

Get Out of Bed

for 17 Days

Damages

Any physical pain he may be reasonably expected to suffer in the future



Any mental anguish he may be reasonably expected to suffer in the future

- **Loss of strength, stamina, grip, and range of motion in hands & arms**
- **Friability of disfiguring skin grafts particularly at the ankles, especially the left**
- **Loss of function, balance, and coordination**
- **Poor lower extremity circulation with increased risk for development of venous stasis ulcers and deep venous thrombosis**
- **Diabetes made worse - insulin-dependent diabetics develop substantially more significant complications involving blood vessels, heart, kidney, eye, etc. Increased risk of heart attack, stroke, kidney failure, amputation**
- **Digestive problems related to gall bladder surgery**
 - **dumping syndrome**
 - **other digestive issues**

Any mental anguish he may be reasonably expected to suffer in the future

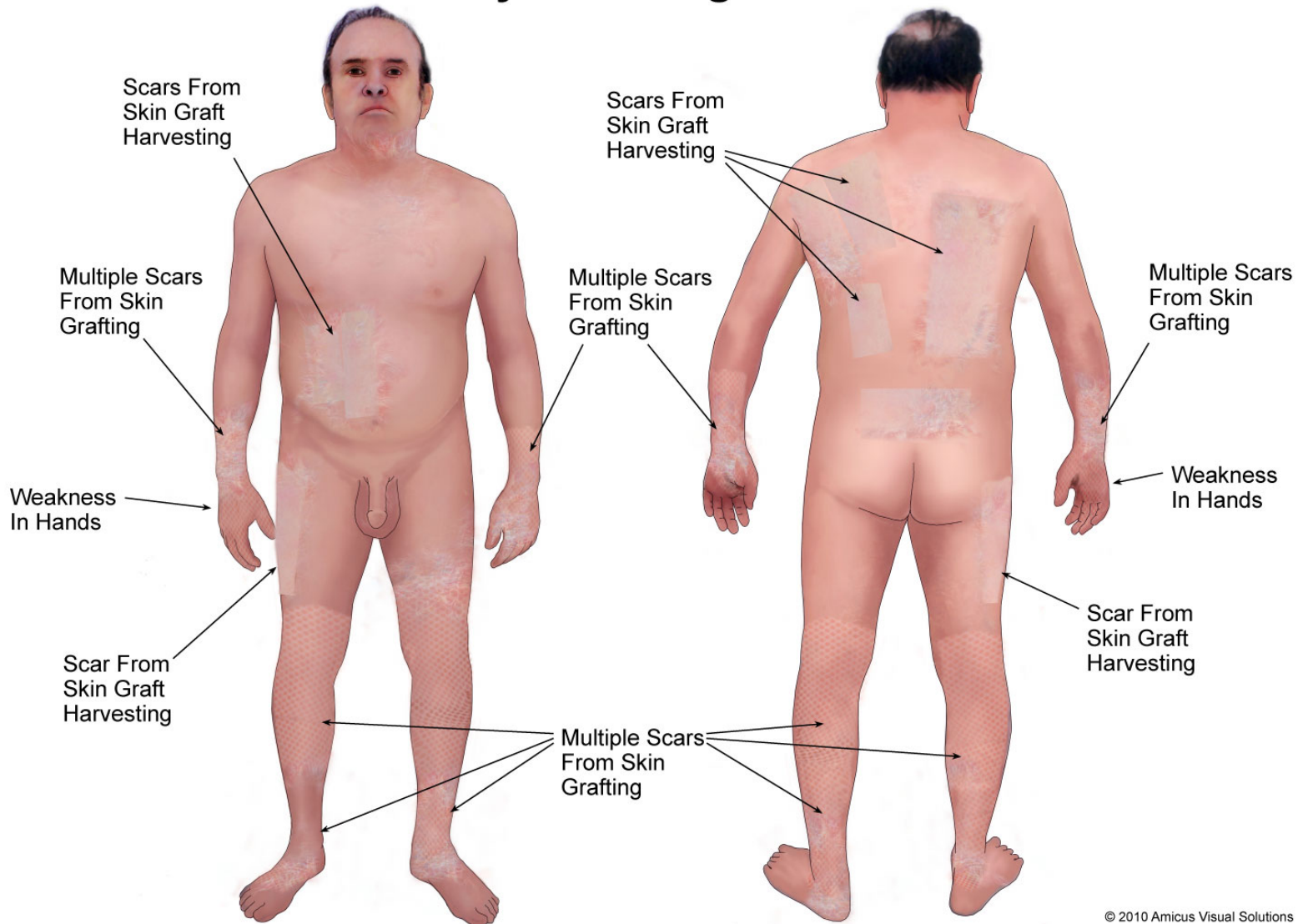
- **Sexual dysfunction related to a combination of**
 - **Poor circulation**
 - **Medication side-effects**
 - **Psychological issues**
 - **Body image issues**
- **Anxiety related to likelihood of potential medical complications**
- **Deficiencies in the sensory modalities of touch, pain, and proprioception**
- **Difficulty and inconvenience managing medication**
- **Efficacy of medication limited by multiple potential drug interactions (not easy to balance effectiveness with potential side effects)**

Any mental anguish he may be reasonably expected to suffer in the future

- **Difficulty finding new sites for injection and giving insulin with impaired hands**
- **Fragile skin susceptible to reinjury with what might otherwise be trivial trauma**
- **Osteomyelitis (likely to originate at exposed left ankle site)**
- **Secondarily infected venous stasis or traumatic ulcers with difficulty healing**
- **Risk of specific skin cancer - “Marjolin’s ulcer”**
 - **Develops in 0.10 - 2.5% of patients with extensive skin scarring**
 - **Often seen in “unstable” scars**
 - **Typically develops years after the injury**

