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TOP STORY

Jurors find against Heartland in wrongful death suit

By Marshall White News-Press Now Mar 21, 2017



File photo | St. Joseph News-Press

Following a weeklong trial, jurors assessed \$7.2 million in damages against Heartland Regional Medical Center in a wrongful death suit.

The suit was filed by James K. Sullwold and the estate of his late wife in 2015 against Heartland, which now does business as Mosaic Life Care.

Jurors decided the medical center failed to diagnose the source of Lois D. Sullwold's bloodstream infection before it spread.

"The hospital had a policy against inserting a needle in the crook of an elbow because of increased risk of infection," said William Bird, the local attorney who represented the plaintiff. "And none of the nurses knew of the policy. It was a complete failure of the corporation to train the nurses."

The jury found the hospital to be negligent and agreed that negligence directly caused or contributed to the cause of Mrs. Sullwold's death.

In instructions to the jurors, Circuit Judge Randall Jackson stated the term "negligent" or "negligence" meant failure to use that degree of skill and learning ordinarily used under the same or similar circumstances.

The jurors awarded \$1.2 million for past medical damages, \$3 million for past noneconomic damages and \$2 million for future non-economic damages. On top of the \$6.2 million verdict, nine jurors assessed an additional \$1 million for aggravating circumstances.

In a statement from Mosaic Life Care, the hospital states it will be filing an appeal “based on extenuating circumstances surrounding the case.

“We take patient safety and quality care seriously and will continue our strong commitment to safety measures. Our employees have our highest confidence and we are proud of their dedication to the communities they serve every day.”

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