

Malpractice Suit Exposes Coverup Following Death Of Wife And Mother

Ellen Walker, a housewife and mother, was only forty-eight years old when she went to the hospital. Her husband, Sam, told her not to worry. Although she had been feeling ill for a few days, she was in the safest place she could be, Sam said. After all, her doctor had told her that she was simply having a bout of gastroenteritis, just like she had the year before.

The truth was that Ellen, although in relatively good health, was having a heart attack. A routine electrocardiogram administered shortly after her admission clearly showed this and a computer-generated printout cried out danger even to an untrained reader. She received no treatment. Routine blood work was returned within hours showing prominent abnormalities in her heart function. No doctor came. Ellen lay for hours in her hospital bed with Sam by her side as nurses watched and documented a drop in her blood

pressure to as low as 70/40. She complained of chest pain to nurses. Still, no treatment.

Nearly ten hours after her admission, when Ellen was already in cardiogenic shock, hospital nurses arranged to transfer her to a monitored floor. For three more hours she received no care. While precious time passed, nurses and Ellen's doctor argued over the phone whether she needed to be in the hospital's intensive care unit. A second transfer was arranged and Ellen wound up in the ICU. Amazingly, after nearly four hours in the ICU, she had not been seen by a single physician, even though a 'round the clock' intensivist was sleeping in the hospital.

When a new ICU nurse came on duty at eight o'clock in the morning, Ellen had been in the hospital for nearly eighteen hours without receiving any treatment. That nurse finally realized how serious Ellen's

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condition was and immediately contacted appropriate doctors to look after her. Unfortunately, it was too late.

Ellen's cardiovascular system had become so fragile that they could not even attempt any invasive measures.

Over the next several days, Sam and his sons watched as Ellen slipped away. Even before she died, a cover up began. Ellen's doctor commanded a physician's assistant to rewrite her admission note to conceal the record of her obvious heart condition. Someone removed the first EKG strip from her hospital chart. And all of the nursing notes during the first several hours of Ellen's admission were stolen as well. As the fact of the missing records came to light, hospital risk management personnel had the nursing notes rewritten. Multiple versions of the notes emerged. In successive versions, the nurses increasingly blamed Ellen's doctor for the lack of care.

David Sales and Chris Searcy sued the hospital, the nurses and the doctor on behalf of Ellen's family. Initially, the records provided by the hospital and the doctor totally obscured what they had done. As the truth emerged, the defendants were obliged to acknowledge their deception and, ultimately, that their negligence had caused Ellen's death. Indeed, respected experts retained by the firm estimated Ellen's prospects for survival at 90 percent had she received commonly accepted, basic care.

The case recently settled for \$3,250,000 ■