

# Family recalls hospital asks to give blood

BY SANDRA ARMERUSTER  
OAKLAND COUNTY EDITOR

Elizabeth Tobin was 11 years old in 1993 when she talked with her father, Rollin, before his hip replacement surgery at Southfield's Providence Hospital.

Now 15, she told jurors Tuesday in the wrongful death case filed against Providence by the estate of her father that she always wanted him to dance at her wedding. We talked about how he could walk me down the aisle, if he went through the surgery.

Tobin, a West Bloomfield resident and Southfield public safety director at the time, underwent two operations Nov. 12, 1993 — the first for hip replacement surgery, the second to stop bleeding. He died the following morning after blood contaminated with bacteria was administered during the first operation.

Attorneys for Providence have said they will show that they had permission to give the blood and that, once given, administration of antibiotics would not have saved him.

Friends and Tobin's four children and wife testified in the second week of the trial in the Oakland County circuit courtroom of Judge Denise Langford-Morris.

After the first operation, "you could tell my father was scared,"

said Tobin's daughter Susan Myzanski, an Oakland County sheriff's deputy working in Rochester Hills. "It was not a normal situation. I tried to make a joke. He (Tobin) said to take care of my mother and brother and sister."

Also testifying was another daughter of Tobin, Kass Moore. Moore told the jury that she had stayed at the hospital from the time of the first surgery until 3 a.m. the following morning. She left to go home for a shower and brief rest, Moore said.

Back at home, "I had a dream that I was needed at the hospital," Moore said. "I called the hospital and talked with a nurse who said my father wasn't doing well and it was best that I come back. When I got back, he was still alive but he was unconscious."

Both Moore and sister Myzanski talked about Tobin's appearance at that time.

"He didn't look like my father. He was very bloated. He was grossly distorted . . . He was pumped up like a balloon," Myzanski said.

At that point, according to family members, hospital personnel ushered them into a conference room and told them that they needed to stabilize Tobin.

"They made us leave because he had quit breathing. They said

it would be just a minute while they stabilized him," Moore said. "A couple of minutes later, they said he had died."

Friends and family members testified that Tobin only wanted his own blood used during surgery and that he had donated three pints for that purpose before the surgery.

When a fourth unit was needed during the first surgery, hospital personnel asked Tobin's wife, Jan, for permission to use blood from the general supply. Family members asked if they could donate, since they were of the same blood type, but were told that there wasn't time.

From hospital records, the family later learned that the fourth unit of blood "already had been given when they came out and asked for permission," Jan Tobin testified.

On cross examination, Providence attorney Harry Sherbrook questioned Jan Tobin about signed release forms from her husband, witnessed by her, which permitted the hospital to administer blood from the general supply. At least 17 units of blood, plasma and platelets eventually were administered. A continuing objection from the plaintiffs also was entered into the record.

Also testifying on Monday was Pat Murphy, a reporter for The

Observer and Eccentric Newspapers. Murphy was testifying on the basis of his personal relationship with the Tobin family, according to attorney Karen Bridges from the firm of Wise and Marsac, and the plaintiff's attorney, George Googasian. Bridges firm represents Home-town Newspapers, the parent company of The Observer and Eccentric Newspapers.

Murphy recounted talking with Tobin, a former premedical student, about his blood donation. Murphy said he had kept in contact with Jan Tobin after her husband's death, and he asked the medical examiner for information as well. Murphy said he was shocked and puzzled by Tobin's death.

Meanwhile, Tobin's doctor tried to arrange a meeting between the hospital and the Tobin family for March 11, 1994. The meeting was delayed until March 30. However, after a story by reporter Murphy appeared in The Observer and Eccentric Newspapers on March 17 revealing that an amended death certificate had been issued, changing the cause of death from natural to sepsis from contaminated blood, the meeting was moved up to that same day.

After seeing a copy of the death certificate, "I felt they had killed him," Jan Tobin testified.

# Hearings air prison woes

BY TIM RICHARD  
STAFF WRITER

State prison workers unloaded hours of complaints against Gov. John Engler's administration when two state representatives held a public hearing in Jackson.