Any disfigurement and any associated humiliation or embarrassment

Herman B. Gentry's Lasting Scars And Deficits



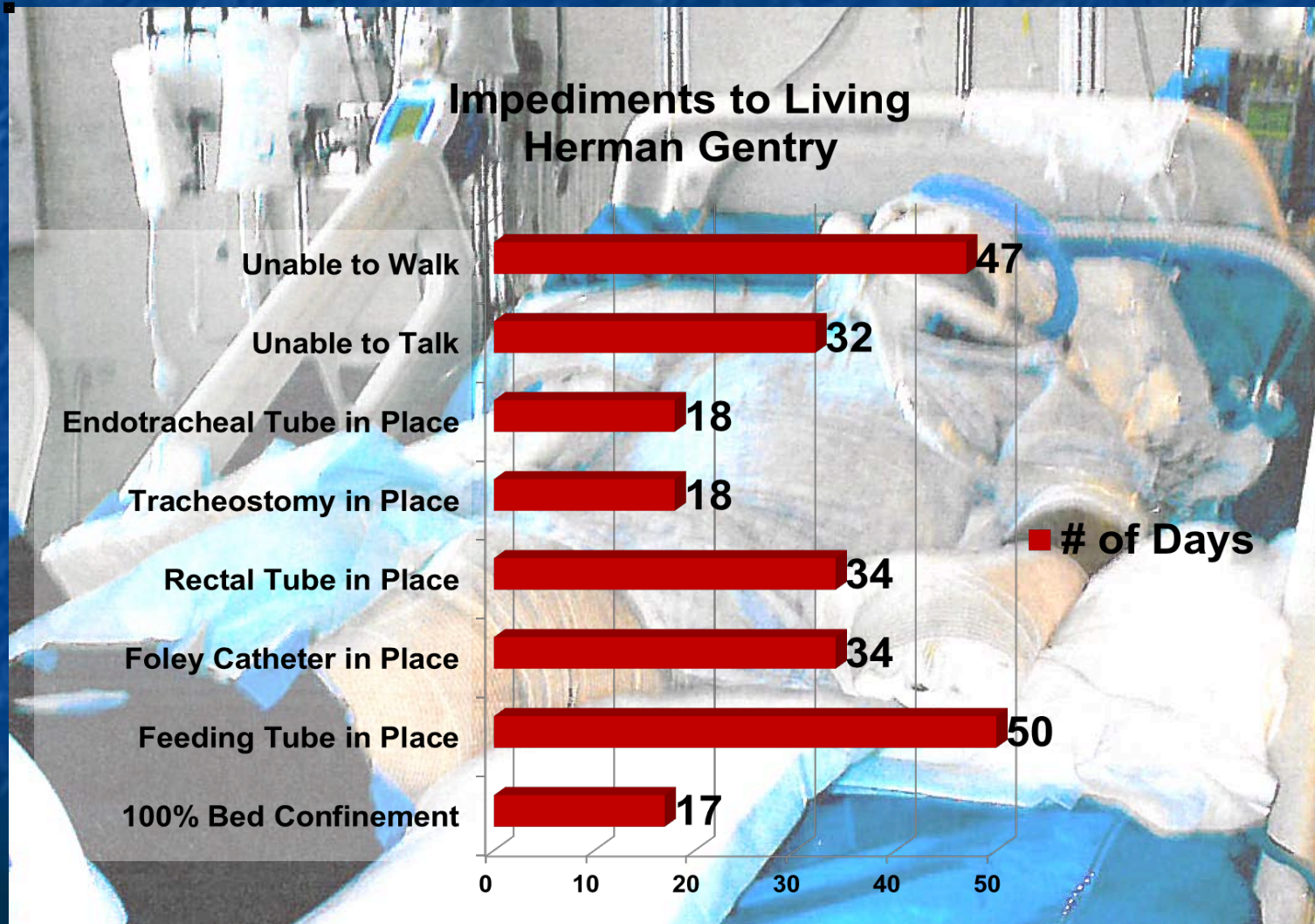
Damages

Any deformity and any associated humiliation or embarrassment



Damages

Any inconvenience caused in the past



Damages

Any inconvenience that probably will be caused in the future



Damages

Any medical expenses incurred in the past

Herman B. Gentry

Rockingham Memorial Hospital	\$	1,935.95
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Harrisonburg Emergency Physicians		878.00
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Rockingham Radiologists, Ltd.		27.00
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University of VA Medical Center		637,907.76
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UVA Health Services Foundation		118,056.00
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Martinsburg VA Medical Center		<u>20,033.58</u>
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Total:	\$778,838.29
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Damages

Any earning he lost because he was unable to work at his calling

Lost Wages	\$ 60,648.00
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Life Care/Rehabilitation Plan – Cost Summary

COST SUMMARY

HERMAN GENTRY

June 7, 2010

CATEGORY	COST
DRUGS AND SUPPLIES	\$8,419.63
MEDICAL INTERVENTIONS	\$77,978.00
MEDICAL ROUTINE	\$2,165.80
Lifetime Total	\$ 88,563,43

Total Financial Losses

Past Medical Expenses	\$ 778,838.29
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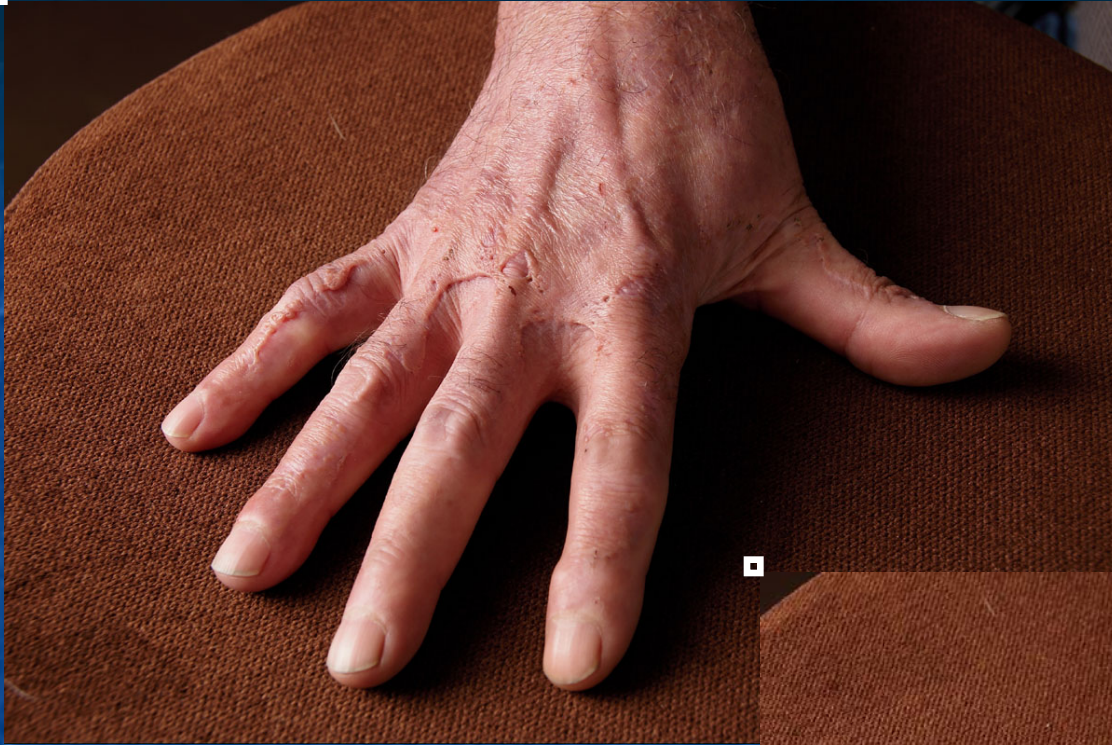
Future Medical Expenses	\$ 88,563.43
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Lost Wages	\$ 60,648.00
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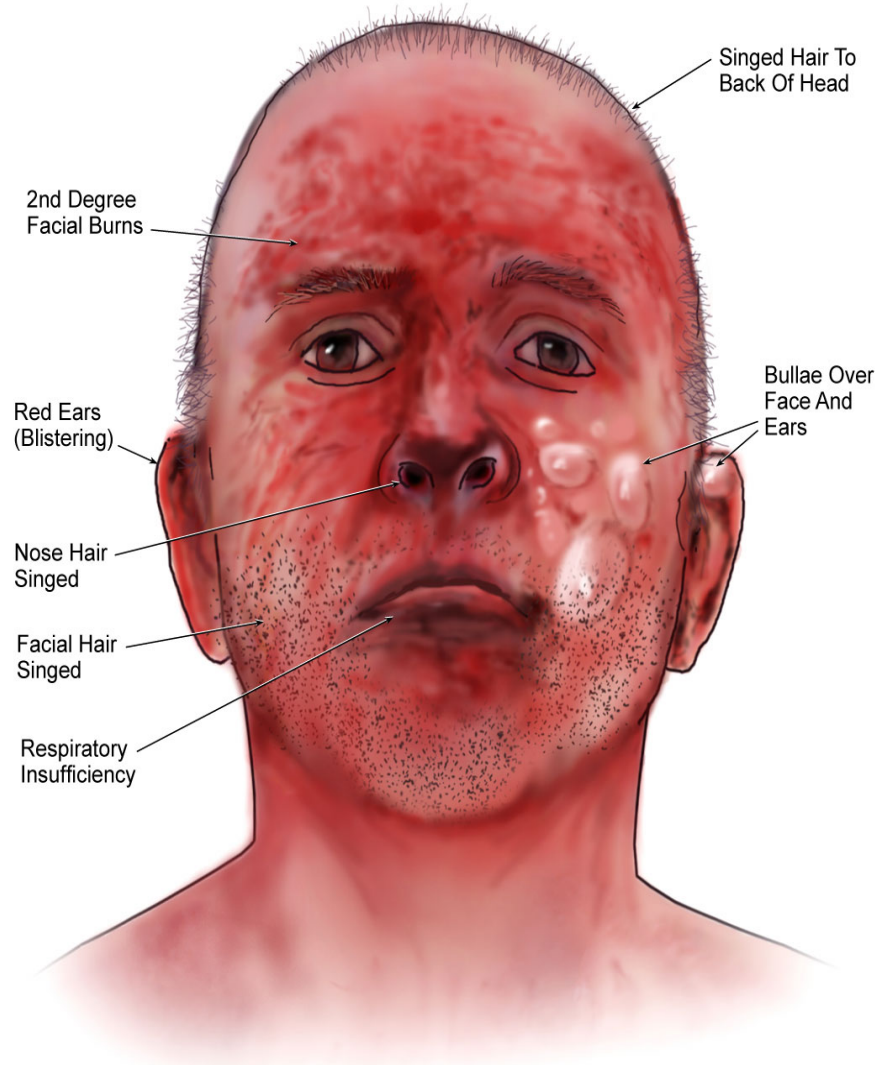
Total Losses	\$928,049.72
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Robert Smith

