wrong type of antidote. The death of the patient due to his prostate cancer left the final ruling in case without a conclusion that Adriamycin's extravasation was a contribution to the death.

However, the first reviews of the experts mentioned that the nurse followed all the rules and regulation related to standards of care. However, such additional factors as the poor English language level of the nurse stopped her from presenting evidence by her in the courtroom. Moreover, the previously mentioned expert's opinion did not help her win the cases, as the court has ruled out the cancer treatment medical center had a clear procedure upon immediate notification of the supervisors, which was not done by the defendant. She claimed that she was unaware of that policy even despite the fact that she has signed all the documentation that included that information upon time of employment. The final decision was to make settlement that would include a payment from the side of the nurse. The sum of payment was set between \$85,000 and \$95,000 and with the legal expenses around \$100,000 and \$200,000.

Actually, the stronger arguments were presented by the plaintiff, as the defendant failed to follow the procedure fully, under understanding of which she has personally signed off. Lack of knowledge is not a strong defense strategy, and the patient has managed to record all his proof with recites (NSO, 2010).

References

NSO (2010). Case Study: Alleged improper administration of chemotherapy infusion resulting in patient injury. *Nurse Service Organization*. Retrieved from: <https://www.nso.com/pdfs/db/x-10704-514.pdf?fileName=x-10704-514.pdf&folder=pdfs/db&isLiveStr=Y>