

## Medical negligence results in tragic death of one-month old baby

Mary Adams and James Adams were college sweethearts. They married in 2018 shortly after graduation. Two years later, their daughter, Caroline, was born. (Not their real names.)

An ultrasound performed at 13 weeks into Mary's pregnancy had revealed an omphalocele on Caroline – a protrusion of abdominal organs through an opening at the naval or belly button. Similar to abdominal hernias, an omphalocele results when organs such as liver or intestines protrude outside the belly encased in a transparent sac. The condition is benign in and of itself but requires staged procedures to gradually return the abdominal contents into the belly, thereby allowing the infant to grow and stretch the abdominal wall without the immediate pressure of a singular surgical closure. Although Caroline was premature at 30 weeks, the caesarian birth was uneventful and she was a healthy child when she was admitted to the Neonatal Intensive Care Unit for care related to the omphalocele.

Seeking qualified and experienced care for their new baby, Mary and James had interviewed several pediatric surgeons and reviewed several hospitals. They settled on working with a hospital, medical groups, and medical professionals near their home in Florida. The parents were advised in discussions with the clinicians evaluating Caroline that due to Caroline's prematurity, some respiratory distress, and the size of the omphalocele, surgical closures may have to occur beyond Caroline's inpatient stay. Evaluations of her clinical criteria, including respiration, nutrition, weight, and size of the protrusion, would be monitored and would guide the scheduling. The medical team would start with a "paint and wait" process – covering the sac over the omphalocele with antibiotic cream permitting Caroline's skin to grow over the sac as she matured.

Without advance notice, Caroline's surgical team scheduled a single procedure to reduce the entire omphalocele in one procedure. Caroline was not big enough or strong enough to undergo such a sweeping procedure. Mary and James were so concerned about moving forward with the surgery, that they demanded to speak with the surgical team before surgery was performed. The medical professionals reassured the Adamses that Caroline was an appropriate candidate for the elective surgery and that everything would be fine.

The next day, doctors proceeded with the surgery. Anesthesia records during the procedures indicated that Caroline was not tolerating surgery. Her oxygen saturation dropped

precipitously low. In addition, her doctors had not utilized pre-operative monitoring modalities and were therefore unable to observe and maintain Caroline's blood circulation, blood pressure, blood gas analysis, or intra-abdominal pressures. Following the conclusion of the surgery, doctors timestamped a note indicating that Caroline would be rewarmed and transported to NICU for post-surgery care. Despite what the operative note said, Caroline remained in the operating room for another hour and one-half; there were no notes of any reason for the delay nor notes documenting any procedures during this time. The surgeon's notes dictated just after surgery indicated that Caroline tolerated the procedure well and was immediately transferred to the NICU in stable condition to be monitored. This was simply untrue.

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When Caroline arrived in the NICU, she was in a grave condition. Blood gas results indicated a need for urgent action. Her clinical deterioration went unaddressed and unreported for hours. Seven hours later, the surgical team was notified of Caroline's decline. Unfortunately, it was too late. Caroline died at barely over one month of age.

Mary and James Adams contacted Searcy Denney attorneys **Chris Searcy** and **Carter Scott** and asked for their help in understanding what had happened to cause this nightmare. Mr. Searcy, Mr. Scott, and their team reviewed the records, interviewed parties extensively, and retained expert medical doctors across various specialties to opine on the breaches of the standard of care which led to Caroline's untimely death. After almost two years, the parties reached a confidential settlement in an amount of seven figures. But the joy of Caroline's life will forever be overshadowed by the tragic negligence that resulted in her preventable death. ♦