Both Hand



Robert O. Smith's Head Injuries and Symptoms





Both Ankles



Right Leg

4 Medical Diagnosis

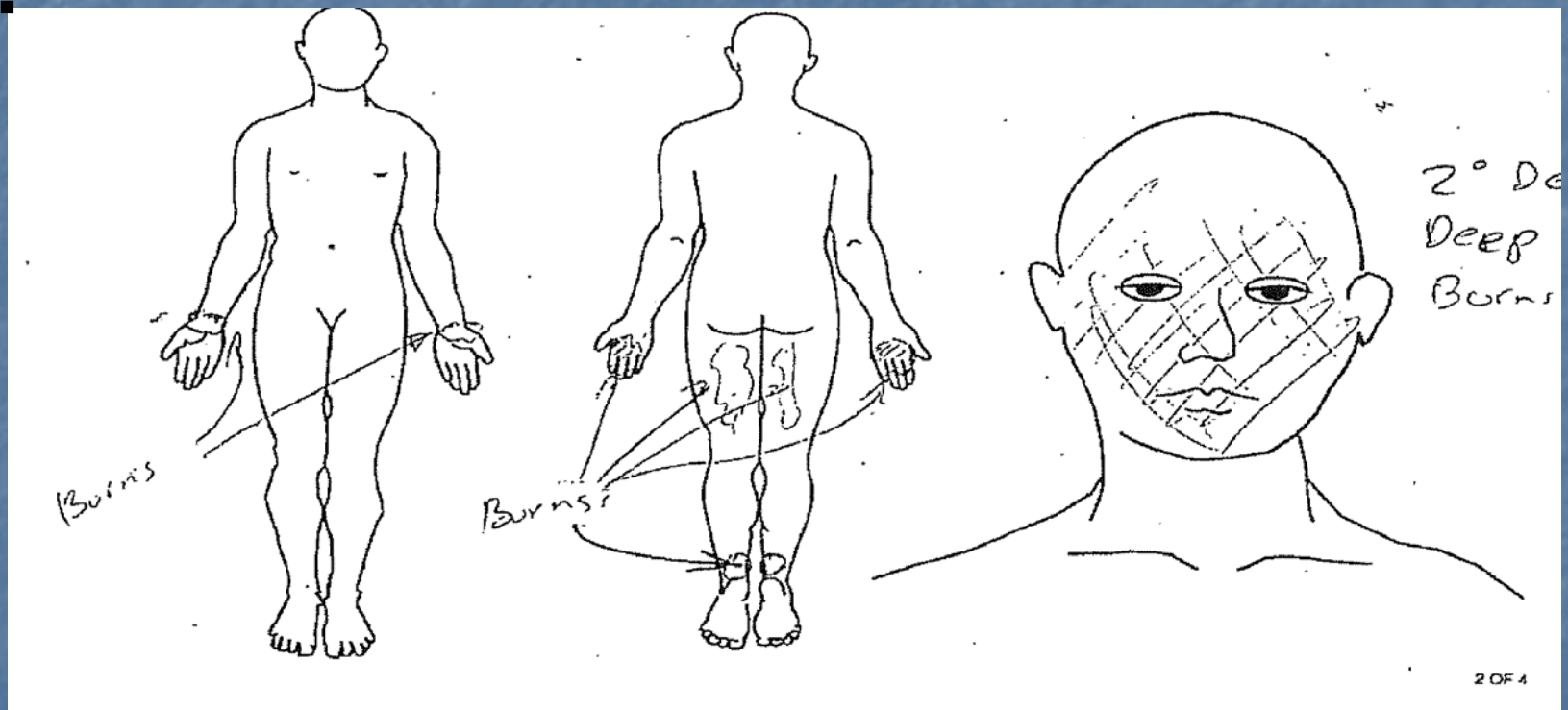
Partial thickness burns to 10%-15% of body, including face, palms, and patchy areas on bilateral lower extremities

10% total body surface area burns to face, hands, ankles, all partial thickness

Full thickness burns to bilateral hands and bilateral ankles, and superficial burns to face.

