

Hospitals Risk Growing Medical-Legal Liability without Continuous Monitoring

The hospital's liability in cases of poorly executed vital signs monitoring arises when failures in monitoring, documentation, or escalation contribute to patient harm, such as unrecognized clinical deterioration, delayed intervention, or adverse outcomes.

Malpractice data indicate that "failure to monitor" is a leading allegation in claims involving nurses, particularly in critical care settings, and is associated with severe outcomes, including death and permanent injury. Hospitals have been found liable when inadequate monitoring or delayed recognition of deterioration leads to preventable harm, with higher indemnity payments in such cases.^[1]

Root cause analyses of unplanned ICU admissions and severe adverse events consistently identify human-related monitoring failures—such as incomplete or delayed vital sign assessment, poor documentation, and lack of timely escalation—as major contributors to preventable harm. Missed opportunities to detect deterioration are common and have been linked to adverse events and increased mortality.^[2-4]

Hospitals are expected to ensure adequate staffing, training, and adherence to monitoring protocols. Systemic issues such as low nurse staffing, workflow interruptions, and poor compliance with early warning systems can further increase liability if they contribute to missed or delayed recognition of patient deterioration.

In summary, **hospitals are exposed to malpractice litigation, financial penalties, regulatory sanctions, and reputational harm when failures in vital signs monitoring, documentation, or escalation lead to preventable patient harm.**^[5-6]

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3. [Learning From Patient Safety Incidents Involving Acutely Sick Adults in Hospital Assessment Units in England and Wales: A Mixed Methods Analysis for Quality Improvement.](#) Urquhart A, Yardley S, Thomas E, Donaldson L, Carson-Stevens A. Journal of the Royal Society of Medicine. 2021;114(12):563-574. doi:10.1177/01410768211032589.
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5. [The Safety of Inpatient Health Care](#). Bates DW, Levine DM, Salmasian H, et al. The New England Journal of Medicine. 2023;388(2):142-153. doi:10.1056/NEJMsa2206117.

6. [Impact of Introducing an Electronic Physiological Surveillance System on Hospital Mortality](#).

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