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UIC Board Approves \$16.2 Million Medical Malpractice Settlement
Part of \$17.7 Million Settlement for Police Officer Who Suffered Devastating Brain Injury

CHICAGO, November 18, 2010 – A \$17.7 million settlement was reached for a former Stone Park police officer who suffered a brain injury at the University of Illinois at Chicago Medical Center (UIC) due to medical negligence. The University Of Illinois Board Of Trustees approved the Hospital's portion of the settlement - \$16.2 million – today, and it will be sent to the Circuit Court of Cook County for final approval in the Law Division. A defendant nursing agency will pay an additional \$1.5 million to the victim, George Nissen, of Melrose Park, IL, who was represented by Steven M. Levin and Margaret P. Battersby of Levin & Perconti.

George, now 47, suffered a brain stem herniation when hospital staff failed to properly monitor his intracranial pressure (ICP) during an external ventricular drain (EVD) challenge. As a result of the nursing staff's negligence, George now suffers from quadriplegia, cannot eat or speak, and can only communicate to family, friends and caregivers through eye movements and head shaking.

On Feb. 13, 2005, George was admitted to the neurosurgical intensive care unit (NSICU) of UIC after suffering a stroke believed to be caused by an injury suffered during an altercation while making an arrest as a Stone Park police officer. Physicians inserted an EVD to drain excess fluid from his brain, and on February 21, George's doctors ordered the nursing staff to challenge, or test, the drain by clamping it to determine if he was stable enough to remove it.

The lawsuit alleged that during this challenge, nursing staff failed to properly monitor George's intracranial pressure. During an EVD challenge, nursing staff must closely monitor a patient's ICP to ensure that it does not exceed acceptable limits. When a patient's ICP level gets too high, a nurse must notify a physician. Throughout the night, George's ICP was at dangerous levels, but his caregivers failed to recognize changes in his neurological condition or notify a physician when his ICP levels rose.

The lawsuit was filed against two UIC staff nurses caring for George, along with a healthcare staffing agency and an agency nurse who cared for George that evening. The UIC staff nurse assigned to George from 7:00 to 11:00 p.m. failed to report George's changing condition to a physician and did not give the agency nurse who took over George's care an adequate patient report at the end of her shift.

The temporary agency nurse had no prior experience caring for patients in the NSICU and was not qualified to care for George. Due to her inexperience, she did not recognize the significant changes in George's neurological condition, nor did she communicate to the other nurses on the floor that she needed assistance.

The defendant charge nurse, whose duty was to oversee patient care for the shift, did not properly screen the agency nurse before assigning her to George, nor did he familiarize her with George's

condition. He also failed to recognize changes in George's condition when he first accompanied the agency nurse to George's bedside.

"As a result of this negligence, George's ICP level dangerously elevated, his neurological status declined, and his physicians were not notified until he had already suffered a catastrophic brain injury," said attorney Steven Levin.

"The settlement was reached on the eve of trial," added Steve. "Now that the Board has approved the settlement, the family must wait for the Court to approve the settlement order. This should occur in the coming weeks."

Levin & Perconti is a nationally renowned law firm concentrating in all types of personal injury, medical malpractice, and wrongful death litigation. The lawyers at Levin & Perconti are committed to protecting and vindicating the rights of people who are injured by the negligence of others. Please contact the firm at (312) 332-2872 or visit www.levinperconti.com for more information.

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