



TKK LAW OBTAINS \$3.25 MILLION SETTLEMENT IN MALPRACTICE CASE

Chicago, IL. September 13, 2016. Tim Tomasik and Dan Kotin, founding partners at Tomasik Kotin Kasserman, obtained a \$3.25 million settlement on behalf of a family after their 23-year-old daughter committed suicide. The tragic event occurred after an alleged negligent failure to order appropriate safety precautions and observation for the young woman at a Chicagoland Behavioral Health Hospital. An order was entered by Judge John P. Callahan dismissing the case as a result of \$3.25 million settlement to be paid out among the defendants. The court is retaining jurisdiction to effectuate settlement.

This tragic case involved Caitlin Duffy, a recent college graduate with a history of bipolar disorder, suicidal ideation, and attempts at self-harm with a knife, who was admitted for treatment and protection on January 21, 2013 to a Chicagoland behavioral health hospital, after voicing concerning threats of self harm.

During the initial intake at admission, the chart reflected a detailed history of her prior diagnosis of bipolar disorder, attempts at self-harm, suicidal ideation, and reported the fact that she had a cousin who had hanged herself within the past year. “These are all well-known risk factors for suicide – a classic presentation,” Tomasik stated.

After this initial interview with detailed history, a Suicide Assessment was performed by hospital staff members and the attending psychiatrist, Jayarama K. Naidu, M.D.

The evidence demonstrated that, after intake, her history of self-harm was not charted and considered at the time of the critical Suicide Assessment to determine what the proper safety precaution should have been. The attending psychiatrist’s Initial Psychiatric Evaluation reflected that he failed to identify and consider her prior bipolar diagnosis, attempts at self-harm, suicidal ideation and family history of suicide by hanging.

“We demonstrated that the psychiatrist and admitting nurse didn’t even consider the serious prior diagnosis and detailed history that staff took at the door,” Tomasik emphasized.

It was alleged that the failures by staff and the defendant psychiatrist resulted in the decedent being improperly placed on 15 minute checks as a safety precaution, rather than in constant view, as required by the standard of care. According to Tomasik, this young, troubled woman was a “high risk,” not a “moderate risk,” as the staff and psychiatrist improperly determined after failing to adequately review the initial intake and history.

On January 24, 2013, Caitlin Duffy hanged herself on the handle of a bathroom door in the hospital between the 15-minute checks on the bathroom’s antiquated door handles.

“The tragic loss of this wonderful life should never have happened. This preventable suicide is further compounded by the hospital’s failure to install anti-ligature components in the bathroom, as demonstrated by our experts,” Tomasik said following the settlement.

“The settlement reflects that Caity’s family suffered an enormous personal loss. We are pleased that justice prevailed and that this matter settled shortly before trial,” Kotin added.

Caity Duffy is survived by her parents, Mike and Susan Duffy and five siblings, Erin, Meghan, Ryan, Michael and Sean.

Duffy v. Naidu, MD, et al.

For any inquiries, please contact Tim Tomasik at (312) 605-8800 or (312) 519-4546