



Morgan Chaffin was 63 years old when he died at the hospital in 2001. He had come to the hospital three days earlier with pain and swelling in his left calf. The doctors in the ER did an ultrasound and discovered that he had a large blood clot in a vein in his left leg, known as DVT or deep vein thrombosis. Unfortunately, over the next three days, he was not given enough blood thinning medication (Heparin) to prevent further clot from forming. Several mistakes were made, including failure to adjust the Heparin dosage in response to lab values that showed that his blood was not thin enough. Finally, a large clot broke away and traveled into his heart and then into his coronary arteries toward his lungs, blocking them and preventing blood from reaching the lungs (known as a pulmonary embolus). He died minutes later. Afterwards, a pathologist called the family and said that there had been a break in the Heparin Protocol and that an autopsy would be required. When asked what that meant, he said, "Hasn't Risk Management called you yet? [No.] Well I guess I'm the one who spilled the beans."

Morgan Chaffin was survived by his three adult children, Kathy, Keith and Bryan Chaffin. Kathy and Bryan still live on the family farm and Keith is a veterinarian in Texas. At 6 foot 6 and 275 pounds, Morgan was a big, strong man. Friends described him

as a gentle giant. He was a great role model. He taught others to work hard, do the right thing, and things will work out. He taught his family the importance of fairness. He realized that being a father was the noblest profession. He had a garden and gave it all away to family and friends. He had several cats that loved being around him. The birds appreciated his many bird feeders, which were always full. Another friend said that “the ground at Morgan’s house was level – he treated all people the same.” “When you went in his home, you were part of the family. I always left with more than I brought.” Morgan was a pillar of the community. There were over 700 people at his funeral and each had their own story about how Morgan had helped them. One friend said that the world seems less safe without Morgan and that learning about his death was like finding out that there is no Santa Claus.



Because \$150,000 was the most that the defendants would offer to settle, the case was tried to a jury in May, 2003. The 12-person jury returned a unanimous verdict finding that Morgan

Chaffin's death was caused by the medical negligence of the medical center's employees and that the damages for wrongful death were \$875,000. The judge entered judgment in that amount.

Legislation proposed in the General Assembly would put a limit or cap on the amount that Morgan's children could recover in court for losing their father. Caps are unfair. They penalize the people who have been hurt the most. The government should not be taking away the rights of patients who have been hurt or killed by preventable medical errors – like Morgan was. Instead, shouldn't the focus be on patient safety and better care?

We trust regular people to vote for our representatives in government and we trust them to go to war and give their lives if necessary. We trust them to decide who will get the death penalty. Why can't we trust them to decide how much someone has been hurt? If the person who has been hurt cannot prove in court that the doctor or hospital was at fault, then there is no recovery. If they can prove that in court, then why shouldn't the same jury that decided that also decide how much they have been hurt? The best people to determine how much someone has been hurt are the jurors who have listened to all of the evidence and all of the witnesses. Every case is different. This is not the place for one-size-fits-all justice. Why blame the patients? Why make them bear the burden for the mistakes of others?