Respiratory Insufficiency

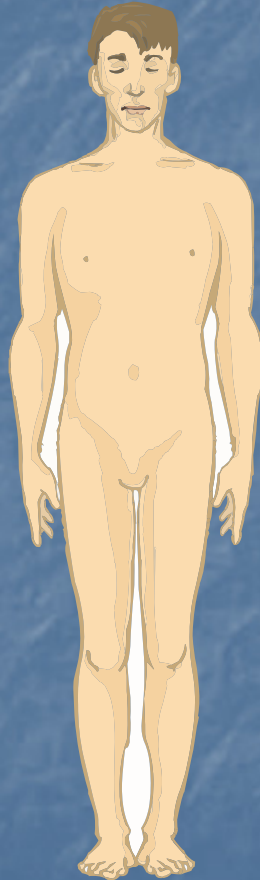
Mr. Smith's Burns covered more than 10% of his Total Body Surface Area



Emergency Department Diagram of Injuries

300 Square Inches of Burns

72 inches



300
square
inches

22 1/4"

Area of Burns

13 1/2"

Roughly the Area covered by a Newspaper Page

300
Square
Centimeters

=



7 Physicians/Consultations

Eric Kramer, M.D.

John Huff, M.D.

Todd Bauer, M.D.

Adam Katz, M.D.

Thomas Gampper, M.D.

Todd Bauer, M.D.

Jeffrey Young, M.D.

