

Defense Verdict in Favor of Hospital

Fred W. Tyson and L. Peyton Chapman, III successfully defended a hospital in a medical malpractice case which was tried before the Honorable Butch Binford in the Circuit Court of Houston County, Alabama. The case involved a patient who developed a stage IV decubitus ulcer while recuperating from a left pneumonectomy. The Plaintiff alleged that the hospital and its nursing staff failed to take appropriate precautions to prevent the patient from developing the decubitus ulcer, and that the ulcer was not properly treated once it had developed. The defense vigorously disputed these allegations at the trial, which lasted for five days. Through expert testimony, the defense demonstrated that the hospital had followed the appropriate standard of care with regard to the prevention and treatment of the Plaintiff's decubitus ulcer – and that the ulcer resulted from the patient's overall medical condition and complications rather than any act or omission of the hospital staff. Following several hours of deliberation, the jury returned its verdict in favor of the hospital on the evening of Friday, September 3.