

NEWS

CT native died after Sharon Hospital failed to diagnose sepsis and sent him home, lawsuit claims

By **Peter Yankowski**, *Staff Writer*

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An entrance to Sharon Hospital in a file photo.

Liese Klein

The family of a New York man who died in 2021 is suing Sharon Hospital, claiming the attending doctor failed to properly diagnose the man with sepsis.

Instead, the doctor diagnosed Michael Joseph Yale with a gastrointestinal viral infection, a stomach bug, shoulder sprain and chest pain, then discharged him two-and-a-half hours later, according to the lawsuit's complaint.

Yale collapsed at home the following morning and became "unresponsive," the complaint claims. He was taken back to Sharon Hospital's emergency department by ambulance after his family called 911, according to the family's suit. He arrived at the hospital in cardiac arrest and was pronounced dead about an hour later, the complaint said.

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He was 70 years old.

An obituary said Yale owned and operated Yale Farm in Wassaic, a tiny hamlet about 15 minutes west of Sharon in New York's rural Dutchess County. He was born

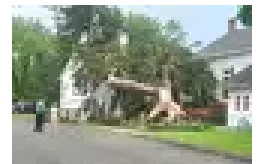
in Meriden on Feb. 20, 1951, to Ralph and Rita F. (nee Daly) Yale. He attended Lyman Hall High School in Wallingford before later graduating from Webutuck High School in Dutchess County with the class of 1969.

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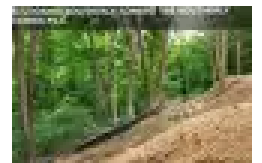
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He also attended Cornell University, the obituary said.

In 2017, Yale married Patricia Galluzzo, the obituary said.

The lawsuit, filed in Connecticut Superior Court by Russell J. Berkowitz of Berkowitz and Hanna LLC, was brought by Yale's son, Trevor Yale, as the administrator of his father's estate.

It accuses Yale's doctor, Mandeep S. Oberoi, Sharon Hospital and other entities of failing "to exercise reasonable care," resulting in Yale's "fatal injuries."

The complaint claims the defendants failed to "timely diagnose the plaintiff decedent's sepsis" and treat it, failed to admit him to the hospital as an in-patient in a timely manner, failed to administer "broad-spectrum IV antibiotics" during his admission, and ignored Yale's "abnormal vital signs," among other accusations.

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The case is scheduled to go to trial in October of next year, with a remote pretrial conference set for December. In court filings, lawyers for Oberoi and Vassar Health Connecticut Inc., Sharon hospital's parent company under Nuvance Health, admitted the basic facts of Yale's admission to the hospital but denied allegations of negligence.

Lawyers for Yale, Sharon Hospital and Oberoi did not return messages seeking comment.

Andrea Rynn, a Nuvance spokesperson, said the organization doesn't comment on pending litigation.

The complaint said Yale first was brought to Sharon Hospital's emergency department around 11 p.m. on July 31, 2021. He complained of "feeling ill for the past three days," including vomiting twice in the morning and intermittent nausea, the court filing stated. Yale also reported being not able to drink, feeling warm and chills, as well as pain in his right shoulder and right chest wall, the complaint said.

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"During said visit, the plaintiff decedent's labs and vital signs revealed a significantly elevated white blood cell count, elevated heart rate, elevated respiratory rate, elevated creatinine, elevated liver enzymes, elevated anion gap levels indicative of acidosis, and decreasing O2 levels," the complaint said.

Staff gave him one dose of antibiotics, fluids and pain medication through an intravenous line.

"In addition, an x-ray of the plaintiff decedent's chest revealed subsegmental atelectasis of the right lung base, and a CT scan without contrast of the abdomen and pelvis revealed pulmonary vascular congestion," the complaint said.

The findings triggered a hospital alert around 12:15 a.m. for a "patient meeting 3 criteria for possible Systemic Inflammatory Response Syndrome," the complaint said. The syndrome occurs when the body's defenses go into overdrive to attack a source of stress, such as an infection. Despite trying to protect the body, the result can be fatal.

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The complaint said that Yale showed "signs and symptoms of sepsis."

But Oberoi "diagnosed the plaintiff decedent with viral gastroenteritis, right shoulder sprain and right sided chest wall pain," and discharged him from the

hospital around 2:36 a.m., the complaint said.

"The following morning, the plaintiff decedent collapsed at home and became unresponsive," the court filing stated. Yale's family called 911, and arriving medics found him asystolic, the complaint said — meaning his heart's electrical signal had flat-lined.

Medics performed CPR while Yale was taken back to Sharon Hospital's emergency department, the complaint said.

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He arrived around 9:45 a.m. unresponsive and in cardiac arrest with "pupils fixed, dilated, no spontaneous breathing and pulseless," the complaint said.

"Unfortunately, despite further attempted resuscitation efforts at the defendant, Sharon Hospital, said plaintiff decedent was pronounced dead at approximately 10:50 a.m.," the complaint said.

A physician cited by the plaintiffs noted that the defendants failed to monitor Yale prior to discharge "despite his abnormal vital signs that remained present on discharge."

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They also "improperly" allowed "the plaintiff decedent's sepsis to progress from sepsis to septic shock to cardiac arrest and ultimately to death" and improperly diagnosed "the plaintiff decedent with viral gastroenteritis," the physician said.

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Peter Yankowski is a breaking news reporter for Hearst Connecticut Media Group. He was previously a reporter for the Danbury News-Times and the Ridgefield Press.

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