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Child's feeding-tube trauma settled for \$421K

■ BY AMBER NIMOCKS

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The mother of a 3-year-old who suffered chronic diarrhea and weight loss after a feeding tube replacement has settled her lawsuit against the Medical University of South Carolina and Waccamaw Community Hospital for \$421,000.

Her case against a defendant physician is ongoing. The plaintiff reached the settlement with the hospitals in pre-trial mediation.

Deiquese Smith took her son, Jimmy Calvin Garrett, to the emergency rooms at MUSC and Waccamaw Community Hospital several times in 2008 after he received a button G-tube at MUSC. A button G-tube is a feeding tube placed directly into the stomach. Elise Crosby, one of the plaintiff's attorneys, said Jimmy suffered from cerebral palsy and needed the feeding tube because he was having trouble swallowing.

The plaintiff's medical expert, Dr. Fredric Daum, a pediatric gastroenterologist, asserted in pre-trial filings that after the replacement the feeding tube failed to work properly and went undiagnosed. Daum said familiarity with the child's symptoms and the history of the tube replacement, and a proper analysis of stool samples or contrast X-rays could have led to a diagnosis.

A non-diagnostic fluoroscopy about four months after the tube replacement led to a resolution of the diarrhea. Jimmy died in 2011 of unrelated causes while the case was pending.

Medical illustrator Colby Polonsky assisted the plaintiffs with time-lapse illustrations drawn from medical evidence.

SETTLEMENT REPORT— MEDICAL NEGLIGENCE

Injuries alleged: starvation, chronic diarrhea, malnutrition

Case name: Deiquese Smith individually and as personal representative of the estate of Jimmy Calvin Garrett v. Medical University of South Carolina, Waccamaw Community Hospital, et. al.

Case number: 2010 CP 22 1325

Court: Georgetown County Court of Common Pleas

Date of settlement: Aug. 16, 2012

Amount: \$421,000 from the two hospitals

Most helpful experts: Dr. Fredric Daum

Insurance carrier: Insurance Reserve Fund

Attorneys for plaintiff: Elise F. Crosby (Georgetown) and J. Samuel Scoville (Beaufort)

Attorneys for defendant: Elliot T. Halio (Charleston), William W. Doar Jr. (Pawley's Island)

Has the plaintiff been successful in collecting the judgment? Yes