

SUIT

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Children's Mercy Hospital, where she was pronounced dead shortly after 2 p.m. May 19 in the pediatric intensive-care unit.

Almost immediately, Mrs. Cross began raising questions about the quality of treatment her daughter had received following her surgery at St. Mary's.

Several weeks after the death, the mother said: "What happened to Katie was the ultimate rip. She died at the hands of a lot of stupid people. Everybody who touched her after the surgery screwed up."

The parents at first attempted to negotiate with St. Mary's in hopes of avoiding legal action.

Mrs. Cross said the family had life insurance on Katherine and was not interested in monetary damages. The Crosses only wanted the hospital to make internal changes to improve its patient care.

Although Cross did not criticize the surgeon who removed her daughter's tonsils, she frequently referred to the possibility of having other hospital employees fired over Katherine's death.

"If we don't and it ever happens again," she said, "it'll be just like it's happening for the first time all over

again."

Randall Cross, a doctor, said in mid-June that he and his wife were having difficulty negotiating with St. Mary's and would be consulting a lawyer.

Both parents expressed a desire to avoid publicity about their dispute with the hospital.

Apparently unable to reach an agreement with St. Mary's, the Crosses filed a civil action against the hospital Aug. 29 in Jackson County Circuit Court.

Circuit Judge Alvin C. Randall approved a resolution of the suit on Sept. 9 and took the unusual step of ordering the case file sealed from the public.

A clerk at the county courthouse in Kansas City said Wednesday a computerized summary of the case says the suit was resolved by "judgment without trial."

St. Mary's President Gary Wages declined to comment on whether the settlement called for the hospital to pay damages or to make any personnel changes.

An attorney at the law firm that represented the Crosses said the judge also imposed a gag order on everyone involved.

The Crosses, who recently moved to Belton, were represented in the

suit by the Kansas City law firm of William H. Pickett and Associates.

Following Katherine's death at Children's Mercy Hospital, a staff pathologist there performed an autopsy — the results of which are considered private medical records.

The child's attending physician at Children's Mercy had been Dr. Barbara Morris, director of the pediatric intensive-care unit.

Interviewed shortly after the death, Morris said, "I think you'd have to put it into the context of the complications possible in any surgery — or the risks of any surgery."

According to the Missouri Department of Health, statistics reflect that just two people in Missouri within the past three years are known to have died from tonsillitis.

Katherine's teacher at Greenwood Elementary School said her first grade student exhibited no sign of any health problems at school.

Teacher Karen Warford also said she delicately explained Katherine's death to her other students.

"We didn't want the first-graders to think that people ordinarily die having their tonsils out," Warford said, "because so many of the children have to have it done."