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Med-mal suit ends in \$3M accord

By Jack Silverstein
Law Bulletin staff writer

A downstate hospital has agreed to a \$3 million settlement with the estate of a 35-year-old woman who died after a nurse accidentally dislodged her breathing tube while turning her during a bed bath.

On Jan. 17, 2010, Barbara Craig of Logan County was admitted to Advocate BroMenn Medical Center in Normal after she developed hypoxic symptoms and stopped breathing.

She was intubated with physicians concerned that she had either chronic obstructive pulmonary disease or Guillain-Barre syndrome, ailments that affect the lungs and immune systems, respectively.

Physicians gave Craig a tracheostomy tube on Jan. 26, 2010, to assist her breathing.

The next day, a nurse turned Craig for her bath and dislodged the tube, causing respiratory failure and cardiac arrest.

Craig suffered acidosis and brain damage; later that day, she suffered cardiac arrest once more. She died that night.

“Requisite number of staffing would have prevented this problem,” said the estate’s attorney, [John J. Perconti](#) of Levin & Perconti. “She was supposed to have three staff turning her and instead only had one.”

The lawsuit’s allegations included the defendants’ failure to protect Craig’s airway, take steps to keep Craig’s tracheostomy tube in place, properly turn Craig for her bath and “timely re-establish” Craig’s airway.

Though Guillain-Barre was never officially diagnosed, it was the working diagnosis for what physicians believed was causing Craig’s paralysis and respiratory problems. The plaintiffs showed evidence that about 70 percent of Guillain-Barre patients will reach a complete or nearly complete recovery.

[Donald P. O’Connell](#) handled the mediation.

“The case was resolved after taking only two depositions ... and the hospital realized this was a case that should be resolved,” Perconti said.

The highest McLean County medical-malpractice award reported by the Jury Verdict Reporter was a \$3.5 million settlement in 2008 for the death of a 27-year-old woman.

Craig is survived by her two children, now ages 24 and 19.

Representing the Craig family along with Perconti was [Jordan S. Powell](#), also of Levin & Perconti.

Representing Advocate was [Patricia J. Barker](#) and [Jennifer M. Suttle](#) of Barker & Castro LLC. They declined to comment.

The case is *Cyndie R. Craig et. al. v. Advocate Health and Hospitals Corp. et. al.*, No. 2012 L 10.

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