Following Are Examples of Specified Medical Claims

More than a pain in the neck. A lawsuit was filed against a pain management clinic by a woman who had a bad reaction after being anesthetized during a procedure at the clinic. The claim arose after the plaintiff came to the clinic to receive one of a series of steroid injections prescribed to relieve neck pain, which developed after an auto accident. Prior to receiving the injection, the plaintiff was given anesthesia by a Certified Registered Nurse Anesthetist (CRNA). The plaintiff was later brought to the recovery room, where it was noticed she was slightly cyanotic, then became agitated and convulsive. The CRNA and other medical staff were called to the recovery room. The CRNA intubated her and administered the appropriate anesthesia reversal drugs. The plaintiff was monitored by medical staff, stabilized and discharged five hours later.

Some time later, the plaintiff requested her medical records and filed her lawsuit. In her suit, she alleged she was over-anesthetized and charged the clinic and medical personnel with negligence. In their defense, the medical team maintain the plaintiff was not over-anesthetized and that all proper procedures where followed during the plaintiff's treatment. Lawsuit is pending.

Inattentive Aid. A claim was filed against a home health care agency by the family of an elderly man who was cared for in his home by one of their employees. The man suffered from dementia and occasionally wandered around the house during the night. One night the man left his room and tripped over a broom that had been left out in the kitchen. As a result of his fall, he suffered a fractured hip and arm, and bruises on his face and body. Afterwards, he also exhibited sustained signs of depression and anxiety.

In the suit, the plaintiffs allege the caretaker was negligent for failing to put the broom away properly after using it, and inattention to their father's nocturnal wanderings. Claim is pending.

More serious than they thought. A lawsuit was filed against a city emergency medical service bureau by a 30-year-old African American woman. The suit arose when the plaintiff, who was feeling ill with a headache, nausea, vomiting and diarrhea, asked her 15-year-old niece to call 911.

The woman alleged that when two paramedics arrived, they performed a brief examination, took her blood pressure and concluded that she had the flu and that her illness did not constitute an emergency. Further, she alleged the paramedics discouraged her from going to the hospital by claiming she would have to pay several hundred dollars if it was determined her illness was not an emergency. She also alleged the Caucasian paramedic was racist and acted toward her and her niece in a rude and intimidating manner. In her suit, the plaintiff contends she suffered a brain aneurysm, which would have been prevented if the paramedics had transported her to the hospital as soon as they responded to her call.

Subsequent to the initial complaint, the woman underwent surgery to relieve pressure and fluids on her brain. During surgery she suffered a massive stroke and brain damage and is now in a permanent vegetative state.

The defendant denies their paramedic demonstrated racist behavior, based on the word of the man's partner, who is African American. They further maintain that the paramedics were not negligent, and noted that even if the woman had been brought to the hospital immediately it would not have impacted the outcome. Lawsuit is pending.