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Improper Treatment Results in \$2.5 Million Settlement for Wrongful Death

New Hyde Park, April 2021... The New York personal injury law firm of Pegalis Law Group, LLC announces that we have secured a \$2.5 million wrongful death settlement in a disturbing case of medical malpractice. This settlement was awarded to the family of a 51-year-old Postal Supervisor, husband and father, whose improper treatment for blood clots resulted in his untimely death.

On a Wednesday morning in August of 2015, the patient's wife brought him to the emergency room with complaints of shortness of breath and chest pain. While his complaints suggested that he had dangerous blood clots in his lungs (known as pulmonary emboli), precious time was lost by needlessly running tests for a heart condition. In reality, what the patient needed was to be seen by a pulmonologist, to be given a test known as a CT angiogram in order to look at the blood vessels in the lungs, and to be treated with an anticoagulation drug to prevent further clot formation. None of these necessary actions were taken, however, and by the very next day, the patient was so out of breath that he was unable to make the short walk to the bathroom.

He was finally seen by a pulmonologist that Thursday afternoon, when the defendant lung doctor was called to the hospital. Even then, the response was sluggish. The CT angiogram had still not been carried out, and the lung doctor did little to diagnose or treat the patient. To her credit, a physician assistant working the overnight shift took it upon herself to perform the angiogram, in the middle of the night. The results of the angiogram showed a large blood clot in the patient's lungs. Upon seeing this, she administered a standard course of anti-coagulant called Lovenox.

If this patient had been maintained solely on the Lovenox, he would surely have recovered. Instead, hours later, the defendant doctor came to the hospital, conducted a cursory evaluation, and recommended that the patient be injected with a powerful, clot-dissolving drug known as tissue plasminogen activator (tPA). The use of tPA to break up clots can be very dangerous and can lead to fatal bleeding in the brain. It should never be given to a patient who has Lovenox in his system, as this can enhance the risk of a brain bleed, but that is exactly what was done. The patient's wife opposed the use of the tPA, but despite this fact—after she left the hospital—the defendant doctor convinced the patient to agree to the injection. The tPA was administered that morning.

Within hours, the patient had massive bleeding in his brain and had no neurologic function. When his wife returned, just hours later, he was on a respirator and was being taken in for surgery. Following the surgery, he continued to be unresponsive. The doctors advised that they could perform another operation to relieve pressure on the brain, but held out little hope for improvement. The patient's wife and family made the wrenching decision against further surgery and consented to a DNR ("Do Not Resuscitate") order. With the life support removed, he died on Saturday afternoon.

According to trial attorney Gary Nielsen, Esq. of Pegalis Law Group, "What happened to this unfortunate man and his family was totally avoidable. Even though his treatment with the Lovenox was begun late, it was likely to work and there was no excuse for giving tPA while he still had the Lovenox in his system. Doing so was like pulling the trigger."