(continued from page 100) very wary and I would rather bear the cost of my own policy. Also, your own policy will cover you if you are sued for anything that occurs outside of your work environment. For example, if you stop to render aid to an accident victim, you may need your own coverage. The hospital’s policy will not cover you for any event that occurs outside your realm of employment.

The cost of a malpractice insurance policy for a nurse is minimal compared to what other healthcare providers must pay. It is a small price to pay for peace of mind. Also remember, even if you do everything right and follow the standard of care, you may still be sued. We have become a nation populated by people who can and will sue anyone at any time for anything. To sue, one need only pay a small filing fee. This does not ensure the lawsuit will be brought to court, but protecting oneself and one’s family is essential. Consider investing the time and the small amount of money to purchase your own policy for your own peace of mind.

Reference

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Call for Student Abstracts

Dimensions of Critical Care Nursing would like to issue a call for abstracts from undergraduate and graduate nursing students for a new section called “Student Abstracts.” Both undergraduate and graduate nursing students in the area of critical care conduct much good research and I would like to share the results of this research with our readers. So many times the results of this research is presented in the classroom setting and not disseminated to others. Here is an opportunity for those students to publish their abstracts.

If you would like to submit your research abstract, you must be either an undergraduate or graduate nursing student. Your research must be related to the area of critical care nursing. Please submit the following:

1. Title of the Abstract
2. Your name and address
3. School of Nursing
4. No more than 2 paragraphs summarizing the research and its Findings

Please submit the abstract to DCCN at:

Vickie Miracle, RN, EdD
424 Eastgate Village Wynde
Louisville, KY 40223

Abstracts may also be sent via fax to 502-253-5560 or via e-mail to vmiracle@aol.com.
Please submit your research and discover the pleasure of publishing.
What Every Nurse Should Know About Malpractice

It is no secret that America has become a land fraught with lawsuits. Many lawsuits are frivolous and are dismissed, while others are fought in legal battles in courtrooms across the United States. As you may be aware, many of these cases are a waste of time, money, and effort. For example, here is a list of a few ridiculous lawsuits we have all heard about in the news:

1. An obese man sues a fast food restaurant chain, claiming the chain is responsible for his obesity.
2. A woman sues a restaurant claiming its coffee was too hot after she spills the beverage on herself while driving.
3. A group of prison inmates sue the prison, demanding specific foods (such as chunky peanut butter instead of creamy) or comforts such as cable television.

I believe people need to be responsible for their own actions and that these actions have consequences. Therefore, if you consume an excessive amount of fast food, you run the risk of gaining weight. If you smoke, you run the risk of many diseases. Granted, this may not be the case for people who started smoking before 1965; but since 1965, these risks have been well published and promoted.

But enough about frivolous lawsuits. In the past, patients and/or their families more primarily filed healthcare lawsuits against physicians and hospitals. After all, the hospital industry had deep pockets. In the past decade, there has been an increase in lawsuits filed against nurses.

For example, nurses are mostly sued for negligence. Many times, the terms negligence and malpractice are interchangeable. In a nursing situation, negligence means doing or not doing an act or acts in a manner that a prudent person (ie, RN) would do. Nurses are held to a reasonable standard. This standard means that a nurse should act to avoid injury to the patient, others, and themselves. For example, nurses can be sued if the bedrails and other protective measures are not reasonably used to protect the patient and to prevent injury and this patient falls out of bed and is injured.

Next, the plaintiff must prove the nurse was negligent. If this cannot be proven, the lawsuit may not be filed or may be dismissed early in the legal process. In order for the lawsuit to continue against a nurse, certain terms must be met. These include the following:

1) the nurse was responsible for the plaintiff
2) the standard of care was not met
3) the lack of the standard of care must be directly related to the plaintiff’s injury.

Many factors are not within the nurse’s control. Technology often fails, and this may cause injury to a patient. However, if the nurse knows the equipment is faulty, he or she is responsible for reporting and/or removing the equipment. For example, one nurse was caring for a patient receiving heparin through an intravenous pump. The nurse set the pump to deliver a specific amount of heparin/hr. When she returned 30 min later, the entire 1000 cc bag of heparin had been infused. The pump had worked fine before this incident. The nurse could not have foreseen this problem. She immediately removed the pump and discontinued the heparin drip. She monitored the patient for any bleeding problems (of which there were none) and notified the patient’s physician. She also removed the pump from the room and reported it as faulty. She explained the incident to the patient and her supervisor and completed the necessary paperwork for that facility. Could she be sued? Yes. You can be sued for anything. The more important question in this incident was: Would the plaintiff be successful? Probably not, because this was not a foreseen problem, the nurse took appropriate actions, and the patient had no problems regarding the incident.

I strongly encourage every nurse to carry his or her own malpractice insurance. While I have worked for hospitals that told me that their malpractice insurance would cover me in the event of a lawsuit, I have always carried my own policy. I have always wondered if the hospital’s insurance would cover me if it were not in its best interest to do so. I tend to be (continues on page 99)