
Mother of disabled child wins a \$7 million settlement

By Travis Andersen

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A superior court judge approved a \$7 million settlement yesterday in a lawsuit brought by a Shrewsbury woman against four medical professionals at a Worcester hospital, whom she accused of failing to offer or explain tests that could have prompted her to have an abortion rather than carry her now-disabled child to term, her lawyer said yesterday.

An obstetrician at UMass Memorial Medical Center, a nurse practitioner, a geneticist, and a genetic counselor did not tell Ran Zhuang, who is in her early 40s now, during her prenatal treatment at the hospital in 2007 that tests were available to determine if her unborn child had a genetic disorder, according to her lawyer, Frederic Halstrom of Boston.

In a press release announcing the settlement, Halstrom wrote that the testing “would have definitively revealed [Zhuang’s daughter’s] severe genetic disorder in-utero and would have [caused] Ms. Zhuang to elect termination.”

Rob Brogna — a spokesman for the hospital, which was not named as a defendant in the suit — said in a statement that he could not comment on the specifics of the settlement because of a confidentiality agreement.

“However, UMass Memorial tries to learn from all cases where patients raise concerns regarding care,” Brogna said. “In regards to this case, improvements were made regarding documentation policies and communication. Events of this nature impact patients, their families, and the providers of care, and we strive to learn from them.”

He said all four defendants still work at the hospital.

Halstrom wrote in the release that the defendants — identified as Dr. Mary Herlihy, chief of general obstetrics and gynecology; nurse practitioner Patricia Yranski; Dr. Beverly Hay, a geneticist; and genetic counselor Lisa Blazejewski — did not inform Zhuang about the tests, despite her stated desire for a normal fetus.

Lawyers for Hay, Blazejewski, and Herlihy did not return messages seeking comment last night.

It was not immediately known who represented Yranski. None of the defendants in the suit filed in Worcester Superior Court have disciplinary actions listed in two online state databases for medical professionals.

“Patronizingly, the caregivers in this case thought that they knew best and seemingly ignored Ran’s translated wishes that, for her own personal and cultural needs, she be assured, as much as medically possible, that her fetus was normal,” Halstrom wrote.

Halstrom also wrote that Herlihy said that a procedure called amniocentesis, which would have shown Zhuang “the complete genetic make-up” of her fetus, was offered to her during one appointment. However, Halstrom wrote, a translator was not present during that session and Zhuang’s husband, Zhiru Guo, acted as an interpreter, which is a violation of medical protocol. Zhuang is originally from China and does not speak English.

Halstrom said in the release that Zhuang’s child, Annie Guo, 3, suffers from a severe genetic disorder and requires constant support care.

She is eligible to receive town- and state-funded care until she turns 21, at which time the settlement money will fund her services, Halstrom said. He said multiple insurers will pay out the settlement on behalf of the defendants.

Travis Andersen can be reached at tandersen@globe.com.

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