

Report on Patient Privacy Volume 21, Number 11. November 11, 2021 Suit: Alabama Hospital's 'Crippling' Ransomware Attack Led to Newborn's Brain Damage, Death

By Jane Anderson

A baby suffered severe brain damage that ultimately killed her because the hospital where she was born couldn't provide proper care and monitoring during labor due to an active ransomware attack, a lawsuit filed by the child's mother alleges.^[1] The suit, filed in 2020 but first reported by *The Wall Street Journal* in September, is believed to be the first claiming that a ransomware incident resulted in a patient's death.

Teiranni Kidd, mother of Nicko Silar, sued Springhill Medical Center in Mobile, Alabama, along with the obstetrician who delivered Silar and other care providers at the hospital, saying Kidd wasn't warned that the hospital was operating in a diminished capacity due to the July 2019 ransomware incident. Silar was born vaginally with the umbilical cord around her neck, and "at no time was a Caesarian section ordered or performed," the lawsuit said.

The hospital denies wrongdoing. In an emailed statement to *The Wall Street Journal*,^[2] Springhill CEO Jeffery M. St. Clair said the hospital handled the attack appropriately: "We stayed open and our dedicated healthcare workers continued to care for our patients because the patients needed us and we, along with the independent treating physicians who exercised their privileges at the hospital, concluded it was safe to do so."

Silar, who was born on July 17, 2019, was diagnosed after her birth with hypoxic ischemic encephalopathy and other conditions that resulted from her birth, the lawsuit said, adding that the baby "was profoundly brain-injured, required frequent oxygen supplementation, fed through a gastro-intestinal tube, and needed medication administration around the clock." Silar died in April 2020, the lawsuit said.

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