ER Lawsuits Stem From Delays

Three hospital malpractice lawsuits have been filed recently against facilities that allegedly failed to treat patients in a timely manner, contributing to the deaths of one adult woman and two newborns.

Two of the lawsuits were filed against University Medical Center (UMC) in Las Vegas by women who claim that the hospital failed to treat them while they were in labor, resulting in the deaths of their newborn children. A third emergency room lawsuit was filed in late November against San Mateo County, California by the daughter of a woman who says her mother was left to die in a county-run hospital waiting room.

Latricia Richard and Roshunda Abney have both filed lawsuits claiming that University Medical Center violated the federal Emergency Medical Treatment and Active Labor Act. Richard, who was 22 weeks pregnant, went to the hospital on December 8 and told staff she was suffering from labor pains. She was attached to a fetal monitor, given a sleeping pill and then sent home. She alleges that she was never seen by a doctor. A few hours later her regular doctor sent her back to the hospital in an ambulance. She delivered her baby in the ambulance and the newborn died.

Abney claims that medical staff at both UMC and Valley Hospital, also in Las Vegas, ignored her when she went to their emergency rooms, complaining of stomach pains. Abney went home and allegedly gave birth to a premature baby which died shortly after being born.

The California wrongful death lawsuit was filed by Nicole Blincoe accusing San Mateo County of negligence that contributed to the death of Penny Louise Prevezich in 2008. Prevezich was found dead at about midnight after allegedly being left unattended in the San Mateo Medical Center waiting room for about 90 minutes.

Prevezich, 57, was a patient at a U.S. Department of Veterans Affairs-run mental health facility in Menlo Park and was taken to the medical center while awaiting transfer to another facility. The lawsuit says that the county’s Mental Health Assessment and Referral Team dropped her off at the medical center and a nurse seated her. However, no one else checked on Prevezich for an hour and a half. She was found slouched over, not breathing and with no pulse. Her cause of death was classified as multiple drug intoxication.

These are the latest in a number of emergency room deaths where patients were allegedly left unattended. In late May, New York City agreed to settle an emergency room death wrongful death lawsuit for $2 million. The lawsuit was brought by the family of Esmin Green, who died on an emergency room floor after being left unattended for 24 hours. The case received national attention after a video surfaced of Kings County Hospital Center staff stepping over Green as she lay dying.

In November, a study published in the Archives of Internal Medicine indicated that problems with delays in emergency room treatment are worsening across the country. Researchers from the University of California, San Francisco, found that the number of patients being seen in a timely manner is decreasing by about 0.8 percent per year, with just over 75 percent of patients being seen within a safe time frame.

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