30 Medications – All have side effects

Acetaminophen

Ativan

Bacitracin

Benadryl

Bisacodyl

Suppository

Combivent

Docusate

Duoneb

Elta Cream

Fentanyl

Folic Acid

Glycopyrrolate

Labetalol

Lasix

Lovenox

Magnesium

Oxide

Milk of

Magnesia

Morphine

Narcan

Neostigmine

Pepcid

Percocet

Phenylephrine

Propofol

Regular Insulin

Rocuronium

Seroquel

Thiamine

Versed

Red Text indicates pain medications

15 Diagnostic Studies

Cervical Spine X-ray

Lumbar Spine X-ray

Chest X-ray - 8X

Pelvic X-ray

Thoracic Spine X-ray

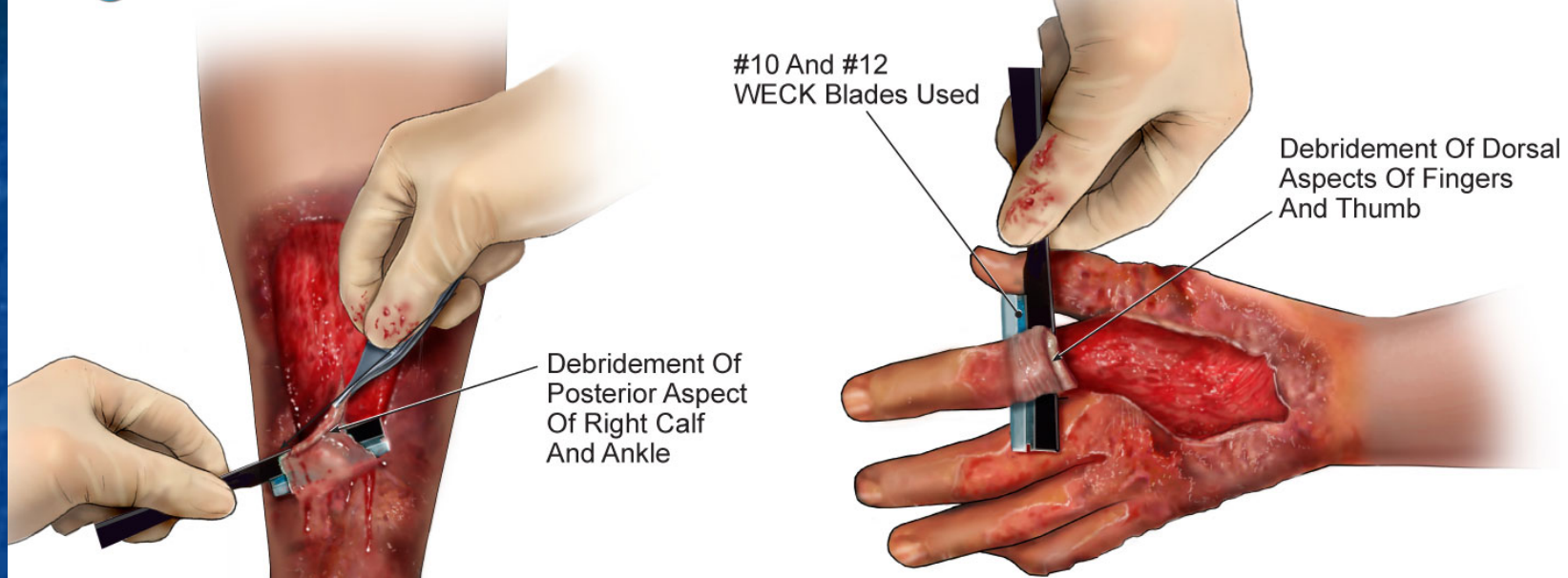
CT Scan of the Abdomen

CT Scan of the Pelvis

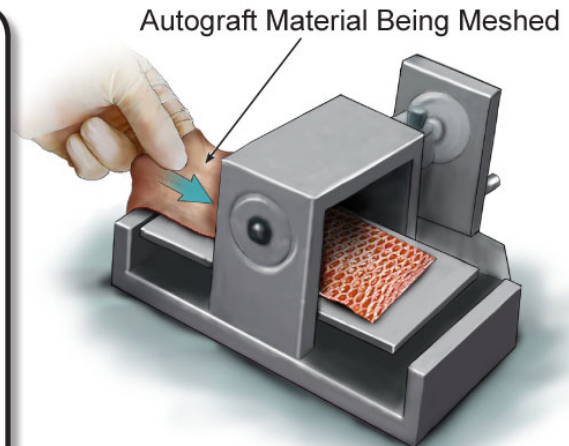
Ultrasound of the Lower Extremities

11/26/07 Debridement And Allograft Of Ankles And Hands

1 Debridement

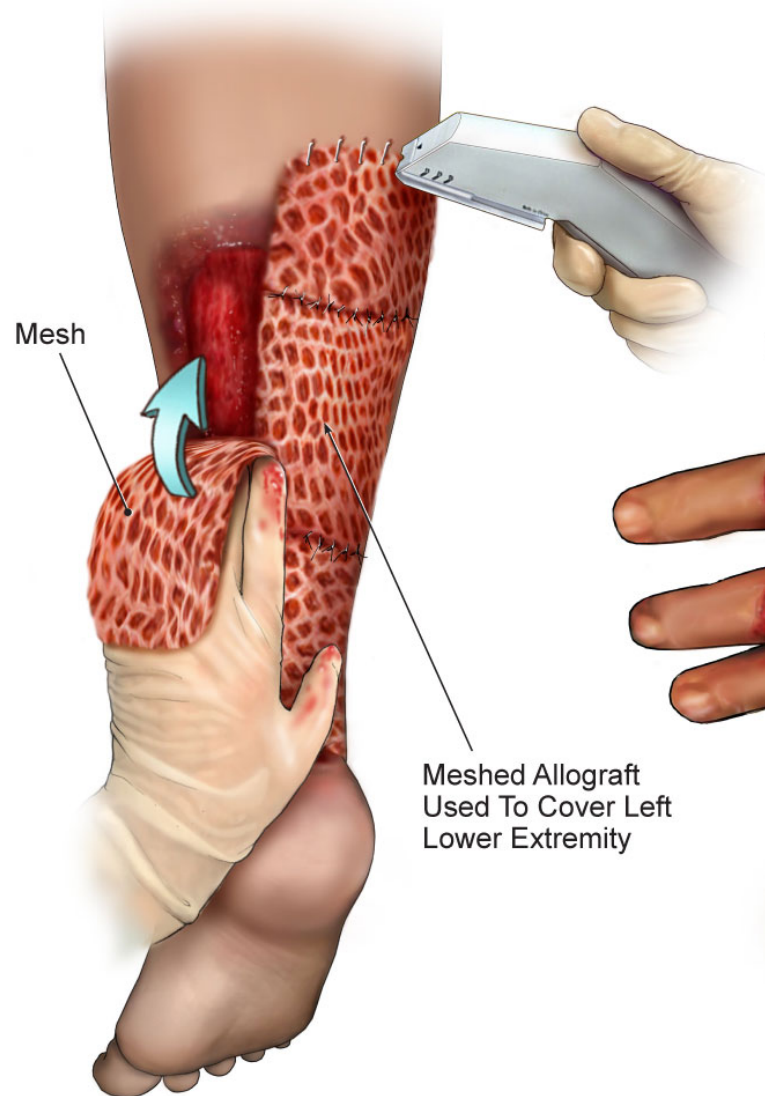


2 Harvesting



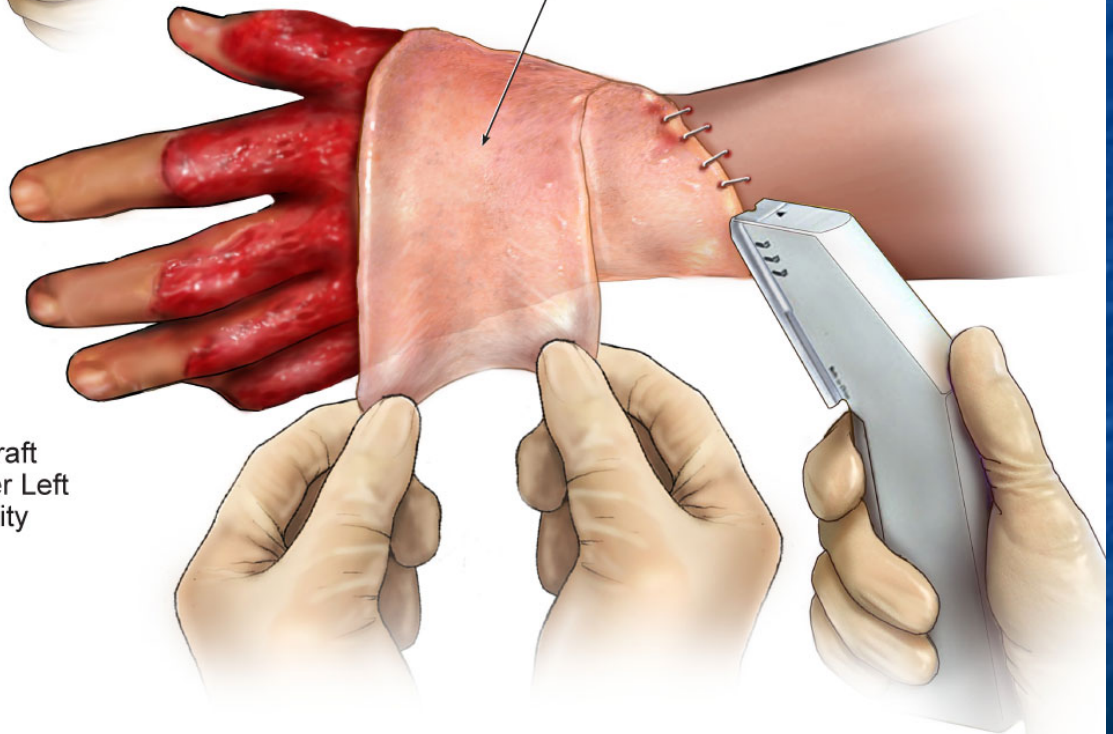
11/26/07 Debridement And Allograft Of Ankles And Hands

3 Grafting



4

Extremities Covered With Sheet Grafts And Stapled Into Place On Dorsal Aspects Of Both Hands



Other Invasive Procedures

Intravenous catheter inserted for the administration of fluids and medications.

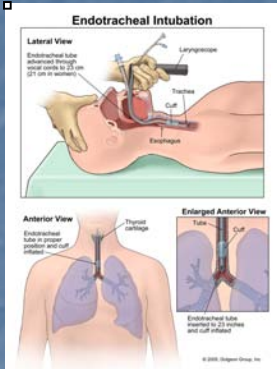
Multiple phlebotomies performed to obtain blood for diagnostic lab work.

Foley catheter inserted into bladder for urinary drainage.

Received blood transfusion.

Underwent daily wound care/dressing changes to upper and lower extremities.

Supportive Medical Devices Used During Initial Stabilization



Endotracheal Intubation



Ventilator



Pulse Oximeter



Non Re-Breather Mask



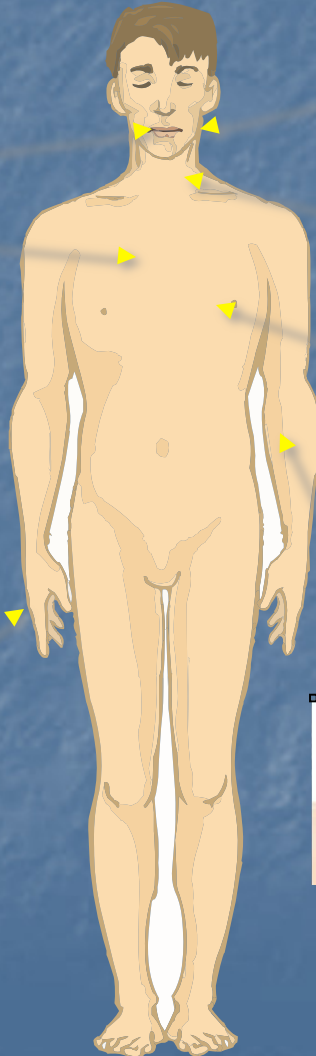
Cervical Collar



Cardiac Monitor



Intravenous catheter



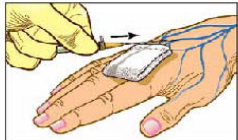
Assistive Devices/Orthopedic Equipment

Mask used to deliver high concentration of oxygen.



