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FOR IMMEDIATE RELEASE:

\$35 Million Verdict Against Springhill Medical Center for Death After Thumb Surgery

MOBILE, Ala. – On February 22, 2022, the personal injury law firm of Cunningham Bounds, LLC obtained a \$35 million jury verdict for the family of a man who died more than seven years ago at Springhill Medical Center following a successful surgery on his thumb.

On June 14, 2014, while using a table saw at his cabinet shop, Jay West severely cut the fingertip of his left thumb. He went to Springhill Medical Center and was advised by an orthopedic surgeon that surgically amputating the fingertip was medically necessary. Following a successful surgery without any complications, the surgeon wrote an order authorizing up to four milligrams of IV Dilaudid (a powerful opioid) every three hours for pain management. Mr. West was transferred to the hospital's orthopedic floor for the night and scheduled to go home the next day. However, less than 10 hours after surgery, Mr. West was found unresponsive and not breathing in his hospital room and could not be resuscitated.

Twenty-two months prior to his admission, the Joint Commission for Accreditation of Healthcare Organizations (JCAHO) published a "Sentinel Event Alert," regarding the safe use of opioids in hospitals. Based on the recommendations set out in the Sentinel Event Alert, Mr. West should have been identified by hospital personnel as being at high-risk for opioid-induced respiratory depression, should have received serial respiratory monitoring, and should have been provided with continuous electronic monitoring of his oxygen saturation levels. Springhill Medical Center

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did not implement any of those safety measures. Nor did the hospital provide any training to its nursing staff on how to protect its patients from the known fatal dangers of post-operative IV opioids.

Prior to being found unresponsive, Mr. West had been given four milligrams of IV Dilaudid by his nurse. Less than two hours later, she administered an additional four milligrams of the drug. After the second dose, Mr. West was not monitored by any of the nursing staff until he was found unresponsive almost four hours later. Dilaudid carries an FDA-mandated “Black Box Warning,” due to its potentially deadly side effect of causing respiratory depression and cardiopulmonary arrest.

“We appreciate the jury’s verdict for the West family. We hope it will prompt the hospital to place a higher priority on the timely training of its staff to ensure patient safety. When Mr. West entered Springhill Medical Center, healthcare facilities had known for years that certain patients were at high-risk of respiratory depression when given opioid medications. Springhill breached the standard of care by failing to have policies and procedures in place and by failing to train its staff appropriately,” said Brian Duncan of Cunningham Bounds, who represented the family. Mr. Duncan tried the case with his law partners Robert Mitchell and David Wirtes.

“My children and I are so thankful for the jury and their verdict against the hospital. We have waited seven years for this day, and hope no other family has to lose a husband and a father unnecessarily like we did because hospital staff are not properly trained,” said Patricia West after the verdict was announced.

“All it would have taken was for the nursing staff to have simply placed an electronic pulse oximetry monitoring device on one of his fingers, and Mr. West would still be alive today,” added Mr. Duncan.

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The personal injury law firm of Cunningham Bounds, LLC, founded in 1958, is based in Mobile, Alabama and has been representing plaintiffs for over 60 years. Today the firm continues its tradition of representing victims in cases involving catastrophic injury caused by work related accidents, defective products, truck and automobile accidents, and medical malpractice. The firm also has expertise in business litigation, complex litigation, and national and state class action litigation involving defective products and consumer rights. For more information, please visit www.cunninghambounds.com.