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## **In Tula Region, former doctor of maternity hospital guilty of negligence that led to grievous bodily harm to newborn during phototherapy gets sentence**



A court has recognized the evidence gathered by the Tula Region Office of the Investigative Committee sufficient to convict 70-year-old Galina Sundeyeva, former doctor of Maternity hospital No 1 in the town of Tula. She was found guilty of a crime under Part 2 of Article 293 of the RF Penal Code (negligence which led to infliction of grievous bodily harm).

The court and investigation have found that on the evening of 19 November 2014, two newborn babies – a boy born three days ago and a girl born two days ago – were undergoing phototherapy in Maternity hospital No 1 in the town of Tula. During the therapy a phototherapy lamp was placed above the babies' cots.

At 6:32 PM, the control panel of OOO Tekhnopult got a signal that a fire alarm went off in the

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Maternity hospital. The operator called the hospital and informed them about that. The employee of the hospital who received the call saw that a special device showed the number of the ward where the alarm had gone off and reported it to the doctor on duty.

According to fire safety documents if a fire alarm goes off the doctor on duty must personally check the place of the fire, call firemen immediately, inform the head of the facility and arrange for the shift on duty to put out the fire. However, Sundeyeva, having an opportunity to find the ward where the fire alarm had gone off, treated her duty negligently and failed to arrange for the doctors to put out the fire before the chief doctor arrived, she did not find or check the place where the fire was burning and did not call firemen.

Instead, Sundeyeva sent a nurse to find and check the ward where the fire alarm had gone off, and told the operator of OOO Tekhnopult that there was no fire and asked another nurse to reset the fire alarm, which she did.

As a result of the violations committed by Sundeyeva, on 19 November 2014, a fire that had happened in one of the wards in the Maternity hospital caused by the burning of a cloth hanging over a phototherapy lamp, was not found or extinguished in time. The fire spread to nappies and mattresses in the cots with newborn babies in them. The boy got third-degree burns to 75% of his skin area and a burn to his upper airways, which constitutes grievous bodily harm, while the girl suffered second and third-degree burns to 7% of her body area, which is medium range bodily harm.

The case of the newborns maimed in the Maternity hospital in Tula because of negligence of the staff, other emergency situations in medical facilities reflect regular problems in the healthcare services that happened among other reasons because of improper attitude of the staff to their professional duties, which in some cases lead to criminal investigations and prosecution.

In this particular case the investigators have done everything to ensure quick and efficient investigation, as the evidence presented by the investigators – statements of more than 80 witnesses, an expert, conclusions of 6 forensic examinations, including 2 forensic medical ones, other documents (medical, technical documents, job descriptions and hospital documents) were considered by the court as imputable, admissible and sufficient for a conviction.

The court has sentenced Sundeyeva to 3 years in prison and banned her from taking certain positions for 3 years. She has been released under an amnesty.

Earlier, another one employee of the Maternity house charged with a crime under Part 2 of Article 118 of the RF Penal Code (infliction of grievous bodily harm owing to improper fulfillment of duty) was also released under the amnesty.

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