

Misdiagnosed Heart Condition Leads to \$3 Million Med-Mal Verdict

By Christian Nolan

June 26, 2015

The estate of a man who died after his heart condition had been misdiagnosed has been awarded \$3 million following a jury trial in Hartford.

Two doctors were initially accused of malpractice though only one of them went to trial. Since the jury found the doctor that was not a defendant at the trial to be 60 percent at fault for the malpractice, the plaintiffs will recover \$1.2 million of the \$3 million verdict.

Though plaintiffs' lawyers said they could not discuss why one of the defendant doctors was not part of the trial, it was apparent that a settlement had been reached prior to trial.



James Horwitz

According to one of the plaintiffs' lawyers, James Horwitz, of Koskoff, Koskoff & Bieder, Andrew "Joe" Olsen suffered from aortic stenosis, a narrowing of the exit of the left ventricle of the heart. Olsen's primary doctor, Stephen Bryant, of Litchfield Internal Medicine, was aware that Olsen had the condition but believed it was not worsening. Olsen was often sent for periodic echocardiograms to monitor his heart.

At one point, Olsen was sent to a cardiologist, Dr. Dariush Owlia, of Hartford. Horwitz claims that Owlia never reviewed the results of the echocardiogram. Bryant, in turn, continued to treat Olsen the same way. Had the results been reviewed, they would have discovered that the narrowing had progressively worsened, the man's family claims.

Olsen's condition worsened over the next year and a half and in 2009 he died of heart failure at the age of 67.

"The family began to ask the question how is this possible that he could be evaluated

for this valve problem last year and be told everything is fine and then be told this same valve problem is causing him to die," said Horwitz.

Horwitz, who handled the case along with Kathleen Nastri, of the same firm, obtained all of the medical records and had the echocardiogram reviewed. The expert was able to see how severe the aortic stenosis was.

The plaintiffs proceeded to sue both doctors for wrongful death.

The case against Owlia proceeded to trial beginning June 3 in Hartford Superior Court before Judge Constance Epstein. After deliberating for five hours, the jury of four women and two men decided late June 24 that Bryant was 60 percent at fault and Owlia 40 percent at fault. They then awarded \$2 million in damages to Olsen's estate and \$1 million to his wife Cynthia for loss of consortium.

Owlia was defended at trial by Thomas Boyce Jr. of Halloran & Sage. Boyce could not immediately be reached for comment.