

WHAT'S THE VERDICT?

Medical judgments and settlements

COMMENTARY PROVIDED BY

Jeffrey L. Susman, MD, Editor-in-Chief

Car accident blamed on lack of post-test monitoring

AN IN-OFFICE FASTING BLOOD TEST was performed at a medical clinic on a 53-year-old man with diabetes. The man had been hospitalized recently with life-threatening complications arising from poor management of his diabetes. He hadn't eaten or taken any medication, including insulin, in the 12 hours before the test.

After his blood was taken, the patient was told that he could leave the clinic. Shortly afterwards, another patient reported that a man in the parking lot was acting confused and disoriented.

Office personnel read the blood test results—which showed a blood sugar level <50 mg/dL—and called the man's wife.

Almost immediately afterward, the wife received a call from the police informing her that her husband had been in a single-car rollover accident. He suffered a stable T12 compression fracture. His blood sugar, taken by paramedics, was 24. The patient said he was unaware of his hypoglycemia and impaired cognitive function.

PLAINTIFF'S CLAIM The clinic didn't have policies and procedures for testing fasting blood sugar in patients with diabetes, who have a known risk of hypoglycemia. The clinic shouldn't have allowed a fasting patient with diabetes to leave before his blood tests were complete and he had eaten a snack.

THE DEFENSE The only explanation for the drop in the patient's blood sugar was that he had taken his morning insulin in disregard of his doctor's orders. Patients who are unaware of their hypoglycemia often show no outward signs of impairment. The patient failed to take responsibility for educating himself about his disease and managing it properly.

VERDICT \$400,000 Missouri settlement.

COMMENT *Clear office policies and procedures can reduce the risk of lawsuits.*

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