

**FLANAGAN vs.
ST. MARY'S
HOSPITAL**

Christina Flanagan, a 39 year old mother of three, became seriously ill with meningitis. After receiving specialized neurological care at Miami's Jackson Memorial Hospital, she was transferred to St. Mary's Hospital in West Palm Beach for rehabilitation treatment. She was improving, able to speak, following commands and tracking with her eyes. Medical experts predicted she would have improved to where she could have carried on the activities of daily living without help. While she would have had deficits resulting from her bout with meningitis, she could have functioned as a wife and mother, enjoying her life relatively independently.

At St. Mary's, Mrs. Flanagan's medical condition deteriorated, necessitating a transfer to the intensive care unit. The nursing staff in the ICU failed to properly monitor her condition. Her respirations and heart rate dropped. Her respiratory line had fallen out, setting off an alarm. The nurse was on break and failed to hear the alarm or read the telemetry at the nurse's station as her respiratory status deteriorated. Mrs. Flanagan arrested and was without oxygen for six to nine minutes until finally being resuscitated. She suffered severe brain damage and will remain in a coma for the rest of her life, forever dependent upon attendant care.

St. Mary's Hospital admitted their liability under a new medical malpractice statute which limits non-economic damages (e.g. pain and suffering) to \$250,000. After a bitterly fought discovery and investigative process conducted by F. Gregory Barnhart and David J. Sales, a settlement was reached for \$3,085,000. The vast majority of the settlement amount was for long term care and lost wages. ■