

Chelsea man wins record \$9 Million in suit against doctor, MGH

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In the largest negligence verdict in state history, a Suffolk Superior Court Jury yesterday awarded more than \$9 million to a Chelsea man who said he became quadriplegic as a result of an inadequate medical examination by a doctor at Massachusetts General Hospital.

After two days of deliberations, the jury of five men and seven women found Dr. Danny Chin and MGH guilty of negligence in their treatment of William Harlow, 43, on Feb. 15, 1982, when he went to the hospital's Chelsea Health Center.

Harlow, who worked for an oil company, was hurt on Feb. 11, 1982, when he fell from an oil tanker while making a delivery to a Chelsea home. When pain in his arms, neck and shoulder did not subside during the following weekend, he went to Chelsea Health Center.

Chin examined Harlow for seven minutes and prescribed muscle relaxants, according to Harlow's attorney, Frederic Halstrom.

The pain did not go away and on March 5, 1982, Harlow returned to the Chelsea Health Center where he collapsed.

He was transported to the MGH in Boston, where he underwent emergency surgery. The operation revealed that discs in his neck had broken off and had entered his spinal cord, leading to paralysis.

Harlow has lost the use of his arms and legs, cannot control his bladder and can never father children.

During the three-week trial, Harlow alleged that Chin was negligent when he examined him because he failed to take an adequate history of his injuries, did not warn him that such injuries could lead to paralysis and did not tell him to return to the clinic within 72 hours if the symptoms persisted.

Dr. Gary Korenman, a New York neurologist, testified that if Harlow had returned within three days after the initial examination, a CAT scan could have been performed and most likely would have revealed a blockage in the spinal cord. An earlier operation, then, might have prevented Harlow's paralysis.

But MGH officials last night disagreed. "On at least two occasions, the court itself, in the absence of a jury, stated there was nothing the physician and the hospital could have done that they didn't do," said hospital spokesman Martin Bander.

Halstrom said the jury verdict allows Harlow, who lives in a home for handicapped in Chelsea and is supported by welfare, "to have some dignity and not be a charity case. He can pay his own way in the world."

MGH plans to ask Judge Eugene F. Hayeck to overturn the decision and failing that, will appeal the verdict and jury award, Bander said.

Meanwhile Chin, a graduate of Tufts Medical School and the Harvard School of Public health, still practices part-time at the Chelsea Health Center, Halstrom said.