

METRO

# Hospital fired me for saving a choking patient

By Rich Calder

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Mariysa Porter

Photo: Robert Miller

She saved a woman's life — and got fired for it.

In an explosive lawsuit that supports the adage that no good deed goes unpunished, Mariysa Porter, 31, says she was axed by city-run Metropolitan Hospital after coming to the aid of a choking patient.

"She got fired for doing the right thing and saving someone's life," said her lawyer, Jeffrey E. Goldman.

Porter, who told The Post, "I believe I did what was right," said the saga began on May 4 while she was working as a behavioral-health associate at the East Harlem hospital.

One of her psychiatric patients began choking in a dining area while eating pancakes, so she followed protocol and immediately requested assistance from a nurse, because the hospital forbids nonmedical workers from treating patients without at least a nurse present, according to Porter and court documents.

Several nurses were around their nearby station, but none of them budged — even as Porter frantically patted her 20-something patient on the back to try to get her to cough up her food, Porter says in her Manhattan civil suit.

Porter said she shouted for help for nearly five minutes as her patient was gasping for air.

"I saw one nurse [on the phone] staring directly my way as the situation was taking place," she said.

Porter eventually saved the woman by initiating "abdominal thrusts," the Heimlich maneuver, until the patient's airway was cleared, court papers say.

She says in her suit that she later documented the incident as required, writing in the patient's log: "Patient choking. RNs [nurses] called. None came."

Her suit says the nurses on duty later reviewed the log and were unhappy enough about what she wrote to complain to a supervisor. The next day, Porter was fired.

The reason given: "Inappropriate documentation on patient's medical record," the suit says.

"The law protects whistle-blowers in these circumstances," said Goldman.

Porter, a contracted worker with no other disciplinary actions against her, lives in The Bronx with her 7-year-old girl and 1-year-old boy.

Since being fired, she has yet to find equivalent work with UltraCare, which staffs city hospitals.

She is suing NYC Health + Hospitals, seeking lost wages and other unspecified monetary damages, as well as for her employment record to be cleared.

The agency responded in a statement: "We are committed to patient safety and take any allegations involving patient safety very seriously. We are aware of this allegation and believe we acted appropriately and will defend the case vigorously. Pending litigation prevents us from commenting any further."

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Marisya Porter

Photo: Robert Miller

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