



Patient-250

Patient-250 went to Sunrise Hospital for labor and delivery. Dr. Frank DeLee had been drinking and showed up barefooted and in his Bermuda shorts. He kept talking about alcohol. He was rude and offensive. He caused the baby to have Erb's Palsy (paralysis of the arm due to severe nerve damage). Patient sued Dr. DeLee, the nurses, and Sunrise Hospital.

Two things no mother wants to hear from her doctor while giving birth – "tequila" and "happy hour."

One Las Vegas woman heard both, and that's why she's suing a local hospital, claiming the doctor was drinking before delivering her baby.

The baby suffered injuries that will last a lifetime.

Dr. Frank DeLee was heard saying "Wasn't that many people in the bar when I left" on cell phone video.

Then a nurse asks "I'm sorry. Did you waste a drink?"

DeLee was openly talking about drinking while Alex Sims was in induced labor and facing a possible C-section at Sunrise Hospital in May 2015, according to Sims.

Alex's doctor was on vacation. DeLee was the hospital's on-call obstetrician and gynecologist at the time.

Alex's family were recording video of the birth on a cell phone.

Nurse: "So... Is Belvedere that you just had to pour out? Is that what...?"

DeLee: "No, tequila."

After discussing his booze of choice, you can see something odd in the video.

"It turned out to be the doctor who is barefooted, in his Bermuda shorts," says attorney Cal Potter who represents Alex. He says the system betrayed the entire Sims family.

"It's a very disturbing sequence of events that took place," says Potter.

"I kept telling the doctor I can feel everything," Alex explains. "I think the epidural wore off. And he's like, 'Oh just scoot your fat ass down' and 'Oh, I bet you wish your doctor would have came back in town.'"

It sounds too bad to be true. But on the video DeLee is heard saying, "I was told not to say lift your fat ass up and don't you wish Richter stayed in town this weekend now?" referring to Alex's doctor.

"It was just jaw dropping," Alex says. "I just couldn't fathom why all this was going on in the midst of me having a child."

Alex's mom, Sheree, says she knew something was wrong when the doctor walked in the door.

"I smelled alcohol. That's what preceded the conversation about him coming from the bar. Because I said, 'Oh, he smells like alcohol.'"

On the video, there's more banter about booze.

Voice off camera: "You were already at happy hour?"

DeLee: "Well look what time it is."

Nurse: "He's been at happy hour since he left my C-section."

They even talk about the type of tequila he had and which bar he was at.

So, could it all boil down to bad taste and poor judgment joking?

DeLee says his lawyer advised him not to talk on camera. When asked to provide an email address so he could send a statement, he hung up.

Sheree says once her grandson, Jared, was delivered her heart sank.

According to the lawsuit, DeLee's rough delivery of Jared caused Erb's Palsy – paralysis to the arm due to nerve damage.

"I think any person should be horrified," says Potter who named the hospital and nurses in the lawsuit too, adding they had a duty to stop DeLee.

Medical experts hired to review the case determined DeLee used "inappropriate techniques by pulling" Jared's arms. And the doctor "failed to diagnose and recognize the pressure of shoulder dystocia."

According to court documents, DeLee denies any liability while Sunrise Hospital asked the court to toss out some of the claims.

"What we want to do is hold them accountable for the actions which we believe resulted in the injuries to her son's shoulder," says Potter.

This wasn't the first time DeLee has delivered a baby with the same type of injury.

According to Nevada State Board of Medical Examiners records, DeLee settled a 2012 case of "negligent vaginal delivery resulting in shoulder dystocia." DeLee has another half dozen reports of possible malpractice involving insurance payouts and settlements totaling more than \$2.7 million.

"It's very surprising because if he has a track record," Alex says. "I don't understand why he still has a license to practice."

Alex worries about her son's future limitations and about other families who may find themselves in similar situations.

"Someone needs to be accountable," Alex says. "And I just feel like, if I don't speak up for my child, who will?"

If you're wondering your doctor's record, you can check out the **Nevada State Board of Medical Examiner's website**.

Woman sues hospital, says doctor was drinking before delivering baby



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Alex Sims is suing a Sunrise Hospital, claiming the doctor was drinking before delivering her baby.

By: Darcy Spears

Posted 4:46 PM, Nov 03, 2016 and last updated 11:33 AM, Nov 04, 2016

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Just say NO to Sunrise Hospital

De Lee, Frank J., M.D. | License No. 4126

• [03/07/2025](#) | Case No. 24-6109-1

- On March 7, 2025, the Nevada State Board of Medical Examiners (Board) accepted and approved a Settlement Agreement which allowed for an order to be entered finding that Dr. De Lee violated NRS 630.301(4) (three violations), as set forth in Counts I through III of the Complaint, and NRS 630.3062(1)(a) (three violations), as set forth in Counts IV through VI of the Complaint, and ordered the following: Dr. De Lee asserts it is his intention to retire from the practice of medicine, and agrees to surrender his license to practice medicine in the State of Nevada pursuant to NAC 630.240. Dr. De Lee agrees he will not reapply for licensure to practice medicine in the State of Nevada for two years after the date of the Board's acceptance, adoption and approval of the Settlement Agreement. Dr. De Lee shall receive a public reprimand and reimburse the Board's costs and fees incurred in the investigation and prosecution of the case, with the payment of costs and fees stayed until such time as he reapplies for licensure.

Note to readers: On March 7, 2025, the Nevada Medical Board issued a disciplinary action against Dr. Frank DeLee and approved a Settlement Agreement. Dr. DeLee said he is going to retire from the practice of medicine and agreed to surrender his license.

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