

Hospital Tragedy Results in Fire Code Revisions

(Earl Denney and Chris Searcy Negotiate Largest Medical Malpractice Settlement in Palm Beach County History)

On a rainy, ugly day in South Florida, our client, a young man, was involved in a very serious automobile crash. Admitted to a South Florida hospital, he underwent successful surgery to evacuate a subdural hematoma. Although recovering nicely from the head injury, he was placed in the Intensive Care Unit due to the severity of his chest injuries. While there, he was given a drug which paralyzed him so they could place him on a ventilator. The young man was showing improvement.

One afternoon, a hospital kitchen worker taking a smoke break, inadvertently leaned against a fire alarm setting off the alarm throughout the hospital. The hospital's rules and regulations and the fire code, required all hospital doors be closed, including doors in the Intensive Care Unit. Responding to the fire alarm, the young man's nurse closed his door and left him unattended while she went to the bathroom. For a three to six minute period, he was alone.



Meanwhile, a nurse at the monitor station noted that his heart beat had slowed to a dangerous level. Rushing to the room, she found him disconnected from the ventilator, the ventilator alarm screeching, and our client in complete cardiac arrest. Because the doors had been closed, no one heard the ventilator alarm begin to sound indicating he had become disconnected.

The man was resuscitated but had suffered severe brain damage. He is no longer able to walk, talk or even swallow.

As a result of this incident, the man will require constant medical care and therapy for the rest of his life. He is unable to care for himself in any

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capacity. His home had to be totally modified to accommodate all the necessary medical equipment and nursing care.

The case was ultimately resolved for a confidential amount which represents the largest medical malpractice settlement in Palm Beach County history. The settlement assured this client of lifetime medical and financial support.

In addition, the hospital recommended their fire codes be changed to protect patients' safety.

Earl Denney is hopeful that modifications in hospital fire codes will ensure that tragedies such as this will not occur in the future.

(NOTE: The identity of the parties and defense counsel remain confidential in compliance with settlement terms of this case.) ■