

EXCLUSIVE: New York-Presbyterian ordered to pay \$4M to nurse with brain implant forced to work near MRI machines



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Nurse Rebecca Sedans, 49, sued New York-Presbyterian Hospital for discrimination after she says they didn't accommodate her condition — a brain implant that treats a neurological disease but causes serious side effects if exposed to electromagnets like those in MRI machines. (Michael Graae for New York Daily News)

The nurse had a brain implant — and bosses that could have used a brain transplant.

A jury has awarded nurse Rebecca Sedans \$4 million after finding she was discriminated against by a prestigious Manhattan hospital.

Sedans, 49, said her bosses at New York-Presbyterian had endangered her life by forcing her to work near electromagnetic machines even though she has a neurostimulator implanted in her brain.

The electronic device was implanted in Sedans in 2004 to help her cope with the symptoms of a Parkinson's-like disease, but the deep brain stimulator can go haywire and cause seizures — or worse — if exposed to electromagnets like those in MRI machines.

Sedans, who'd worked as a per diem at the hospital since 1998, said the hospital was initially supportive, assigning her to work only in an intensive care unit without an MRI after she told them about the procedure.

While stabilizing the symptoms of her dystonia — a neurological condition that causes painful muscle contractions — the neurostimulator also turned Sedans into "a human Geiger counter," said her lawyer, Derek Smith.

"When she gets near EMI — electromagnetic interference — she feels it, and she feels it hard."



A jury decided New York-Presbyterian must pay Sedans \$1.68 million for emotional distress and \$2.1 million punitive damages. (Alec Tabak for New York Daily News)

He said that as time went on, her supervisors became less mindful of her condition and frustrated with her inability to work in other units.

In November of 2007, she was ordered to go to work in the medical ICU — which had an MRI — over her protests, Smith said.

An hour after she got home, Sedans said she felt repeated stabbing pains in her head, and began to lose control of her body.

"All the twisting and involuntary movements came back — the fumbling and the pain. It was like an ice pick in the back of my neck and the back of my head," she told the Daily News.

Her deep brain stimulator had to be reprogrammed twice by her neurosurgeon. That process triggers nausea, headaches and severe brain fog. She said the second time it was done, she came home and woke up 26 hours later not knowing what day it was.

"I had amnesia. I had no recollection of what I did. I developed a big fear of being reprogrammed after that."

Subsequently, she said, her surgeon replaced the transmitter under her clavicle with one that has a rechargeable battery. She plugs in daily to make sure she maintains proper movement.

Her bosses weren't very sympathetic, and when she refused to accept assignments in another ICU again, she said she was told to take her "assets elsewhere."

She did — and sued the hospital for discriminating against her because of her disability.

The hospital countered in court filings that she wasn't disabled and just refused to work.

A Manhattan Supreme Court jury disagreed and awarded her \$1.85 million for emotional distress and \$2.1 million punitive damages.

Smith said the hospital had a duty to take care of employees as well as patients, and "should have known better."

A rep for the hospital, Kathleen Robinson, said, "We believe the verdict has no legal or factual basis and intend to appeal."