

Hospital Disposes Of Evidence After Baby's Death

On Feb. 1, 1999, Ryan and Kim Bliss took their nine-month-old daughter, Kendyll, to the office of their pediatrician, Dr. A. Kendyll had been suffering with a high fever, vomiting, and diarrhea over the weekend. The physical examination was conducted by the nurse practitioner, Nurse A. Nurse A diagnosed gastroenteritis and recommended a bananas, rice, apples, and toast (BRAT) diet. The next day, Mr. and Mrs. Bliss called Dr. A's office because Kendyll had developed a cough. They returned to Dr. A's office on Feb. 4, 1999, when her symptoms did not improve. Dr. A ordered blood to be drawn, and the lab work showed Kendyll was dehydrated. Dr. A admitted Kendyll to the defendant hospital for overnight IV hydration.

When Mr. and Mrs. Bliss brought their infant daughter to the hospital, the nurses had an extraordinarily difficult time placing the IV. After several attempts, Dr. A was called to place a jugular IV at 10:15 p.m.

At 10:48 p.m., while the nurse was changing the IV bag, the Blisses noticed the nurse squeezing the contents of the bag. Shortly thereafter, Kendyll was in her mother's arms when she began to choke and turn blue. A resuscitation team was called, which was led by emergency physician Dr. B. Little Kendyll was pronounced dead at 12:55 a.m. The records indicated a final diagnosis of pneumonia with a secondary diagnosis of dehydration, gastroenteritis,



Kendyll Bliss on Jan. 8, 1999, three weeks before her passing.

and cardiac arrest. The hospital record did not include a death summary in the chart.

The Blisses were completely devastated by Kendyll's death. She was admitted to the hospital with a very minor medical condition. In spite of the sudden and uncertain nature of Kendyll's death at such a young age, the hospital decided not to take the steps necessary to perform a proper autopsy. Immediately after her death, the hospital disposed of all the medical equipment and supplies that would have constituted evidence to the medical examiner. Mr. Bliss, who is a police detective, was shocked to find that his daughter's hospital room was completely cleaned shortly after her death. When the Blisses did request an autopsy, some of the **Continued on page ten.**

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Bliss family featured in local newspaper.

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medical evidence had been destroyed. Because of the hospital's questionable behavior regarding their daughter's autopsy, the Bliss family had an autopsy performed by a medical examiner from another county. The autopsy found that Kendyll had pulmonary edema and congestion, patchy bronchopneumonia, and an accumulation of fluids in the abdomen. The medical examiner's final cause of death was found to be acute bronchopneumonia.

Attorney Gerald Richman of Richman, Greer, Weil, Brumbaugh, Mirabito & Christensen in West Palm Beach referred the case to attorneys Chris Searcy and Bill Norton. Mr. Searcy and Mr. Norton initiated claims against the hospital and the physicians involved in Kendyll's care and treatment. Attorneys Searcy and Norton negotiated with the hospital early on in the litigation process and were able to reach a settlement with the hospital. The case is ongoing against the other defendants: Dr. A., his nurse, the emergency room physician Dr. B., and three hospital nurses.

With the settlement proceeds, the Bliss family have funded a college scholarship in Kendyll's name. They also mark her birthday each year, by giving toys, food, clothing and money to the Genesis House, an area shelter for homeless, pregnant women. ■