

Jury awards woman \$500,000 in lawsuit

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SPRINGFIELD - A Holyoke woman who suffers from a chronic shaking disorder has been awarded \$500,000 in damages after suing the psychiatrist who prescribed the anti-psychotic drug Mellaril to her for several years.

A jury in Hampden Superior Court found Dr. Kenneth Jaffe negligent in the care and treatment of Joan E. Hamel, 71, and awarded Hamel and her husband, Bernard, \$500,000 in damages last week. The Hamels are also entitled to about \$200,000 in interest.

"Bernie and I were very pleased that the jury recognized the seriousness of my condition," Hamel said yesterday. Hamel, who suffers from the uncontrollable bodily movement disorder called tardive dyskinesia, said she can't get around without a cane, walker or wheelchair.

Tardive dyskinesia is usually caused by long-term use of medications such as Haldol, Thorazine and Mellaril, which are prescribed for major mental disorders. Symptoms can include uncontrolled movements of the limbs, mouth and tongue.

Jaffe's lawyer, Dennis R. Anti, denied that Jaffe was negligent, and said Mellaril had been prescribed for Hamel to control severe psychological problems and self-destructive behavior. "Dr.

Jaffe provided excellent care, as was testified to by a number of defense expert witnesses... including psychiatrists and neurologists," Anti said, adding he plans to aggressively appeal the verdict.

Hamel's lawyer, Harry L. Miles, acknowledged that payment of damages to the Hamels will be delayed until the appeals are over and the verdict is affirmed. "We intend to defend the verdict vigorously," he said.

Anti maintains that Hamel suffered from bipolar disorder, otherwise known as manic depression, and a borderline personality disorder, diagnoses Hamel said were untrue. "It was depression from start to finish," she said, adding that she has since recovered.

Hamel's lawsuit states that from 1984 through October 1995, Jaffe prescribed medications for her including Mellaril and Lithium, but failed to monitor her adequately. Hamel stated that Jaffe also did not inform her of risks associated with the medications.

Jurors granted Hamel \$75,000 in lost earning capacity, along with \$140,000 for impairment, pain and suffering, and then granted her husband \$285,000 for loss of spousal companionship.

Jaffe, who has a private practice in Holyoke, has been licensed in Massachusetts for 21 years, according to the Massachusetts Board of Registration in Medicine.