

Parents Vindicated in Court Victory After Misadvised Termination of Unborn Son

A faulty prenatal test caused one expecting mother in Ireland to have an “unnecessary” abortion. She sued the hospital for “wrongful termination” and won.

Patrick Kiely and Rebecca Price learned she was pregnant in December 2018. All was well, according to a February 2019 ultrasound, but doctors advised a precautionary test known as the Harmony test to check for in-utero abnormalities. The tests, taken at two separate facilities, confirmed the baby had Trisomy 18, also known as Edwards’ syndrome.

The baby, doctors warned, would not survive with the condition, and encouraged Price to get an abortion.

According to a statement obtained by the *Irish Examiner*, the couple made it “absolutely clear” they only chose to abort their son, named Christopher Joseph Kiely, if he “had no chance of survival.”

Trisomy 18 occurs in one out of every 2,500 pregnancies in the United States and 1 in 6,000 live births, according to the Trisomy 18 Foundation.

A full karotype analysis revealed days after Price underwent the abortion at the doctor’s guidance that her unborn son did not, in fact, have Trisomy 18. The tests indicated confined placental mosaicism, meaning the identified abnormal cells were confined to the placenta, therefore posing no risk to mother or child. The statement submitted to court alleges that this information was not communicated to Price and Kiely before termination, though doctors said it would not have changed their guidance to abort.

“Christopher was a normal, healthy baby boy,” Price said in a statement. “It has taken two years, three months and nine days to get to this point.”

“Nothing will take away Rebecca and Pat’s love for their son, Christopher Joseph Kiely, who would be two years old this summer.” the statement also said, “for the sake of maternal and infant health care in our country,” they are “appealing for the immediate cessation of the current practice of not awaiting the results of Chorionic Villus karotyping analysis in all cases where genetic conditions are suspected in the presence of a normal scan.”

National Maternity Hospital and a lab and other medical facilities involved in the case accepted liability Tuesday. In an attempt to rectify the “all-consuming physical and mental trauma” she endured, Price and Kiely sought restitution with government officials “to ensure this ‘Never event’ never happens again.”

Under the settlement, the defendants will be required to admit further testing would have revealed Christopher’s DNA “showed no evidence of chromosome 18 abnormality and specifically no evidence of mosaicism of Trisomy 18” and he was considered a “chromosomally normal baby boy.”

When the judge reached his verdict, he determined the case “a human tragedy of very great proportions,” and offered his condolences to the family on a situation that should have never happened in the first place. This positive ruling, the couple said, signifies “the beginning of the end of a harrowing, cruel and tortuous journey.” {eo}

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