

# Careless Anesthesia Plan and Negligent Resuscitation Result in Death of Newlywed

John and Susan Jones (not their real names) met each other while fishing from a party boat based here in South Florida. The couple fell in love instantly and within three short months began planning their wedding. This was John's second and Susan's first marriage. John also had a beautiful little girl from his previous marriage. The future was looking bright for the new couple.

Several months after their wedding, John began complaining of pain at the site of a prior abdominal surgery. John had developed a hernia at the incision site and his doctors now recommended that the hernia be repaired. The repair of the hernia was a non-emergency, elective surgery to be performed on an outpatient basis. In this type of setting the surgery is performed in the morning and the patient should return home that same day.

John had a history of being overweight and suffering from sleep apnea, a condition which makes it difficult to breathe when sleeping. He had also been prescribed and was taking a narcotic pain medication. In spite of these known risks, the anesthesiologist in charge of John's surgery failed to appropriately consider them when developing his anesthesia plan. These factors were red flags

which should have pointed to potential problems with maintaining the patient's airway during surgery.

The anesthesiologist assigned to John's case decided to use several different narcotics. The drugs chosen were each known to have the effect of depressing respiration and, when added together, multiply that suppressant effect. In addition to this cocktail of respiratory suppressants, a spinal anesthetic or nerve block was administered. The anesthesiologist allowed the spinal to rise well above the level needed for the hernia surgery. This would add yet another risk factor to John's ability to maintain his breathing during the procedure. In combination these actions put the patient at great risk of respiratory arrest.

Approximately 20 minutes into the procedure, John suffered respiratory arrest and a "Code Blue" alert was called. Incredibly, after setting up a risky anesthesia plan and failing to succeed at caring for their patient, the physicians' efforts at resuscitation were also negligent. The clear and unequivocal protocols established by the American Heart Association for cardiac resuscitation were not followed. John died as a result of the failures and negligence of his doctors.

John's family contacted SDSBS and asked attorneys **Jack Scarola, Darryl Lewis, and Sia Baker-Barnes** for help in holding the defendant physicians responsible for their failure to provide reasonable and proper care. Attorneys Scarola and Lewis carefully planned their trial strategy. After 10 days of trial, the defendants agreed to a settlement with John's widow, Susan. The terms and amount of the settlement are confidential. ■

In preparing the anesthesia plan for outpatient hernia surgery, doctors failed to consider the patient's history of being overweight, his problems with sleep apnea, and his intake of prescription pain medication. The patient suffered respiratory arrest and the doctors were negligent in following established protocols on cardiac resuscitation. Their resuscitation efforts failed, and the patient died.

## Attorney Chris Searcy featured in Florida Trend Magazine's 50th Anniversary edition in 'Cover stories: Where are they now?' article

On September 1, 2008, *Florida Trend Magazine* published its 50th anniversary edition. In an article titled "Cover Stories: Where Are They Now?" writer Art Levy profiled eight people who appeared on the cover of the magazine over the past 50 years. In November 1999, *Florida Trend* showcased **Chris Searcy** on their cover under the heading, "Florida's Most Feared Lawyers." Apparently, some things never change. **And some things do: the anniversary edition also noted that in 1958, when the first issue was published, Florida's population was less than five million, the state sales tax was 3%, and Fulgencio Batista still ran Cuba.** ■

