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## Melrose Park man settles for \$17.7 million in malpractice suit

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November 22, 2010

A \$17.7 million settlement was reached with a former Stone Park police officer who suffered a brain injury at the University of Illinois at Chicago Medical Center due to medical negligence.

George Nissen, 47, of Melrose Park will also receive \$1.5 million from a nursing agency. The University of Illinois Board of Trustees approved the hospital's portion of the settlement -- \$16.2 million -- last week. The Circuit Court of Cook County is required to make final approval.

Nissen suffered a brain stem herniation when hospital staff failed to properly monitor his intracranial pressure during an external ventricular drain, according to Nissen's attorneys Steven M. Levin and Margaret P. Battersby of Levin & Perconti and Louis Berns of Favil David Berns & Associates

As a result of the nursing staff's negligence, attorneys said, Nissen now suffers from quadriplegia. He cannot eat or speak, and can only communicate to family, friends and caregivers through eye movements and head shaking.

On Feb. 13, 2005, Nissen was admitted to the neurosurgical intensive care unit 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 attempted to drain excess fluid from his brain, and on Feb. 21, Nissen's doctors ordered the nursing staff to test the drain by clamping it to determine if he was stable enough to remove it.

The lawsuit alleged that during this test, nursing staff failed to properly monitor Nissen's intracranial pressure. Throughout the night, Nissen's intracranial pressure was at dangerous levels, but his caregivers failed to recognize changes in his neurological condition or notify a physician, attorney said.

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

The agency nurse had no prior experience caring for patients in the neurosurgical intensive care unit and was not qualified to care for Nissen, attorneys said.

"As a result of a tragic and inexcusable comedy of errors, 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."

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