

Megan J. Nelson

Associate

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Megan devotes her practice to representing hospitals, physicians, nurses, long-term care facilities, skilled nursing facilities, and other healthcare providers in the defense of medical malpractice and negligence claims, along with premises and general liability claims.

Megan also represents nurses and other medical providers who are facing administrative or regulatory discipline by their governing medical licensing boards.

In addition to health care defense, Megan assists hospitals, long-term care facilities, and skilled nursing facilities with the initiation of petitions for determination of incapacity and the appointment of plenary guardians for patients who are unable to make their own medical and financial decisions. Megan also assists hospitals, long-term care facilities, and skilled nursing facilities with patients and family who "stay against medical advice."

Megan began her career as a firefighter for her hometown volunteer fire department and has utilized her knowledge as a firefighter to represent fire academies in lawsuits.

Megan has been a Registered Nurse since 2010. Before becoming a lawyer, she worked as a neonatal and pediatric critical care nurse in various settings, including the neonatal intensive care unit, pediatric intensive care unit, pediatric cardiac intensive care unit, and pediatric emergency room. She received The Daisy Award For Extraordinary Nurses in August 2013. Her experience also included patients on ECMO (extracorporeal membrane oxygenation) and cardiac bypass. Megan's background in nursing helps to bridge the gap between medicine and the law.

Megan is a frequent lecturer on medical and nursing topics, including incident reporting, guardianships, and AI (artificial intelligence). She is a member of the Florida State Guardianship Association, Central Florida Medical Malpractice Claims Council, and the Orange County Bar Association.

Practices

- Medical Malpractice
- Long-Term Care Liability
- Veterinary Liability
- Premises & Retail Liability

Megan graduated from Del Mar College with an Associate's Degree in Nursing and Texas A&M University Corpus Christi with a Bachelor of Science in Nursing. Megan graduated cum laude from Nova Southeastern University Shepard Broad College of Law with a Juris Doctor.

When she is not working, Megan volunteers her time at The Sanctuary at Lakota Farms, where she helps care for horses that have been rescued.

Education

- Nova Southeastern University Shepard Broad College of Law (J.D., *cum laude*, 2019)
- Texas A&M University-Corpus Christi (B.S., 2014)
- Del Mar College (ADN, 2009)

Admissions

- Florida, 2019

Associations & Memberships

- Central Florida Medical Malpractice Claims Council
- Florida State Guardianship Association
- Orange County Bar Association

Representative Cases & Matters

- Secured multiple favorable rulings granting Florida Rule 5.900 petitions for expedited judicial intervention concerning medical treatment procedures, enabling hospitals to safely discharge medically cleared patients despite significant resistance from guardians and family decision-makers. Across several matters, Megan successfully addressed situations where guardians, health care surrogates, or family members refused to consent to appropriate discharge plans, declined to provide necessary financial documentation for ICP Medicaid evaluations, or failed to cooperate with case management teams—often causing prolonged, unnecessary hospital stays. Through emergency and evidentiary hearings, courts consistently granted relief, ordering patient transfers to skilled nursing facilities or assisted living facilities, requiring the production of financial records, mandating Medicaid application compliance, and, in one case, appointing an emergency temporary co-guardian to facilitate discharge. As a result of these efforts, patients were promptly and appropriately discharged—sometimes within 24 hours of court orders—demonstrating Megan's effective advocacy in resolving complex guardianship and discharge disputes to ensure proper patient care and hospital throughput.
- Was successful in having a Florida Rule 5.900 Petition for Expedited Judicial Intervention Concerning Medical Treatment Procedure granted. The alleged incapacitated person had been medically cleared for discharge to a skilled nursing facility. However, his brother, who had been appointed as the health care surrogate and power of attorney, had refused to consent to his brother's transfer to any skilled nursing facility. After numerous unsuccessful attempts by the hospital case management team to transfer the patient, Megan was retained to file a Florida Rule 5.900 Petition for Expedited Judicial Intervention Concerning Medical Treatment Procedures. After the emergency evidentiary hearing, the court granted the petition and ordered the brother to consent to the transfer of the patient to a skilled nursing

facility.

