

Fractured Leg During Therapy Case Summary

The plaintiff, age seventy-nine, was undergoing physical therapy at the defendant hospital. During one session with two defendant therapists, she suffered a fracture to her left leg. As a result, she had to have a permanent rod inserted in the leg for stabilization, and she suffers pain and discomfort in her left hip.

The treating orthopedic surgeon testified that if it were not for the incident, the plaintiff would have had a better prognosis for range of motion and mobility. The defendant argued that because of the plaintiff's pre-existing profound osteoporosis, an injury such as the one she sustained can occur in the absence of negligence.

According to California Jury Verdicts Weekly, the verdict was for the defense. Plaintiff's Experts: James Sibbett III, P.T., physical therapy, Chula Vista, CA. Rarna Chandran, M.D., orthopedics, Hawthorne, CA. Defendants' Expert: Cheryl Resnick, M.D., D.P.T., physical therapy, Los Angeles, CA. Margaret Martinez and Rosa Martinez v. Daniel Freeman Hospitals, Inc., Sandra Michaelian, P.T., And Melinda Marzan, P.T.A., Los Angeles County (CA) Superior Court, Case No. YCO40919. Steven C. Kirby, Kirby & Kirby, Redondo Beach, CA for plaintiffs. Jay B. Lake, LaFollette, Johnson, et al, Los Angeles, CA for defendants.

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