



**Commission of
Correction**

**Final Report of the
New York State Commission of Correction:**

In the Matter of the Death of

**Branden Loori,
an incarcerated individual of the
Broome County Jail**

June 28, 2023

**To: Sheriff Frederick Akshar
Broome County Sheriff's Office
155 Lt. Van Winkle Drive
Binghamton, New York 13905**

Allen Riley
Chairman

Yolanda Canty
Commissioner

GREETINGS:

WHEREAS, the Medical Review Board has reported to the NYS Commission of Correction pursuant to Correction Law, section 47(1)(e), regarding the care and treatment provided to Branden Loori which occurred while an incarcerated individual in the custody of the Broome County Sheriff at the Broome County Jail, the Commission has determined that the following final report be issued.

FINDINGS:

1. Branden Loori was a 38-year-old male who died on 6/13/22 due to septic emboli to the lung from infective endocarditis following his release from the custody of the Broome County Sheriff at the Broome County Jail (CJ). The Medical Review Board has found that there was a failure by medical staff to perform adequate assessments and recognize clinical indicators that hospitalization was necessary. The Board opines that had Loori been properly assessed and timely transferred to a hospital for diagnosis and treatment, his death may have been prevented.
2. Loori was born in Lakeland, Florida. Loori was survived by his child, parents, and three siblings. Loori finished high school and had a history of working in food service and construction. There was no further demographic or social history available to the Commission related to Loori.
3. [REDACTED]
4. [REDACTED]
5. [REDACTED] In the instant offense, on 9/29/20, Loori was arrested by the Binghamton City Police and charged with Criminal Possession of a Hypodermic Instrument and Criminal Possession of a Controlled Substance 7th Degree. Loori pled guilty to the charge of Criminal Possession Controlled Substance 7th Degree and was sentenced to three-years probation.
6. On 5/18/22, Judge D.S. from the Binghamton City Court committed Loori to the custody of the Broome County Sheriff for a probation violation. Loori was remanded to the Broome CJ without bail.
7. On 5/18/22 at 11:38 a.m., Loori was admitted to the Broome CJ by Correction Officer (CO) T.T. Loori scored a two on the Suicide Prevention Questionnaire after reporting that he had experienced a significant loss in the past six months and having a history of

drug or alcohol abuse. Loori reported using heroin and methamphetamine. Documentation indicated that Loori did not appear to be under the influence at the time of his admission to the jail. Documentation indicated that Loori's appearance was dirty and disheveled, but Loori was able to answer questions appropriately and he was cooperative with the officers. At 11:50 a.m., Loori was housed in Intake cell #5.

8. On 5/18/22 at 4:07 p.m., Loori was transferred from Intake cell #5 to [REDACTED] cell #3.

9. [REDACTED]

10. [REDACTED]

11. [REDACTED]

[REDACTED]

The Medical Review Board opines that Loori exhibited clear signs of an acute illness, consistent with a possible PE and/or acute coronary syndrome and should have been immediately sent to the hospital for an evaluation at that time.

12.

[REDACTED]

[REDACTED] The Medical Review Board finds that there was a failure by RN J.P. to address Loori's unresolved complaints of acute 10 on 10 back pain and failed to consult with the jail physician.

13.

[REDACTED]

14.

[REDACTED]

15.

[REDACTED]

16.

[REDACTED]

[REDACTED]

17.

[REDACTED]

[REDACTED]. The Medical Review Board finds that a complete medical assessment was not appropriately performed on Loori's complaints of right shoulder pain that had enabled his sleep for three hours nor was Loori referred to the jail's physician for the continued complaints.

18.

[REDACTED]

19.

[REDACTED]

[REDACTED]. The Medical Review Board finds that NP R.G. failed to review Loori's medical history prior to seeing Loori on rounds. The Medical Review Board finds that NP [REDACTED] failed to get a full medical history report on Loori from the RN that did rounds with him on Loori, who was placed in Medical Housing for complaints of chest pain since his admission and detox.

20.

On 5/20/22 at 1:08 p.m., Loori was transferred from [REDACTED] cell #3 to General Population F Block cell #107. At 2:00 p.m., Loori was moved from F Block cell #107 to F Block cell #129.

21.

