

Quincy woman hurt in fall at St. E's gets \$2.3M

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By Maggie Mulvihill

An elderly Quincy woman who fell to the floor of St. Elizabeth's Medical Center after tearing out a bed restraint will receive \$2.3 million for injuries that left her comatose, according to a settlement reached yesterday.

"She should have been monitored . But they didn't take care of her at all," said Ann M. Fernandez's eldest daughter, Barbara Doherty of North Quincy.

"Now she just lays there. She can't move. She can't eat. It's devastated our whole family."

Attorneys for the hospital's insurer yesterday settled Fernandez's medical malpractice claim in Suffolk Superior Court, attorneys said.

Fernandez - the mother of 15 - was admitted to the hospital for elective abdominal surgery. Because of a lack of beds in the intensive care unit, she was transferred to the general floor, said her attorney, Frederic N. Halstrom.

In 1992 while left alone by the evening nurse, Teresa Higgins, and Dr. Marcus Riccioni, She tore off her wrist restraints and tumbled to the floor , Halstrom said.

The catheter protruding from her jugular vein was torn out and she was bleeding heavily, Halstrom said. Her heart rhythm was not restored for at least 20 minutes and Fernandez suffered massive brain damage, leaving her essentially comatose, Halstrom said.

"This was an example of inadequate hospital staffing. This was a completely preventable accident. It never should have happened," Halstrom said yesterday.

A spokeswoman for St. Elizabeth's last night said neither medical professional is still working at the hospital.

Attorneys for Higgins and Riccioni were not available for comment last night.

St. Elizabeth's Medical Center was not a defendant in the suit because state law prevents plaintiffs in medical malpractice cases from recovering more than \$20,000 in damages, Halstrom said.

Fernandez, now 70 lives with her family and requires round-the-clock nursing care, her daughter said. Her medical costs annually are about \$80,000, Halstrom said.