

Blood Thinner Lovenox Blamed In \$9M Med-Mal Case

BY CHRISTIAN NOLAN

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Barbara Lathan went to Bridgeport Hospital in October 2007 to receive treatment for a relatively minor urinary tract infection. Seventy-five days later, Lathan, then 66, was released from the hospital in a wheelchair with her bowels inflated to the size and shape of a bowling ball and protruding from her abdomen. The Southport resident also was recovering from bed sores and a dangerous bacteria-resistant infection.



Kathleen Natri

Six years later, a Bridgeport Superior Court jury last month returned a medical malpractice verdict of \$9.3 million against the hospital.

"She went in for what should have been a very short admission and came out 75 days later, altered forever," said Kathleen Natri of Koskoff, Koskoff & Bieder in Bridgeport, one of Lathan's lawyers.

Lathan's major medical problems began when the hospital gave her Lovenox, a blood-thinning drug administered in doses based on the patient's weight, lawyers explained. Lathan was given doses large enough to treat a 350-pound man.

Lathan, who flatlined twice and was told to say goodbye to her daughter, nearly bleed to death

internally.

This isn't the first time Lovenox has been named in lawsuits in Connecticut and elsewhere across the nation. This summer, a state court jury in Hartford awarded \$1.65 million to a man who suffered nerve damage after he was given a too-large dose of Lovenox in combination with the blood-clot fighting medication Coumadin while at St. Francis Hospital and Medical Center.

Nastri said two other Connecticut lawyers have recently contacted her to talk strategy about their pending cases alleging that Lovenox was given improperly. A decade ago, a Pennsylvania jury returned an \$8 million verdict in such a case.

"So obviously it's a drug that needs some attention and knowledge to administer," said Nastri.

In the case against Bridgeport Hospital, Lathan was treated initially for the urinary tract infection with antibiotics and fluids administered intravenously via a tube inserted in the edge of her neck, near the clavicle.

Another plaintiff's lawyer, Antonio Ponvert III, also of Koskoff, Koskoff & Bieder, explained that Lathan developed a blood clot, or deep vein thrombosis, where the IV fluids and antibiotics were administered.

"In order to dissolve the blood clot they give her the Lovenox," said Ponvert. "They overdosed her by a massive amount and everything snowballed after that. So if not for the overdose, she would've been in and out of the hospital in a few days."

Ponvert said the doctors overestimated Lathan's weight by 50 percent and gave her "one and a half times the dosage they should've given her."

Massive Bleeding

Ponvert said there is always an internal bleeding risk when a blood thinner is administered. In this case, given the dosage, bleeding was a certainty, he said.

After Lathan was on the drug for three days, doctors discovered massive bleeding in her abdomen. When they operated, Ponvert said Lathan's intestines were forced out by all the blood.

Following numerous surgeries, Lathan eventually woke up to discover her weight doubled to around 300 pounds. The lawyers said the weight gain occurred because of all the units of blood, plasma and fluids needed to resuscitate her.

Lathan next developed a dangerous MRSA, or Methicillin-resistant Staphylococcus aureus infection. She also developed a C. difficile infection, which causes frequent vomiting and diarrhea from all of the antibiotics she was taking, and she developed bed sores.

Given all the surgeries, Lathan's abdominal wall cannot be repaired and she has a permanent hernia. Because of this, Ponvert said, her bowels "spill out" through an incision site in her

abdomen and are visible underneath her skin.

"You see a bowling-ball size heap of bowels underneath her skin that causes her tremendous pain," said Ponvert. "It makes it very, very painful and almost impossible at all to walk."

After 75 days at the hospital—during which her daughter, Linda, slept on the floor at nights to keep her company—Lathan was released. She later filed a medical malpractice lawsuit. The hospital contested liability until shortly before last month's trial.

"I spent the first couple years I had the case finding experts and trying to make sure there was a liability case against the hospital," said Nastri, who said she searched for every weight listed by hospital staff in Lathan's file prior to the Lovenox being administered.

Elizabeth Cornacchio and Bruce Gilpatrick of Heidell, Pittoni, Murphy & Bach, a New York firm with an office in Bridgeport, represented the hospital.

After admitting liability before trial, the defense lawyers attempted to limit damages. They focused on Lathan's preexisting diabetes and heart condition, as well as cholesterol and orthopedic issues that dated to the 1980s and '90s.

Ponvert said the defense lawyers argued that Lathan was not a compliant patient when it came to treating her diabetes, so that many of the long-term maladies she is now living with are not the hospital's fault.

During an eight-day trial before Superior Court Judge Theodore Tyma, witnesses for the plaintiff included a doctor, economist, life-care planner, Lathan and Lathan's daughter.

The defense also presented two doctors, but no one representing Bridgeport Hospital testified. The jury deliberated for about 90 minutes before awarding Lathan nearly \$9.3 million. Of that amount, \$8 million is for past and future pain and suffering.

Hospital's Response

The lawyers for Bridgeport Hospital referred comment on the verdict to a statement issued by hospital officials.

"As an organization fully committed to providing the safest and highest quality of care to its patients, Bridgeport Hospital deeply regrets this incident and offers our most sincere apologies to Mrs. Lathan," said Dana Marnane, a hospital spokeswoman. "We respect the judicial process and appreciate the jury's assistance in this matter."

The statement also said the hospital has learned from the incident.

"Bridgeport Hospital developed additional protocols designed to minimize harm associated with high-risk drugs shortly after this incident," said Marnane. "In addition, the hospital has launched a comprehensive electronic medical record system that will help in the prevention of medication

errors."

Nastri said Lathan and her daughter were at home when the jury's verdict came in. Nastri drove to see them to give them the news.

"Her daughter sort of collapsed to the floor with relief," said Nastri. "Barbara was grateful and relieved. I think she'll now get the care she needs and the services she needs."

Specifically, Ponvert noted that the daughter had been taking care of Lathan in a small apartment. He said the verdict will allow them to move to a wheelchair-accessible home. They also will be able to hire a health-care aide and the daughter can get back to her own life.

"She has been through absolute hell," Ponvert said of his client. "It's really almost hard to believe."•