

\$900,000 Settlement During Trial for Hospital Negligence

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Goodman v. Community Medical Center: A Tom's River hospital has agreed to pay \$900,000 to the estate of a man whose skull was fractured by his hospital roommate the day he was to be released following hip replacement surgery.

The settlement was reached Dec. 7 midway through a jury trial before Ocean County Superior Court Judge Edward Oles.

According to plaintiff's lawyer, an attorney with Eichen Crutchlow Zaslow, LLP, Bill Goodman was scheduled to be released from Community Medical Center on Sept. 5, 1995. But an emergency room patient admitted on that date, Wallace Miller, was placed in Goodman's room, where he attacked Goodman at about 4:30 a.m. Miller, in a delusional state, picked up a traction bar and crushed Goodman's skull, causing brain damage and his death in April 1997 at age 72, say his attorney.

The hospital and the doctor in charge of the emergency room, Medhat El-Kharbouty, were named defendants. His attorney says Miller's psychiatric condition was improperly treated and he was placed in Goodman's room without medical detoxification or increased security.

The defense argued that the attack wasn't foreseeable, according to his attorney. Princeton Insurance Co. was the carrier for all of the defendant. Richard Grossman, partner with Brick, Grossman, Krutchnitt, Heavey & Jacob who represented the hospital, was out of the office and unavailable for comment Thursday. Martin McGreevy, a partner with Carton, Witt, Arvanitis & Bariscillo in Asbury Park who represented El-Kharbouty, did not return a telephone message left seeking comment. Joseph DiCroce, a partner with Fitzgerald, DiCroce, Maggs & McDermott in Brielle who represented Psychiatric Emergency Screening Services, did not return a telephone message left seeking comment.

By Padriac Cassidy

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