[REDACTED]

the officers that go around on the unit every 15-minutes will let medical know if somebody needs help or if an incarcerated individual requested to see the nurse". [REDACTED]

[REDACTED] The Medical Review Board opines that there was a complete failure by the medical staff to properly assess and provide treatment for a gravely ill individual. The Medical Review Board finds that RN [REDACTED] should have had Loori, who had hallmark signs of a worsening condition since his admission with a temperature of 100.5, a pulse of 122, respirations of 20, a blood pressure of 86/51, an oxygen saturation of 95%, with pain that radiated from his back to his right shoulder, transported immediately to the hospital for an evaluation at that time. The Medical Review Board also finds that RN [REDACTED] should have minimally gone back and assessed Loori again throughout her shift and obtained another set of vital signs instead of telling the next shift nurse to check on Loori and to get a set of vital signs on him.

30. During an interview with Commission staff, PA [REDACTED] reported being on-call for Prime Care Medical on the night of 5/22/22. PA [REDACTED] reported not having access to Broome CJ's computer medical records when she is on-call. PA [REDACTED] reported that she did not recall getting a phone call from the Broome County Jail nurse on 5/22/22 in regard to Loori. PA [REDACTED] reported not recalling getting the call and the particular patient. PA [REDACTED] reported, "Typically if I received a call for a patient with those vital signs and complaints, I would have absolutely sent him to the emergency room". When PA [REDACTED] was asked if there was anywhere that she documents the time and dates that she answers an on-call phone call when she is on call and PA [REDACTED] stated, "No". PA [REDACTED] was asked if there was anywhere that she documented notes if she received an on-call phone call and PA [REDACTED] stated, "No". The Medical Review Board finds that Prime Care Medical does not have an adequate policy in place for on-call providers to document a date, time, and synopsis of what occurs when they receive an on-call phone call from the Broome County Jail medical staff.

31. [REDACTED]

32. [REDACTED]. The Medical Review Board opines that there was an unacceptable delay of over 48 hours in obtaining hospital level care for Loori and his documented worsening condition. Had Loori been timely sent to a hospital for diagnosis and treatment, his death could have been prevented.

33. [REDACTED]

34. [REDACTED]

35. On 5/26/22 at 9:58 p.m., Binghamton City Judge C.C. signed a release from the Broome County Sheriff's custody for Loori.

36. [REDACTED]

ACTIONS REQUIRED:

TO THE BROOME COUNTY JAIL PHYSICIAN AND MEDICAL DIRECTOR OF PRIME CARE MEDICAL:

1. The Jail Physician shall conduct a comprehensive quality assurance review regarding the following:
 - a. On 5/18/22 at 4:30 p.m., why PA [REDACTED] failed to send Loori to the hospital for an evaluation [REDACTED], complaints of chest pain that radiated from his back to his front, and pain that was worse with deep breaths along with complaints of shortness of breath.
 - b. On 5/20/22/at 3:41 a.m., why RN [REDACTED] did not perform a complete medical assessment on Loori who had complaints of right shoulder pain that had interrupted his sleep for three hours.
 - c. On 5/20/22 at 12:14 p.m., why NP [REDACTED] did not review Loori's medical history prior to seeing Loori on rounds.
 - d. On 5/21/22, why there was no documentation on the COWS flow sheet for Loori.
 - e. On 5/22/22 at 9:30 p.m., why RN [REDACTED] did not have Loori transported to the hospital for an evaluation for a temperature of 100.5, a pulse of 122, respirations of 20, a blood pressure of 86/51, an oxygen saturation of 95%, and a pain level of 4 out of 10

for chest pain in the center of his chest that went through to his back and to his right shoulder.

2. The Medical Director shall review the lack of documentation regarding the recording of on-call date and times of correspondence with the facility, along with documentation of reported clinical findings and orders given to the facility caller.

A report of findings and corrective actions taken shall be provided to the Medical Review Board upon completion.

In a response received 5/1/23 to the Commission's preliminary report, the Chief Medical Officer of PrimeCare Medical of NY, Inc. indicated that the requested reviews were completed and that there was no casual relationship between the care provided to Loori and his deteriorating condition three days into being hospitalized and then subsequent death. The Commission's Medical Review Board remains affirmed in its opinion that the assessments by medical staff were deficient and that a timely transfer to a hospital for diagnosis and treatment could have been prevented Loori's death.

TO THE CHAIR OF THE BROOME COUNTY LEGISLATURE:

As the appointing authority for the delivery of jail incarcerated individual health services pursuant to Correction Law section 501, the County Legislature shall review the above findings and conduct an inquiry into the fitness of the currently designated provider.

WITNESS, HONORABLE ALLEN RILEY, Chairman, NYS Commission of Correction, Alfred E. Smith State Office Building, 80 South Swan Street, 12th Floor, in the City of Albany, New York 12210 on this 28th day of June, 2023.



Allen Riley
Chairman
Commission of Correction

AR:BB:jdb
Special Investigation
June 2023