**EP 50: The Shands Slip-Up**

***Description***

In 2006, Lanette Gervato arrives at Shand’s Teaching Hospital for severe headaches, but leaves paralyzed on one half of her body and unable to care for herself. Who's responsible for these life-threatening mistakes? Well, the trial outcome may just leave more questions than answers.

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***Episode 50 Transcript***

**Lillee Izadi  0:18**

Hello, everyone. That's right after a long hiatus, the ethical side effects crew is back in action. Now, for those of you who are brand new to the show, my name is Lillee, joined by my amazing co host, Mr. TJ here.

**TJ McKay  0:34**

Welcome back guys, once again after another hiatus there, we cannot imagine what lasts as long as it did but get high because we have returned once again. And we are better than ever.

**Lillee Izadi  0:47**

Yes. And circling back to that hiatus, I just wanted to say that we are so sorry for going Mia these last couple of months. I speak for both TJ and I, when we say that we really miss getting together to record these episodes and sharing these cases with our loyal listeners. Truthfully, TJ and I have had a lot of transition this past two months and moving to a new state, as you guys heard in our last episode, starting new jobs, budgeting for the podcast and where it's going. And we were also sick for a couple of weeks. That's great. And I'm also trying to study for the MCAT. So that's a whole lot. But overall, we're just trying to figure out life and next steps and getting adjusted to our new life in Baltimore City. So yeah, I know, I'm excited for this episode today. How are you?

**TJ McKay  1:32**

Yeah, going on with Lillee say we're just both trying to learn the intricacies that makes being an adult just absolutely boring as hell. I think I speak for buffaloes when I say we absolutely have no social life outside of work and are trying to get back into the groove with this podcast. So I am definitely excited to see what she has in store for us today. And to just get back into the groove of everything.

**Lillee Izadi  1:56**

I agree. And you know, just FYI, we've been trying different recording spots in our home. So if today's episode or this week's episode is not the best, we hopefully will be editing a lot of these things out as well as trying new spots. So bear with us here, bear with us. But with all that boring stuff said we had literally every intention of getting content together for you guys, for the past couple months. But truthfully, when the rubber hits the road, as a good book says, It was mainly me who got burned out a little bit with trying to juggle all of it. So we decided to take a little bit of a break and get good quality content together for you guys before releasing episodes. And this really will help us get back on schedule. We also changing the format of our podcast a little bit in that we're releasing episodes by monthly. So we are only releasing episodes every other Friday instead of every Friday now. So you know, we'll make sure to update that on our podcast, but just know you guys know, every other Friday, so it's gonna be great. Now that I said my piece, I'm excited to hit the ground running with a nice new season, shall I say have ethical side effects podcast. And it's so much fun now that I get to record with TJ in person, because we were recording remotely before and mixing it down. But now we're both coming to you live from Baltimore, Maryland not really live recorded. But if we have any fans here, feel free to hit us up with some recommendations of things to do, and places to try because we're almost completely new to the city. So it'd be great to get some recommendations.

**TJ McKay  3:31**

Also, if there's enough of you out here located in the Maryland area maybe in the near future. We can maybe set up a fan meetup with our amazing listeners. Maybe it's up to you. I know Lillee would really enjoy the especially we host a like a coffee shop or something.

**Lillee Izadi  3:47**

Oh yeah, yeah, for sure. Y'all. I just got a Nespresso machine. I mean, she had to add it has been the most amazing thing and it's changed my life for the better. I know a lot of people out there know my struggle. They're spending their daily seven, six, whatever it be dollars on that Dunkin iced coffee that Starbucks Iced shaken espresso,

**TJ McKay  4:07**

...You would know because you were that person...

**Lillee Izadi  4:10**

Exactly, exactly!

This espresso machine 20 out of 10 changed my life. I'm no longer spending money outside like that. But I would still love to meet up with you guys at a coffee shop. To just talk about some things get to know Maryland a little bit better and get to know you a little bit better. So yes, but I don't know about you, TJ I'm so ready to get into this case the meat and potatoes of this episode. So without further ado, let me tell you guys about the case of Lanette Gervado.

So the story of Lanette Gervato actually takes place in our home state of Florida, TJ

**TJ McKay  4:49**

Oh really, what city?

**Lillee Izadi  4:51**

So it specifically takes place in Gainesville, Florida in July of 2006. And if you guys are familiar with Gainesville, I mean I don't think I'm overstepping when I say this, but basically the city of Gainesville is you off campus. I mean, Gainesville is the University of Florida.

