You Can’t Touch This

Doc rubs nurse wrong way

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Hands off!” said a Richmond, Virginia, nurse who recently received $35,000 in damages after a doc prepping a patient with HIV copped a feel. “The doctor just up and wiped his hands on me,” said nurse Katherine Kenny. According to his lawyer, John Fitzpatrick, surgeon Alfred Gervin, MD, got miffed when nurse Kenny told him to wear gloves during a pre-op surgery exam, so he rubbed her arms to make a point about casual contact. “Her tone implied, ‘You’re treating a leper.’ That upset him,” said Fitzpatrick, adding that there was “no blood, no exposure.”

The nurse, however, said body fluids were present. Kenny, who asked for $1.3 million in damages from a Virginia circuit court—and who has since tested negative—said she was simply doing her job as a circulating nurse at the Medical College of Virginia Hospital. “Dr. Gervin ignored hospital policy. It didn’t matter whether the patient was HIV positive,” she said. Gervin, who plans to appeal, has since resigned from the college.

CDC guidelines for medical workers say gloves are a must if there is a possibility of exposure to body fluids or blood; skip ’em when touching intact skin. Fitzpatrick said nurse Kenny nabbed the cash because “it’s an AIDS patient, so the jury all cringes.”

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