

Sepsis goes untreated; 14-year-old boy's legs amputated

At risk for endocarditis due to artificial valve

\$4.5 million settlement

On Sept. 3, 2017, a 14-year-old boy was admitted to a local ER due to high fever, chills and headache. The teen had a history of congenital heart disease and had undergone a heart valve replacement at age 3, which increased his risk of endocarditis and sepsis.

Although his mother fully informed the defendant emergency department physician about her son's heart condition and artificial valve, the physician noted that the boy's heart problem was "unknown."

The defendant physician ordered ibuprofen, lab studies, IV fluids and an abdominal ultrasound. The lab studies revealed a slightly elevated white blood count, and his last blood pressure reading was severely low, meeting criteria for sepsis. However, the doctor did not order a blood culture to rule out sepsis and discharged the teen with instructions for stomach flu.

A few hours later, his mother took him to the defendant pediatrician who did a cursory examination. She noted that his vital signs were "normal" despite failing to ensure a complete set of new vitals were taken, including his blood pressure. The pediatrician included endocarditis in her differential diagnosis but did not refer him to the hospital. Instead, she sent him home with instructions to take Tylenol and to return if the fever persisted.

The next day the boy's condition deteriorated, and his parents took him to Children's Hospital. On admission, the soles of his feet were dark and discolored. His vital signs confirmed he was in septic shock.

He underwent surgery to remove and replace his

infected heart valve, and he remained in the hospital for four months. During that time, he developed gangrene, a complication of sepsis, and eventually required amputation of both legs below his knees as well as his right index finger.

The plaintiffs obtained Massachusetts medical experts to testify that the defendants failed to recognize that the boy was at increased risk for endocarditis due to his implanted heart valve, and failed to obtain a blood culture and treat his septic shock with antibiotics and appropriate fluids.

The defendant doctors contended that they conducted thorough exams and extensive testing and that the teen appeared stable and improving. They also contended that there is no definitive treatment for sepsis and that antibiotics most likely would not have made a difference in his outcome.

The pediatrician also asserted that the boy's mother refused to consent to a blood culture that she had ordered.

The case settled at mediation after the depositions of the parties. The plaintiffs conducted two focus groups to assist in determining liability and damages.

Action: Medical malpractice

Injuries alleged: Pain and suffering, permanent disabilities, medical costs

Case name: Withheld

Court/case no.: Withheld

Jury and/or judge: N/A (mediated)

Amount: \$4.5 million

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