**TJ McKay  5:10**

I mean, if there was no us we're Gainesville even exists and then for all of our Gainesville listeners, if you find that offensive of your hometown, please don't come at me, it was just a joke. And then also it's Saturday, so "Go Gators". I don't know who they're playing today, but...

**Lillee Izadi  5:23**

yes, yes, we are recording on a Saturday. But yeah, one of the bigger hospitals in UF is the Shands Teaching Hospital, which is affiliated with of course, the University of Florida, and Shands is exactly where 35 year old Lynette ends up in July of 2006 for what she described as an extreme headache and other bothersome symptoms. Now, I'm going to be honest with you guys, I have no idea how long these headaches had been going on for and she just described them as severe during her intake. I also do not know what these quote unquote bothersome symptoms are. And quick sidenote, I interestingly found out that Lynette herself is from St. Petersburg, Florida, which made me wonder why Lynette chose to go to Shands in the first place, because they are definitely a few hours away, you know?

**TJ McKay  6:14**

Yes, she decided to try out pretty far to be seen by a physician at Shands hospital. So that makes me curious as to whether or not she chose that herself or received a referral from another physician that was closer to her. And I'm also am curious as to whether or not she had a history of experiencing reoccurring migraines because I know my mother, she experiences migraines on a daily basis. So I wonder if maybe there's a similarity there.

**Lillee Izadi  6:46**

I also wanted to know the answers to those questions TJ because to be quite frank, they did not explain any of that. But regardless of how she got there, Lanette did end up at Shands with the symptoms. And of course, severe headaches like the one she was experiencing can be due to a wide variety of symptoms. So they perform some initial tests at the hospital. And although they didn't specify the tests that they did do in the news articles I read, my best guess would be that they likely did a basic CBC like blood panel, and possibly even a urinalysis to test for some sort of infection. Because infections can, of course, cause headaches. They also probably did some imaging like a CT or MRI to get an overall better picture of what was going on with Lqnette and when they did get done performing these tests, it was revealed that Lqnette had a non bleeding aneurysm.

**TJ McKay  7:45**

So basically, the blood vessels that were bulging out in her head had not yet ruptured at that point, correct Lillee?

**Lillee Izadi  7:51**

Yes, exactly. So as TJ was saying, an aneurysm is when a blood vessel usually an artery right balloons out in bulges to the point that it bursts and blood rushes out. And this bleeding is definitely not ideal because it leads to things like hemorrhaging, or more specifically what we call a hemorrhagic stroke. So in order to prevent that from happening, the care team overseeing Lqnette thought it would be best to insert a coil into her aneurysm.

**TJ McKay  8:22**

So I'm going to be completely honest, I have never heard of putting a coil into the sight of an aneurysm. So for me and our listeners, could you please enlighten us on how that exactly works and what the procedure of performing the operation will go?

Honestly, TJ, I'm glad you asked. Because one, I also had no idea what this procedure was before doing research on this case, but to the way it is done is actually somewhat relevant to why this malpractice case even arose in the first place. So I think it's important to generally explain how it is done in order to know what happens in this case and what goes wrong with one app. So to break it down for you all basically coiling an aneurysm is a process of inserting a metal coil, usually platinum metal into the bulging sight of an aneurysm. And this is usually done by inserting a catheter into the groin and weaving it all the way up into the brain where the aneurysm is taking place, which I just thought was super crazy and I don't want to happen to me, but by doing this, the coil sort of blocks all the blood from entering the bulging out part of the blood vessel and then the blood because it has nowhere else to go now flows more normally. So all in all, it helps prevent the unruptured aneurysm from rupturing without doing like a whole craniotomy which is hard because you know, cutting open the skull was a lot of work. And if my explanation made you curious are you still don't really understand what the heck I'm talking about. Have no fear. I have included some source is in our episode case files and pictures page on our website with details on how coiling works. So go on and check out those.

I know I'll definitely be checking it out because I'm curious to see the catheter being guided from the groin all the way to the site of the aneurysm, which in Lanette's case was located in the region of her brain, that's a pretty far distance to guide a catheter.