Classes & Seminars Taught

- *You've Been Served! What's Next and How to Manage the Risk of Corporate Representative Depositions*, Florida Society for Healthcare Risk Management & Patient Safety Annual Meeting & Education Conference, Fort Lauderdale, FL, August 27, 2026
- *Protecting Patients in Real Time: A Guide to Rule 5.900 Petitions*, Florida Hospital Association's General Counsel Roundtable, June 30, 2026
- *The Latest on Medical AI Innovation, Legal Liability and Claims*, Florida Society for Healthcare Risk Management & Patient Safety Annual Meeting & Education Conference, Orlando, FL, August 14, 2025
- *Tort Reform: Where Do We Go From Here?*, Florida Society for Healthcare Risk Management & Patient Safety Annual Meeting & Education Conference, Orlando, FL, August 16, 2024
- *Adversity in the World of Adverse Incident Reporting: A Panel Discussion on Reporting Requirements and Addressing Related Discovery*, Florida Society for Healthcare Risk Management & Patient Safety Annual Meeting & Education Conference, Orlando, FL, August 13, 2021

Published Works

- "Am I Getting Fired? How to Handle Meetings With Your Facility's Attorney," *Orlando Medical News* (page 12), September 2021
- "COVID-19 and Florida's Health Care Provider Liability Protection," *Defense Digest*, June 2021, Vol. 27, No. 3

Certifications

- Florida Nursing License

Results

Summary Judgment for Daycare Center in Wrongful Death Case.

We prevailed on a motion for summary judgment related to the duty owed to a minor business invitee in an alleged wrongful death. The plaintiff, the personal representative of the estate of a minor, filed a wrongful death claim alleging the defendant daycare center breached its duty to exercise the reasonable care owed to the minor while he was under the care and supervision of the center. The plaintiff alleged the defendant center's employees failed to render aid when the minor collapsed, including failing to train its employees, and failing to notify emergency personnel in a timely manner. We successfully argued that the defendant did not breach its duty to exercise reasonable medical care as its employees were CPR certified and immediately responded when an employee witnessed the incident. The mother of the minor arrived immediately after the collapse and held onto him until EMS arrived. The call to the EMS team was made within three minutes of the collapse and the employees reassessed the minor while he was in the mother's arms and determined the minor was breathing. The minor was breathing

until EMS arrived. Sadly, the minor passed away of natural causes. After reviewing the defendant's motion for summary judgment and hearing our argument, the judge granted the motion for summary judgment, and the case was dismissed.

Thought Leadership

June 11, 2026

From Bedside to Bar

January 1, 2026

Documentation Do's and Don'ts: Know What Really Matters

October 1, 2025

Claims for a Hospital's Negligent Credentialing Must Be Addressed With Sufficient Facts in a Corroborating Expert Affidavit During the Presuit Investigation Period

October 1, 2025

Duty Owed to Substance Abuse and Suicidal Patients: New Court Ruling Lays Out a Duty Providers Have to a Patient Prior to Discharge Related to Treatments After Discharge

August 1, 2025

LEGAL ROUNDUP – Florida

August 1, 2025

New Rules, New Risks: Florida's Latest Health Care Legislation Explained

May 1, 2024

Florida Tort Reform: The Impact of House Bill 837 on Health Care Litigation

April 1, 2022

Presuit investigation not required as language in complaint against medical facility alleged general negligence, not medical negligence.

October 1, 2021

Court of Appeal again affirms: Past medical bills paid in full satisfaction by Medicare are inadmissible. Certifies question to FL Supreme Court: Are past medical expenses barred as evidence of Medicare benefits for jury's consideration?

September 22, 2021

Am I Getting Fired? How to Handle Meetings With Your Facility's Attorney

June 1, 2021

COVID-19 and Florida's Health Care Provider Liability Protection

April 1, 2021

An agreement between a university and a teaching hospital that incorporated the 2011 Florida sovereign immunity statute was granted sovereign immunity even though its medical doctor employee provided care to his private patient.