Non-rebreather Mask

Device placed into a vein through which fluids, medications, and/or blood products can be administered.



Intravenous Catheter

A rigid collar used to immobilize the cervical spine.



Aspen Collar

Monitor of heart function, providing visual and audible record of heartbeat.



Cardiac Monitor

Fabricated by occupational therapy due to increased tightness and swelling in the hands. Used to prevent contracture.



Hand Splints

Allows bed ridden patient to void without having to stand or walk to the bathroom.



Male Urinal

This catheter is external and uses self-adhesion for easy removal. This device is used with a leg bag to collect urine.



Condom Catheter

Assistive Devices/Orthopedic Equipment

Used to deliver relatively high concentrations of oxygen.



Face
Tent

Used to restrain confused and/or agitated patients to prevent self harm.



Wrist
Restraints

Device placed through the mouth into the trachea for maintenance of airway during surgery, and delivery of inhaled anesthesia.



Endotracheal
Tube

Provides artificial respiration and oxygen delivery to assist critically ill patients with breathing.



Ventilator

Oxygen delivery system in which oxygen is administered through small plastic prongs placed in the nostrils.



Nasal
Cannula

A nebulizer is a medical device that delivers liquid medication in the form of a mist to the airways.



Nebulizer

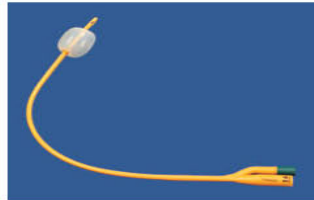
Assistive Devices/Orthopedic Equipment

Used to help decrease swelling in both upper and lower extremities.



Ace Wraps

A catheter is inserted into the bladder for urinary drainage. Also, used to obtain accurate output of the patient.



Foley Catheter

Provides ankle support to allow for independent ambulation and compression to decrease swelling, deformity, and contractures.



Splinsrite Boot

Used for the convenience of the patient and is usually placed at the bedside.



Bedside Commode

Used to assist in ambulation.



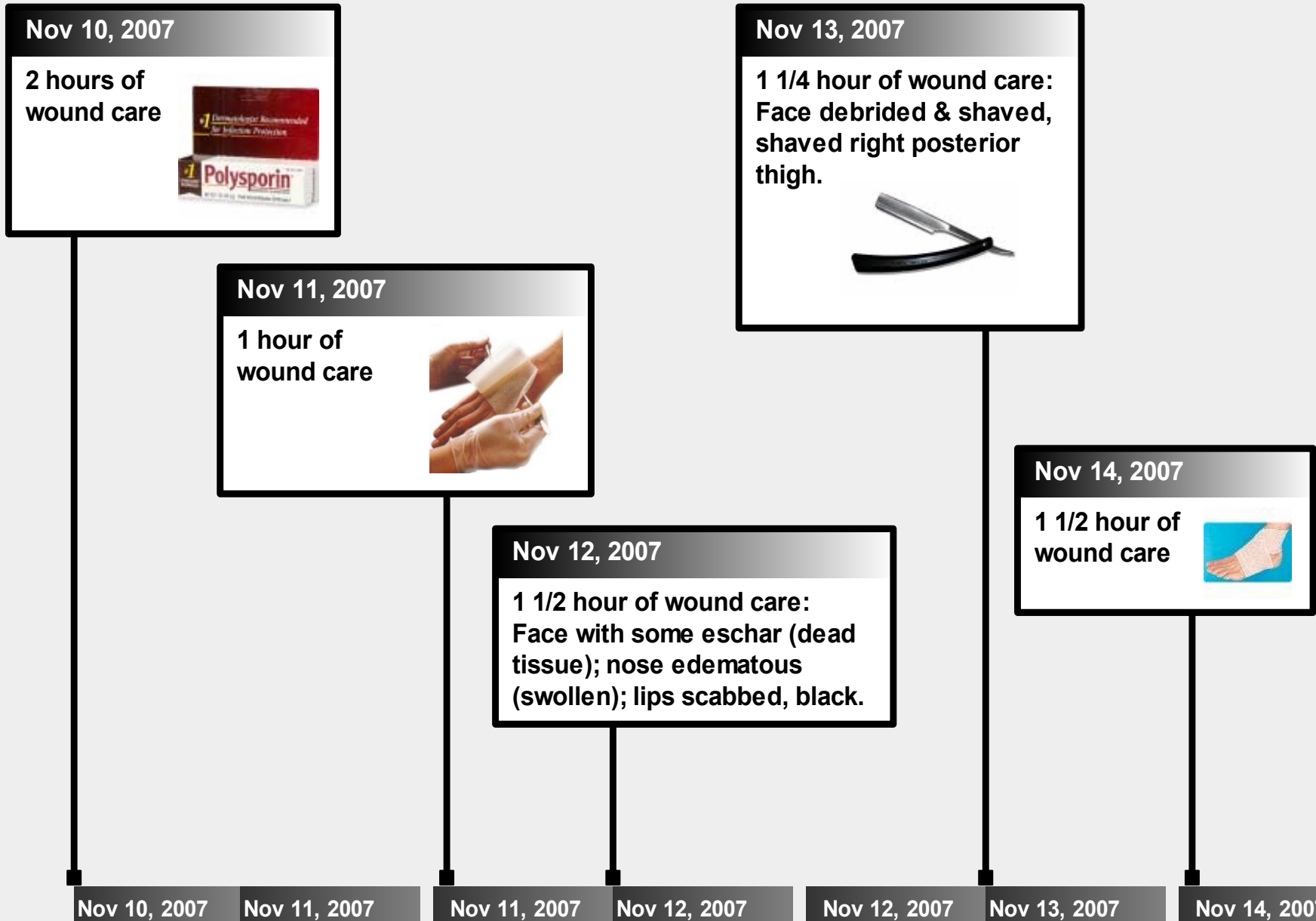
Walker

Helps minimize scarring and deformity in burn injuries by providing equal and constant pressure over healed skin.

Compression Garments



Mr. Smith endured 24 hours of Wound Care during his Hospitalization



Mr. Smith endured 24 hours of Wound Care during his Hospitalization

Nov 15, 2007

1 1/2 hour of wound care:
Left & Right legs have scattered
burns all over with numerous
spots of full-thickness burns.

Nov 16, 2007

Debridement & Skin Grafting
Surgery - 3 1/2 hours



Nov 17, 2007

1 1/4 hours of wound
care

Nov 20, 2007

1 hour wound care: burns to
bilateral upper calves with pink
bleeding

Nov 18, 2007

2 1/4 hours of wound care

Nov 19, 2007

1 1/2 hours of wound care

Nov 21, 2007

2 1/2 hours of wound
care: face, neck shaved;
all staples removed.



