

MASSACHUSETTS LAWYERS WEEKLY

Toxic drug combo blamed for neurological deficits

Walk-in clinic nurse is sued; \$500,000 settlement

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A woman visited a walk-in clinic with flu-like symptoms. The defendant nurse administered the antibiotic Biaxin, knowing that the woman was already taking Tegretol, a drug used to control seizures and treat neuralgia.

According to plaintiffs' counsel, the drug combination caused Tegretol toxicity, a condition that resulted in hyponatremia, or low levels of sodium in the blood.

She visited the emergency room of a local hospital, where medical staff rapidly increased her sodium levels. Plaintiffs' counsel claimed that the rapid sodium correction caused central pontine myelinolysis, or CPM, a cerebral condition characterized by lesions on the brain.

The woman subsequently endured years of neurological deficits, including verbal amnesic shortcomings, speech disturbances, short-term memory loss, constant spasticity, facial drooping and gait/balance problems.

The plaintiffs sued the nurse for malpractice. The nurse argued that her administration of Biaxin was reasonable. She also claimed that the patient did not suffer from CPM, but developed conversion disorder related to pre-existing psychiatric conditions.

The plaintiffs called a number of expert witnesses to establish the nurse's breach of the standard of care and causation. A nurse practitioner testified that the nurse should not have prescribed Biaxin and that other equally effective antibiotics that did not adversely interact with Tegretol were available.

Plaintiffs' counsel elicited testimony that established virtually every element of the malpractice claim. In contrast to what the defense had argued, an expert neurologist testified that the patient most likely suffered from CPM, which resulted from the rapid sodium correction. She also clarified that MRIs are not necessary to diagnose CPM, nor are they the only diagnostic tool. The neurologist, a conversion disorder expert, also rejected the defendant's claims that the woman suffered from conversion disorder.

Less than 24 hours after the neurologist's testimony, the case settled.

Action: Medical malpractice

Injuries alleged: Brain injury

Case name: Withheld

Court/case no.: Withheld

Jury and/or judge: N/A (settled)