

Reference Shelf *Continued*

Malone v. Wake Hospital Systems, Inc., 262 S.E.2d 680 (N.C. App. 1980).

Plaintiff sued hospital for the malpractice of an employee nurse who allegedly improperly administered a potassium solution intravenously to the plaintiff causing disfigurement of the skin on plaintiff's hand. Judgment was entered for the hospital and plaintiff appealed, claiming that the court had wrongly excluded the testimony of plaintiff's expert witness, a nurse who was an expert in the field of intravenous therapy. The Court of Appeals agreed and granted a new trial, stating that in this case the expert witness need not be licensed to diagnose illness or injury or prescribe treatment.

Maslonka v. Hermann, 414 A.2d 1350 (N.J. Super. 1980).

Plaintiff's wife, a 33 year old woman, was admitted to defendant hospital for delivery of her fourth child. Following a normal spontaneous vaginal delivery, the patient was given Methergine, a drug which contracts the uterus and decreases uterine bleeding. One hour postpartum the patient was noted to have "moderate" bleeding; two hours postpartum she was pale and restless with labored respirations; and three hours postpartum she was pronounced dead. At plaintiff's request, no autopsy was performed.

Plaintiff sued defendants hospital, physicians, and nurses, alleging substandard postpartum care. At trial, summary judgment was awarded in

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favor of the doctors and two of the nurses. (The case is still pending against the hospital and one nurse.) Plaintiff appealed, relying upon the affidavits of an expert physician witness (who stated that the cause of death could not be known, but that the patient was poorly attended in her postpartum period) and an expert nurse witness (who stated that the nurses' statements as well as the nurses' notes showed poor postpartum care). The Court of Appeals affirmed the lower

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Co-editors

George J. Annas, J.D., M.P.H.
Jane L. Greenlaw, R.N., M.S., J.D.

Executive Editor

A. Edward Doudera, J.D.

Assistant Editor

Elizabeth M. Ollen

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court's decision, stating that the plaintiff had failed to introduce any evidence of causation, and that without this there was no issue for a jury trial.

Quality Assurance

Crawford N, Smith S, Myer N, *Design for a Coordinated, Problem-Focused Quality Assurance Program*, QUALITY REVIEW BULLETIN 6(7):9-14 (July 1980) [N1-78, \$2.00].

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