

# \$6.6M awarded in baby's death

*Court papers: Phoenixville Hospital, doctor admit liability*

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Phoenixville Hospital, a Phoenixville pediatrician and their affiliates have agreed to pay \$6.6 million to the family of a 16-month-old child who died in the hospital. The settlement was reached Wednesday in Philadelphia Court of Common Pleas. According to transcripts of the settlement agreement, Steven Donnelly died July 10, 1996 of a severe illness.

Phoenixville Hospital admitted liability for the "negligent action of its nurses" who failed to recognize the severity of Donnelly's intestinal illness during the 12-hour period he was in the nursery. "Penn Health System offers its deepest regrets and heartfelt sympathy to the parents and family of your Steven." said Scott Lux, hospital director of communications.

Clinical Care Associates of the University of Pennsylvania and Dr. Maurice Rozzwatt also admitted liability for his failure to come to the hospital to care for Donnelly when he should have been there to "diagnose" and render treatment for a surgical emergency condition known as malrotation and mid gut volvulus." An associate at Rozwat's office said he was on vacation and would not be available for comment.

The \$6.6 million settlement, which is due in 30 days, is broken up with Rozwat and Clinical Care Associates paying \$2 million, the hospital paying \$300,000, the Trustees of the University of Pennsylvania paying \$2 million, PIGA paying \$400,000 and the Medical Professional Catastrophe Loss Fund of the Commonwealth of Pennsylvania paying the final \$1.9 million.

An unusual part of the agreement, which was agreed to by both parties, allows all individuals to comment and discuss any of the settlement as well as the manner of care given to Donnelly at the Hospital. "the health system did agree to part of the settlement being made public," Lux said, "the system remains committed to providing the highest quality health care to all of its patients."