

By Chauncey Ross Gazette Staff Writer JANUARY 23, 2001

An Indiana obstetrician admitted Monday in Indiana County Court that he failed to provide a standard level of care to an expectant mother and that he is responsible for the brain injury the baby suffered.

In his medical malpractice trial, Dr. Sharad Ghate conceded liability when he was called to testify by the lawyer representing the patient's family.

Tabatha Chichy of Glen Campbell is suing Ghate and Indiana Hospital for her child's lifetime medical costs and lost earnings.

Her husband Michael, and daughter, April Nicole, are also plaintiffs in the suit.

Nicole was born nearly two months premature with cerebral palsy in 1995.

Ghate asked to testify as the trial entered a second week, said his defense attorney Walter Wall.

"The doctor is a very competent and experienced obstetrician in this area," Wall told the Gazette," but with the way this case was going, he instructed me to let him testify."

What the jury will need to decide, according to Wall, is whether the hospital should share the liability with Ghate and what amount of damages should be awarded to the Chichys.

Last week, jurors heard three and a half days of testimony from witnesses called by the Chichys' attorney, <u>Tom Kline</u> of Kline and Specter in Philadelphia.

In the suit, the Chichys claim that Ghate should admitted Tabatha to a hospital for treatment of severe pre-eclampsia in the final two weeks before Nicole was born.

They also claim that lab technicians and nurses at the hospital were slow to respond to test results showing high levels of protein in Tabatha's urine.

Wall of the Meyer Darragh Buckler Bebenek & Eck law offices in Altoona, will present no defense testimony on behalf of Ghate.

The attorney representing the hospital and its parent company, Indiana Healthcare Corp., is calling witnesses to testify that Nicole developed brain damage over the course of Tabatha's pregnancy and not in the days before her birth.

John McIntyre of the Hollidaysburg law firm Pfaff McIntyre Dugas & Hartye said in his opening remarks that the hospital and its workers met the standard of care.

The trial is scheduled to continue the rest of the week before Judge Gregory Olson.