



# VITALS

A Weekly Safety Newsletter For Medical Transport Professionals

Mike Szczygiel (Segal)  
888-969-8033  
meszczygiel@thomcoins.com

## *Negligent Documentation: A Potential Killer?*

In 2002 in New Jersey, a young man was subdued during an altercation with police. He was taken to the police station where he developed symptoms of sufficient severity that EMS was called. While being transported by EMS to a community hospital, he vomited. EMS failed to document the vomiting episode. The patient was treated and released from the community hospital and returned to jail.



During his second incarceration, the patient had a grand mal seizure. On this occasion the same EMS provider transported him to a major trauma center. He died. What do you think killed him? It was an epidural hematoma. This accumulation of blood separates the dura mater (Latin for tough mother) from the skull. Epidural hematomas arise from damage to an artery. Commonly the middle meningeal artery is ruptured by a blow to the temporal bone. There is a transient loss of consciousness followed by a lucid interval. As the amount of blood between the skull and the dura increases, the growing hematoma exerts a mass effect that may be severe enough to cause herniation of the brain stem. In other words, the part of the brain that keeps us alive is squeezed through a hole at the base of the skull, the foramen magnum (Latin for big hole).

The lawsuit that followed was based on the family's contention that if EMS had reported the vomiting, one sign of increasing intracranial pressure, the community hospital may have had a higher index of suspicion. They argued that with complete information the community hospital staff would have been better informed and engaged in diagnostic efforts with a high potential of discovering the epidural. After much legal haggling, there was an interesting result.



The New Jersey State Court of Appeals ruled that the State EMS Act only protects EMS providers from negligence in the actual performance of patient care, not from negligent documentation. Did you ever think that documentation could be given as much weight as clinical performance? Don't you have a duty to document in a fashion that meets a "documentational" standard of care? Do you understand documentation not meeting the standard can be a proximate cause of injury/damages? Maybe the pen is mightier than the sword.

## AITTS

AMERICAN INTEGRATED TRAINING SYSTEMS

Sign Up for The  
**EVOC - "T3" Train-the-Trainer Course**

August 25-27 in Iowa, or September 22-24 in California

American Integrated Training Systems, Inc. (AITTS) is conducting an EVOC Train the Trainer course in conjunction with the Delaware TWP Fire Department, August 25-27 in Des Moines, Iowa, and with San Diego Medical Service in San Diego, California on September 22-24. The course will qualify instructors to present the classroom portion of the training and provide an orientation to the practical driving exercises. Each participant will act as a student and coach for ambulance driving exercises. Cost is \$575 and registration closes August 20. For more information please contact Billy Rutherford at 703-440-0914 or brutherf@aitstraining.com.

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