



## **CALSTAR Legal Suit - GENERAL PRESS RELEASE**

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### **CALSTAR Flight Nurses Cleared of All Charges in 2008 Yolo County Incident**

SACRAMENTO, Calif – Following a 15-day hearing with testimony from at least 20 witnesses, the California Board of Registered Nurses has dismissed all disciplinary charges against two CALSTAR (California Shock Trauma Air Rescue) flight nurses from an incident occurring in February 2008. The two trauma nurses were accused of causing the death of a bus driver when they provided emergency care after he was ejected from his vehicle.

Registered and certified flight nurses Thomas Zoltanski and Bradley Sidwell faced the potential to lose their licenses in the Board action, in which they were accused of negligence and incompetence in performing a surgical procedure to establish an airway for the patient after other standard procedures to create an air passage were not effective.

The Board's decision in favor of the two experienced nurses followed a detailed and thorough review of the evidence in a 37-page written recommendation by a judge in an administrative hearing. After an emotional legal process lasting more than a year and a half, the nurses received the Board's decision with a letter wishing them well and "continued success in your chosen profession."

According to the decision, the ordeal began when the driver, while driving a Yolo County Regional Transit bus, told passengers that his head hurt and asked for Tylenol. Shortly thereafter, he lost control of his bus, struck obstacles and was ejected from the vehicle through the front windshield. Emergency health care responders called for medical air transport. When the CALSTAR flight nurses arrived, they were concerned about indications that the patient was losing his airway. After repeated attempts to establish an airway failed, the nurses performed a surgical procedure, a cricothyrotomy, in an attempt to create a way for the patient to breathe. This procedure was also unsuccessful, and the patient was taken by ambulance to the closest medical facility where attempts by emergency staff also failed. The patient was pronounced dead shortly after his arrival.

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The Yolo County Medical Examiner's autopsy report concluded that the surgical procedure, the cricothyrotomy, had caused the patient's death due to collateral damage observed during the autopsy. Despite testimony by the autopsy pathologist at the hearing, the Board found that the conclusion in the autopsy report was not supported, as there was convincing evidence that the collateral damage occurred when the driver was thrown from the bus. While initial news reports had accused the nurses of "slashing the patient's neck," the undisputed evidence was that the incision on the patient's neck was in the right place and the correct length for the procedure. The Board's decision also pointed out that there was no relationship between the surgical incision and the other identified collateral damage.

The Board also found that the nurses' decision to do the cricothyrotomy procedure was appropriate.

"This decision is a long-awaited victory for our nurses, and supports facts that we have maintained since the event occurred," said Lynn Malmstrom, president and chief executive officer of CALSTAR. "This has been a trying event for both these excellent nurses. We are thrilled Thomas Zoltanski, who has more than 19 years of experience, and Bradley Sidwell, who has more than ten years experience, are able to clear their names through this outcome."

"Our organization prides itself on its high levels of training and continuing education, and our outstanding safety record," added Malmstrom. "The effort and judgment we see every day from our crews underscores their professionalism. This legal decision is a confirmation of the performance we strive for every day with every patient transport."

CALSTAR is the largest nonprofit air ambulance service on the West Coast, caring for nearly 3,000 patients each year. It currently serves California and Northern Nevada residents from 10 bases, manned 24/7 to respond to medical emergencies.

With a 25-year injury-free record, CALSTAR's industry-leading commitment to safe air medical transportation includes the use of twin-engine aircraft and dual flight nurses to provide the best and safest air medical transport service possible.

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