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Lawsuit accuses Sunrise Hospital doctors, nurses of causing catastrophic brain damage to baby



Photo by: Brandon and Lauren Nickles

Lawsuit alleges baby Jayden has permanent, catastrophic brain damage due to neglect by Sunrise Hospital doctors, nurses

By: Darcy Spears

LAS VEGAS (KTNV) — You wouldn't know by watching Brandon Nickles feed his son, Jayden, that the little boy was actually eating.

Brandon can't hand Jayden Cheerios as he does with daughter, Jana.

14-month-old Jayden is fed through a tube because his brain can't grasp the concept of eating.

The baby sleeps through the process as dad gently rocks him to the quiet whoosh of the machine.

Jayden can't take a bath, play with his twin sister, crawl or even swallow. He can barely hold up his own head.

After years of trying to get pregnant, in-vitro fertilization finally gave Lauren and Brandon the family of their dreams.

But the twins came a bit too soon. Jayden and Jana were born on March 27, 2019, at 32.5 weeks.

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Jana turned out to be fine. As for Jayden, "We knew that he had a heart defect early on, at 12 weeks," says mom, Lauren.

The defect would require three surgeries after birth. After the last one on May 10, Jayden was recovering with help from a breathing tube.

"Within five days, they wanted to take the breathing tube out," Brandon says.

According to the family's lawsuit filed in April against Jayden's doctors, nurses, and Sunrise Hospital, there were problems almost immediately.

The suit alleges that on May 15, just an hour after Jayden's breathing tube was taken out, lab results showed a critical chemical imbalance in his blood, making it too acidic.

Five lab results from throughout that day showed the same critical lab values, which the suit says required immediate attention and re-intubation as Jayden's body wasn't getting enough oxygen.

"About four or five hours had gone by and I didn't get another phone call saying that they re-intubated," Lauren says, so she called Brandon, who left work and raced to the hospital.

"I walked in and I knew within seconds. Something is wrong! He is sweating, he is gasping... and I'm looking at him and he just takes that big breath and that's it," Brandon recalls.

After hours of oxygen deprivation, baby Jayden stopped breathing.

Code blue.

The lawsuit says nurses reported the critical lab values but didn't act because they couldn't reach Dr. James Andrus and Dr. Parvin Dorostkar.

"I don't know what excuse on earth you could possibly have for that," said the family's attorney, Matthew Hoffmann. "Call anybody! Literally call anybody. They are a children's hospital. They have a pediatric ER downstairs."

Attorney Matthew Hoffmann says after Jayden went into cardiac arrest, the medical staff finally did something.

"You shouldn't need somebody to literally die before all of a sudden, they get the intervention that they needed all along."

The lawsuit says doctors cracked open Jayden's tiny rib cage to do finger compressions on his failing heart.

"And the doctor comes out to me and tells me 'I'm so sorry. It's been 90 minutes that he's been pulse-less. There's nothing more we can do. The nurses are going to get him cleaned up so you can hold him one last time.' " Lauren remembers, through tears.

Then, she had to call her husband to tell him the unthinkable.

"And I say, 'He's gone. He's gone.'"

Brandon remembers, "I was downstairs for maybe 10-15 minutes thinking my child had passed away because I couldn't get the energy... my legs wouldn't carry me up to an elevator. I couldn't do it."

Then the emotional rollercoaster took another sharp turn.

"The doctor comes back out to me and says that he lifted his arm up when they were taking his leads off. He lifted up his arm and they felt and all of a sudden, he had a pulse," Lauren said.

For Brandon, "It was the lowest point of my life and then it was the highest point of my life because he was back."

And he never will be.

Medical experts who submitted opinions in the lawsuit say given Jayden's history of being born with a defective heart and all the surgeries, the critical lab values were especially concerning because they indicated that the heart wasn't pumping enough blood to the rest of his body.

The experts, who examined Jayden's medical records for the lawsuit, go on to say that when doctors failed to appropriately respond, nursing staff failed to advocate for their patient.

They call that not only negligent but "a conscious disregard" for Jayden's health and safety, which allegedly resulted in catastrophic brain damage.

"Jayden Nickles is alive today despite the medical treatment he got. Not because of it," said Hoffmann. "They declared him dead. They told his parents he was dead. And while they were preparing him to be seen by his parents, he spontaneously survived. They didn't save him. He saved himself. That's a miracle. And now he's got to pay the consequences of it and so do his parents."

Parents who may never hear their son talk or see him walk as they face a lifetime of medical bills, therapy, and heartache.

"They did rob us," Brandon said. "They robbed him! You get one life. You get one chance. And he was okay until that day. Until they didn't put that tube back in and help him breathe."

In Jayden's face each day his parents see the success of life mixed with the alleged failure of those who were supposed to take care of him.

[READ THE FULL COMPLAINT HERE.](#)