**Lillee Izadi  10:25**

Oh, I know Sister, I was like completely shocked at the thought that seems extremely uncomfortable. I should have saw whether they included like any sort of anesthesia or something like that. I'm sure they do. Because that's, that's weird. I wouldn't want that going all the way up to my brain like that through my groin. That is that is an uncomfortable thought. And I want to apologize our cat is eating right now. So you guys might be able to hear a little bit of munching. But that's okay. So getting back to Lanette's case, she does end up getting this coiling done by neurosurgeon, Dr. Brian Hoh. But during the procedure, a member of the surgical team literally ends up piercing one of the arteries in her brain.

**TJ McKay  11:05**

Oh my goodness. Yeah.

**Lillee Izadi  11:07**

And what's even crazier is that apparently, they didn't pick up on this error TJ. So they get done with the procedure. And they think everything went well, and just handed her off for post off recovery.

**TJ McKay  11:19**

Hold up, they didn't even see anything wrong with her vitals like, while this entire thing was going on? I just find it hard to believe that they didn't know that they literally made her condition worse. Like even in post op.

**Lillee Izadi  11:33**

Oh, I know. I was shocked myself. And to be fair, the level of deviation from healthy vitals when something like hemorrhaging occurs, can I guess definitely depend on the severity or the class level of hemorrhaging. So truthfully, the amount of blood loss she experienced might not have been major enough at first to even show a stark difference in vital signs. But it's also definitely weird in my humble and non-professional opinion. And I wish I could say that eventually they do pick up on this incident before it becomes serious, but they don't. And what makes it even worse is that another error occurred even after this piercing, which really was the icing on the cake for this whole case.

**TJ McKay  12:17**

So what do you mean another error occurred?

**Lillee Izadi  12:21**

So what I mean is in the post op room, you know, Lanette get started on her medication, one of which was heparin. And for those of you who don't know what heparin is, it is just a blood thinner, basic blood thinner. And this is completely normal medication to be prescribed after surgery. Because by laying in bed for recovery for so long, you can be more susceptible to things like blood clots. And especially for someone like Lanette who, as we know, had just had a documented aneurysm, I can see why they would think that this is a good idea to give her because we don't want her blood clotting any more than it has already. But let's think about this guys for just a second. When you are actively bleeding because a blood vessel has been pierced, you probably shouldn't be on a blood thinner, right? Because you're just going to lose more blood if not have a stroke. And that's exactly what happens to Lanette

**TJ McKay  13:17**

So my question for you is, the surgeon and the nurses didn't observe anything alarming when it came to her vitals...so unless they decided to perform another CT or MRIm was there like no other way for them to know that Lanette was still suffering from excessive bleeding until it was ultimately too late for them to do anything about it?

**Lillee Izadi  13:37**

Oh, great question, TJ because there's more. So going off of what you ask Lanette starts displaying the symptoms of stroke, of course, because she is on this blood thinner. And the nurse supervising her care, Rebecca Boone notices this, she notices that she's starting to symptoms of stroke. And in spite of seeing this, Rebecca continues to give Lanette the medication. And it wasn't until some physicians in her care team came to check up on her a while later. Did anyone even discover this big hole mess that they had gotten themselves in? And by that point, like you were talking about, Lanette had experienced such severe brain damage from them not observing anything, that the damage from the stroke was irreversible. And as a result, Lanette became paralyzed on one side of her body, and also started to have vision problems as well as other extensive medical issues such as persistent pain. And if this wasn't bad enough, it was said in the articles I was reading about this case that Lanette had to be hospitalized 10 times in order to be treated for various infections, probably caused by the improper placement of the catheter.

**TJ McKay  14:48**

 Poor Lanette...this sounds just absolutely horrific.

**Lillee Izadi  14:53**

I know Lanette really got ripped a whole new one throughout this case and all she wanted was to get help for this headache like Imagine going into the hospital for headaches and then waking up with half of your body paralyzed and not even being able to see well. Like that's so crazy and literally one of my worst nightmares if I do say so myself.

**TJ McKay  15:12**

I'm gonna is an unfortunate situation. But it's something to keep in mind for even a routine procedure because every surgical operation comes with the risk of experiencing complications during end or after in post op.

**Lillee Izadi  15:25**

Exactly. And after this incident with Lanette, Lanette could not care for herself and live independently. So her husband had to literally stop working in order to care for Lanette full time which, relationship goals, but something really sad I found out is that Lanette and her husband actually had four children. And those children had to go live with other family members, because apparently the couple could no longer care for their children, at least in the way they both felt their children deserve to be cared for.

**TJ McKay  15:57**

I didn't physically think this case could get any worse. But Lillee, it definitely did. That is so sad to hear that they had to make that tough decision to separate the family for the betterment of the children.