Nov 15, 2007

Nov 16, 2007

Nov 17, 2007

Nov 18, 2007

Nov 19, 2007

Nov 19, 2007

Nov 20, 2007

Nov 21, 2007

Mr. Smith endured 24 hours of Wound Care during his Hospitalization

Nov 22, 2007

1 hour of wound care: hematomas visible, small areas with yellow slough tissue debrided.

Nov 23, 2007

30 minutes of wound care: face - scattered scabs



Nov 24, 2007

30 minutes of wound care

Nov 25, 2007

45 minutes of wound care: hand splints not to be worn today per Dr. Garvey to allow patient to use fingers more.



Nov 26, 2007

30 minutes of wound care



Nov 26, 2007

Discharge Instructions for Wound Care:
Shower & Shave Daily;
Apply Elta to Healed Grafts;
Apply antibiotic ointment to gauze on raw area of legs, cover with dry gauze;
Wrap legs from toes to knees.

Nov 22, 2007

Nov 23, 2007

Nov 24, 2007

Nov 24, 2007

Nov 25, 2007

Nov 25, 2007

Nov 26, 2007

UVA Medical Center 11/10/07 – 11/26/07

K
E
Y



IV therapy



IV Insertion



Oxygen Therapy



Vaccination



X-Ray



Surgery



Subcutaneous Injection



Wound Care



Central / Arterial Line Insertion



Blood Culture



1 unit of Blood Product

November 2007

Sun

Mon









































































Tues

Wed

Thurs

Fri

Sat

						1	2	3
4		5	6	7	8		9	10
							  	
							   	
 	11	 	12	 	13	 	14	  
  		 		 		  	15	       
 	18	 	19	 	20	 	21	  
 		  		 		  	22	       
 	25	  	26		27		28	29
								30

Impediments to Living

Robert Smith



11 Days of Urinary Catheterization



**2 Days of Physical Restraining
with Wrist Straps and Bed Rails**

§8.01-419. Table of Life Expectancy

LIS > Code of Virginia > 8.01-419

Page 1 of 4

[prev](#) | [next](#)

§ 8.01-419. Table of life expectancy.

Whenever, in any case not otherwise specifically provided for, it is necessary to establish the expectancy of continued life of any person from any period of such person's life, whether he be living at the time or not, the following table shall be received in all courts and by all persons having power to determine litigation as evidence, with other evidence as to the health, constitution and habits of such person, of such expectancy represented by the figures in the following columns:

	BOTH				
AGE	SEXES	MALE	FEMALE		
0	77.4		LIS > Code of Virginia > 8.01-419		
1	77				
2	76				
3	75		58	23.8	21.9
4	74		59	23.9	21.2
5	73.1		60	22.2	20.4
6	72.1		61	21.4	19.6
7	71.1		62	20.6	18.9
8	70.1		63	19.8	18.2
9	69.1		64	19.1	17.5
10	68.1		65	18.4	16.8
11	67.1		66	17.6	16.1
12	66.1		67	16.9	15.4
13	65.1		68	16.2	14.7
14	64.2		69	15.5	14.1
15	63.2		70	14.8	13.4
16	62.2		71	14.2	12.8
17	61.2		72	13.5	12.2
18	60.3		73	12.9	11.6
19	59.3		74	12.3	11
20	58.4		75	11.7	10.5
21	57.4		76	11.1	9.9
22	56.5		77	10.5	9.4
23	55.5		78	10	8.9
24	54.6		79	9.4	8.4
			80	8.9	7.9
			81	8.4	7.5
			82	7.9	7
			83	7.5	6.6
			84	7	6.3
			85	6.6	5.9
			86	6.2	5.5
			87	5.8	5.2
			88	5.5	4.9
			89	5.1	4.6
			90	4.8	4.3
			91	4.5	4

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+8.01-419>

Page 3 of 4

Robert is 64 years old. He has 17.5 more years to live in pain every day

That's 5,657 days of pain

7/14/2010

Pain Equilibration

James O'Donnell PharmD

MS FCP ABCP CNS FACN

Diplomate-American Board of Clinical Pharmacology

July 19, 2010 Report

During the period of 11/10/07 though 12/28/07, Mr. Smith received sufficient strong opiate analgesic medication to relieve the pain of:

73 heart attacks



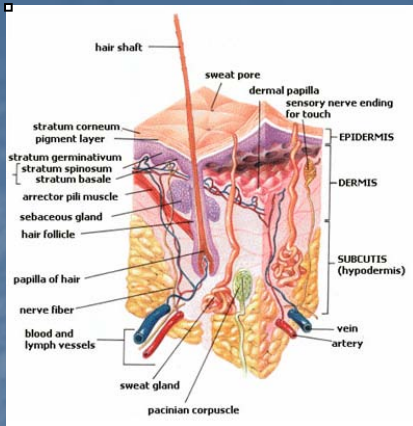
147 to 294 hours of severe obstetrical labor pain



The chronic medication used in the 30 months since the discharge from UVa (16,800 hydcodone equivalents) would be sufficient to relieve the pain of

2700 Dental Molar Extractions (DME)





Concentration of Nerve Cells

A person is most sensitive to stimuli, including **pain**, in areas where there are greater concentrations of receptor cells. **The hands, fingers, lips, and face contain some of the highest concentrations of receptor cells on the body.** These same locations mark some of the primary sites of burn surface area experienced by Mr. Smith.

Robert O. Smith's Hand Injuries



COMMONWEALTH OF VIRGINIA
PRE-HOSPITAL PATIENT CARE REPORT

Incident # 781167 Incident in CITY Rockingham COUNTY of Rockingham FIPS 511165 DATE 11/10/07
Agency # 1401 Unit # M-522 Agency Use # 0608320

LOCATION TYPE	TYPE OF SERVICE	INCIDENT DISPOSITION
1 Home/Residence	7 Public Building	X Scene
2 Farm	8 Residential Institution	2 Unscheduled Interfacility Transfer
3 Mine/Quarry	9 Educational Institution	3 Scheduled Interfacility Transfer
4 Industrial Place	10 Other Specified Location	4 Scheduled Interfacility Transfer
5 Premises	11 Unspecified Location	5 Scheduled Interfacility Transfer
6 Recreation Place	NA Not Applicable	6 No Treatment Required
7 Street/Highway	U Unknown	U Unknown

LOCATION # 1 ID # 1480 FR EMT ST EN CT I P RN MD OTH NA Scout Unit # 00000000
ATT 1 ID # 1480 FR EMT ST EN CT I P RN MD OTH NA Scout Unit # 00000000
ATT 2 ID # 1480 FR EMT ST EN CT I P RN MD OTH NA Scout Unit # 00000000
Operator K. Greer ID # 1965 FR EMT ST EN CT I P RN MD OTH NA Scout Unit # 00000000

Patient's Name Robert Smith SSN 9141463474 Patient's FIPS 511165 Patient's Physician None
Address 707 W. Main St AGE 62 Sex M Mon Other Personnel
City Rockingham State VA Zip 22861 Race White Fire None
Spouse None Parent/Guardian None Law Officer None
Patient's Phone Number None WT 170 HT 5'10" CNG None
Allergies None Race Code 1 PATIENT'S COMPLAINT Facial Burns
Med None Gender Code 1