Things have steadily worsened since 1991 under Gov. John Engler and Corrections director Ken McGinnis, they told Reps. John Freeman, D-Madison Heights, and Ellen DeHart, D-Westland.

"I spent five years behind the Iron Curtain in Poland," said John Kadela, acting chief psychologist at the Reception and Guidance Center through which all 40,000 inmates pass before being assigned to one of 36 corrections facilities.

"I was followed and chased by the KGB, both Polish and Russian. The psychological atmosphere (in Corrections), at this time and in this administration, is like the Iron Curtain," Kadela said.

Employees are blackmailed, asked to betray friends, subject to conspiracies to get them fired and exposed to "countless acts of racism. I will be testifying in court," Kadela said.

## Hard to believe

Freeman, chair of the House Corrections Committee, will be term-limited out in 1998. He was clearly stunned by the prison workers' outpourings.

"I'm a Democrat and don't like Engler. But I have a hard time believing Engler is telling McGinnis to do this," said Freeman, who freely acknowledged his political ambitions and pronouncements.

Freeman sought testimony on how to reduce the rate of recidivism — 62 percent of parolees are back in prison in two to four years — and got a couple of samples.

"We create passive, dependent individuals," psychologist Kadela said. "They're incapable of reintegration into society. This (Michigan Corrections) system is run on the punishment model" with no positive reinforcement. He quoted high prison officials as referring to "shiftless, lazy, stupid blacks."

"The prisoners are not stupid. They know when employees are being harassed," Kadela said.

Michael Devine, an official of UAW Local 6000, which represents many state workers, urged Freeman and DeHart to put prisoner health "on the front burn-

er." Devine, who spent 22 years as a parole and probation officer, cited three reasons for recidivism: "A certain percentage are criminals, (others have problems with) substance abuse, and mental and physical health. There's a lot of horror stories," he said, citing prisoners with closed-head injuries that prompt criminal behavior.

"It's just your basic, conservative, Republican, Mackinac Center attitude," said Devine of the administration.

Nurse Kathleen McFarland criticized "privatization of health care . . . Sick people around the state are shipped to Jackson so their (private contractors') figures look good."

## Little job training

Devine and others said there are no skilled trades offerings.

Fred Ziegler, who works at the South Complex, said, "We have no vocational training. We have sex offenders and train 'em in accounting and computers. Do you think an employer is going to hire them in an office full of women?"

Ziegler said outside facilitators from Alcoholics Anonymous and Narcotics Anonymous have been limited.

Harry Vischler, a Tecumseh resident who ministers to inmates serving drug sentences, said non-English speaking inmates aren't taught English. "We are filling our prisons with a lot of non-violent criminals," he said. "We're the only state with a life (natural life sentence) law for 650 grams (of drugs)."

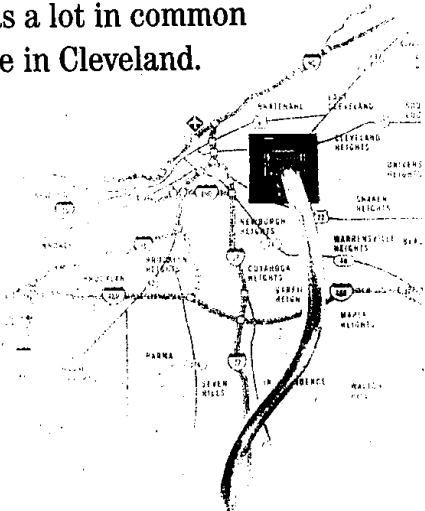
Charles Feigel, who works in the Reception and Guidance Center, said a Braille transcribing service is being shut down. "Last year it produced a million pages of school books," he said.

When a House staff member said that the Braille program was preserved in the new state budget, Feigel replied, "It's not running. The computers are in storage."

Freeman held the hearing near the prison complex in the Jackson County Road Commission office. He reminded the audience that his is a policy committee and not equipped to micro-manage the prison administration.

"I'm very apprehensive about getting involved in internal union business," said Freeman, but he asked for specific complaints in writing so he could follow through.

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