**Lillee Izadi  16:13**

I know and almost all because of this case. But the real question is, would you quit your job for me? To care for me will die or something like that. That meant?

**TJ McKay  16:27**

Um, if you were completely paralyzed. I'll quit my job. Yeah, we just make ends meet. Now let's flip the table around. Would you quit your job? If I became so ill? Well, guys, you saw that long pause.

**Lillee Izadi  16:44**

You know, I'm joking. I'm joking. Of course I would of course, but this is not about us. It's about limits. So let's get back to that. Anyway, so as we can see, it wasn't just Lanette's life that took a complete 180 from this malpractice case, but it was also her whole family's. And because of this lenez husband contacted Grossman medical practice. So with their help, a lawsuit for medical malpractice was indeed brought against the University of Florida. Now initially, they brought their case against UF Shands hospital, and until the staff health care Incorporated, who was the employer of that nurse, Rebecca Boone, who I mentioned before. And it's important to note that Rebecca Boone actually settled with the family for $1 million before the trial happened. So the family only ended up suing us mainly because it turns out that Shands also ended up being dropped from the lawsuit before the trial and I could not find out why. As for the trial itself, though, it seemed to have been resolved by January of 2011. So basically five years after Lanette became paralyzed, and I say resolved, because unfortunately, I didn't see how long this trial went on for or when it even started. But eventually, six jury members came to the verdict that Lanette should be granted $23 million for her injuries and suffering, which Lanette's husband claimed would make a world of a difference as it will allow Linda and her husband to pay for Lanette's care around the clock so that he can actually resume working for them.

**TJ McKay  18:23**

Rightfully so, because Lanette and her husband both lost their their salaries because her husband has to full time take care of her now, and hopefully with the settlement, maybe they'll be able to get their family back together because with this money, you know, of course cover Lanette's care costs and hopefully be able to provide for their children so they can be together once again.

**Lillee Izadi  18:45**

Exactly. But before we think this is a happy ending TJ, I did find out that technically, UF is protected by sovereign immunity statutes.

**TJ McKay  18:57**

Well, I actually did not know that. Are you serious?

**Lillee Izadi  19:01**

Yes, I am serious. And I don't know why I didn't make that connection because all public schools are technically government entities, so they are technically not able to be sued for such a high amount. So what that means for Lanette's family is that state lawmakers would need to pass a bill to award an amount that exceeds $200,000. And to be honest, I could not find out what happened to Lanette's award. And my guess is that they likely did not get that full award amount because I've seen more recent malpractice cases against UF Shands where sovereign immunity is still a big issue. And maybe we'll even talk about that on another week's episode.

**TJ McKay  19:40**

Yeah, that's definitely a touchy topic. So we might have to get into that.

**Lillee Izadi  19:45**

Oh, yeah, the topic of sovereign immunity is definitely crazy. And this case specifically is really crazy not only because of that, and what happened in general, but I'm also wondering why the doctor in this case that pierced her artery Dr. Hoh, I was not sued. I'm guessing because Shands is a teaching hospital. I think that most physicians, regardless of if their residents are attending physicians are likely not sued individually, but at the hospital level or Institute level, though, much like what happened in this case, I guess, but I don't understand. I don't understand that.

**TJ McKay  20:19**

Yeah, I don't either. I just have no answer for you on that one. But you did bring up a good point because we almost did not hear Dr. Hoh's name brought up not once during the trial.

**Lillee Izadi  20:30**

Uh, yeah. And, truthfully, I was digging high and low into court reports and news articles to even get his name. I didn't see it literally anywhere.

**TJ McKay  20:40**

If that makes me wonder why was Rebecca Boone name during the case, but not? Dr. Hoh. I mean, they were both providing services to Lanette during her care.

**Lillee Izadi  20:50**

Yeah, I don't know. I think that that's a whole nother ethical topic between the dynamics of physician and nurse, which I don't agree with. But I do think that both of them made pretty life threatening mistakes. And I think they both should have at least gone through some sort of repercussions now they could have gone through repercussions in the form of suspension or something along those lines, but I didn't see any of that. So I guess we're gonna have to dive deeper into that later on, if we find anything more about either of them. But yeah, that is all I have for you guys this week. But again, if you really like our content, make sure to subscribe to our podcast so you never have to miss an episode, and leave our show a five star rating and review and we will see you guys in the next couple of weeks with a new crazy malpractice case. Bye guys.