TYPE OF CALL	PRE-EXISTING CONDITION
1 Patient/Industrial/Construction	1 Asthma
2 Patient/Industrial/Construction	2 Diabetes
3 Patient/Industrial/Construction	3 Tuberculosis
4 Fire	4 Emphysema
5 Injury Not Listed	5 Chronic Resp Failure
6 Medical Emergency	6 Heart Disease

HISTORY OF PRESENT ILLNESS/PHYSICAL EXAM/OTHER INFORMATION: Arrived on location of structure fire per command. Had a patient sitting on tail board of truck. Patient had facial burns to the face and hands and both ankles. Patient was placed on gurney and placed in unit where to Smith provided care in unit. Patient was breathing the mouth. Patient hair was singed and nose hair was singed. Patient was on 15L NRB when we arrived. Started 100% on L-AC. Patient vital signs at Rockingham County Hospital. Patient stated that he was not in pain. Just had a little burning. Placed patient in Rockingham County Hospital and transferred to Rockingham County Hospital. Transferred to Rockingham County Hospital.

Time	LOC	Pulse	Respirations	BP	Perfusion	Pupils	EKG	Defib Joints	Pulse Ox	Glucose	GCS Score
10:35	Alert Voice Pain Unresponsive	130	18 Normal Increased, not labored Increased/labored OR Decreased/tachycardic Absent	170/100 Normal Palpated Not Obtained Unobtainable	Normal Decreased Not Obtained Unobtainable	PERL R > L L > R DIL CON UNREACT			98% 15L		EYE 4 VERBAL 5 MOTOR 6 TOTAL 15
11:01	Alert Voice Pain Unresponsive	100	18 Normal Increased, not labored Increased/labored OR Decreased/tachycardic Absent	170/100 Normal Palpated Not Obtained Unobtainable	Normal Decreased Not Obtained Unobtainable	PERL R > L L > R DIL CON UNREACT			100% 15L		EYE 4 VERBAL 5 MOTOR 6 TOTAL 15
11:05	Alert Voice Pain Unresponsive	102	18 Normal Increased, not labored Increased/labored OR Decreased/tachycardic Absent	150/100 Normal Palpated Not Obtained Unobtainable	Normal Decreased Not Obtained Unobtainable	PERL R > L L > R DIL CON UNREACT			100% 15L		EYE 4 VERBAL 5 MOTOR 6 TOTAL 15
	Alert Voice Pain Unresponsive										EYE VERBAL MOTOR

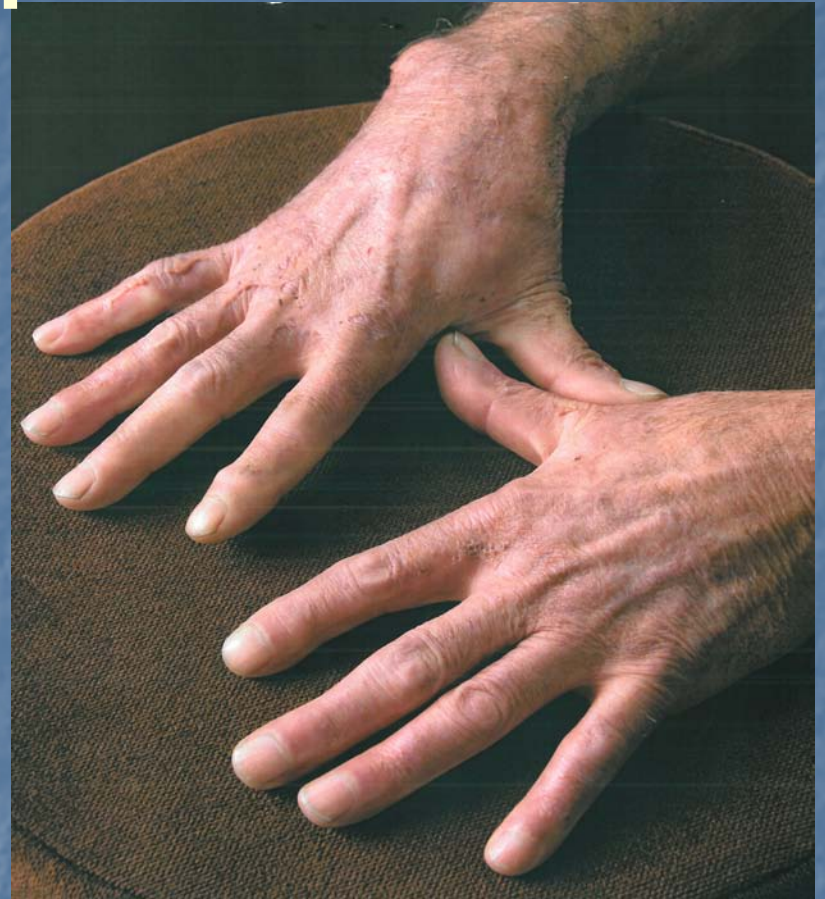
"Patient has facial burns and burns to right hand and both ankles. . . Facial hair was singed and nose hair was singed."

Rockingham County Fire & Rescue 11/10/07



**Number of nerve endings in hand
= 1,300 per square inch.**

**Density of receptors on fingertips
= 2,500 per square centimeter.**



Pain and Immobility

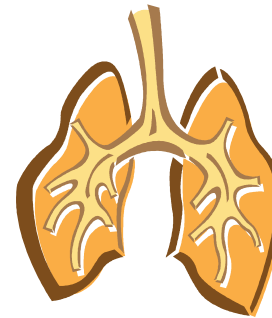


“Complaining of intense right thigh donor site pain on standing and able to stand for only about 30 seconds before needing to sit back down. The second time patient stood, he was able to take 3-4 shuffling steps sideways...Due to hand grafts, patient not able to grip walker, and not yet able to ambulate secondary to quickly fatiguing and complaint of right thigh pain.”

UVA Department of Physical Therapy
November 22nd, 2007

Complications of Injuries & Treatment

Respiratory Insufficiency
Pulmonary Edema
November 16th, 2007



Not oxygenating well
Nasal trumpet inserted into nostril
Re-admitted to ICU for mental status
changes



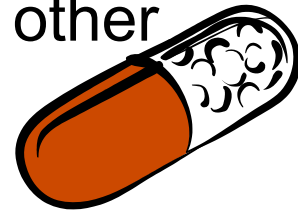
Complications of Injuries & Treatment

Mental Status Changes



Possible Overnarcosis

nar·co·sis: A condition of deep stupor or unconsciousness produced by a drug or other chemical substance.



[illegible]

“Patient found crawling on floor yesterday...Patient has been agitated overnight.”

“Disoriented, patient writhing on bed.”

UVA Medical Center
Surgery Progress Note
November 15th, 2007