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Suits and Deals

DOCTOR'S FAILURE TO DIAGNOSE LEAKING ANEURYSM YIELDS \$1.2M

Charles Toutant

Shields v. Gerard: A Camden County jury awarded \$1.2 million in damages on June 13 to a Camden woman whose doctor failed to diagnose a leaking aneurysm promptly.

In June 1994, Odessa Shields went to the emergency room at West Jersey Hospital in Camden complaining of abdominal and back pain, according to her attorney, Lawrence Cohan, a partner at Anapol, Schwartz, Weiss, Cohan, Feldman & Smalley in Cherry Hill.

Cohan says that although an ultrasound showed an abdominal aortic aneurysm and a urinary tract infection, Dr. Robert Gerard admitted her with a urinary-tract-infection diagnosis only. Gerard administered antibiotics for the infection for two days, during which time Shields' blood pressure and hemoglobin levels dropped and then rose. She received no treatment for the aneurysm.

After Gerard left Shields to other doctors' care for the weekend, her blood pressure and hemoglobin levels fell significantly. A CT scan showed that Shields had a ruptured aneurysm with a large amount of blood loss, according to Cohan. She then underwent emergency surgery to repair the rupture. After the operation, the massive blood loss led to extensive complications, including tissue damage to her bowel and left leg, causing Shields to undergo a colostomy and the amputation of her leg below the knee, Cohan says.

Shields was employed as a hotel chambermaid at the time of the surgery. Now 66, she is unable to work or drive a car and needs help with household tasks, Cohan says.

The suit alleged that Gerard's delay in treating the aneurysm substantially increased the risk of harm to Shields, and two doctors gave expert testimony supporting that position. An expert witness for the defense, however, said Shields' early signs suggested the aneurysm did not require treatment.

After seven days of trial before Superior Court Judge William Cook, the jury deliberated for eight hours, finding in favor of Shields and awarding \$1.5 million for pain, suffering, disability and loss of enjoyment of life and \$123,000 for economic loss. But the jury also found that Shields' pre-existing health problems contributed 25 percent to her complications, which reduced the award to \$1.2 million.

Stanley Stahl, of Mount Laurel's Stahl and DeLaurentis, who represented Gerard, did not return a call requesting comment. The insurance carrier was Medical Inter-Insurance Exchange of Lawrenceville.