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Saxton & Stump Attorneys Receive Defense Verdict in Case Involving a Wrongful Death Matter

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This wrongful death matter arose out of the Plaintiffs' allegations that nursing staff negligently "forced" medication through an NG tube causing the patient to aspirate. The Plaintiffs also brought individual negligent infliction of emotional distress claims in addition to the wrongful death and survival claims as a result of witnessing the aspiration event. Through the use of strong and credible nursing and critical care expert support and intense witness preparation with the nursing staff involved in the event, we were able to effectively demonstrate that the

nursing staff administered the medication commensurate with the standard of care.

In addition, we proved through radiological evidence that, unfortunately, the patient was likely to rapidly deteriorate and not survive the hospitalization even had the aspiration episode had not occurred. Specifically, the chest x-rays taken prior to the aspiration event, coupled with his deteriorating respiratory status, established that that the Decedent began silently aspirating prior to the subject event because of his critical multi-factorial illness.

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