



**Commission of  
Correction**

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

**In the Matter of the Death of**

**Michael Resnick,  
an incarcerated individual of the  
Green Haven Correctional Facility**

**March 22, 2023**

**To: Honorable Anthony Annucci  
Acting Commissioner  
NYS Department of Corrections  
And Community Supervision  
The Harriman State Campus  
1220 Washington Avenue  
Albany, New York 12226**

**Allen Riley**  
*Chairman*

**Thomas J. Loughren**  
*Commissioner*

**Yolanda Canty**  
*Commissioner*



7. [REDACTED]
8. [REDACTED]
9. [REDACTED]
10. [REDACTED]
11. [REDACTED]
12. [REDACTED]
13. [REDACTED]
14. [REDACTED]. The

Medical Review Board opines that despite the finding of clear lung sounds, the oxygen saturation of 80% was an alarming finding, that warranted immediate evaluation and testing or at a minimum an infirmary placement for observation.

15. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]. The Medical Review

Board opines that the medical provider should have been notified of the repeat visit with a documented oxygen saturation of 85%.

16. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

17. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

18. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

19. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

20. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

21. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

22. [REDACTED]

23. [REDACTED]

24. [REDACTED]

25. [REDACTED]

The Medical Review Board finds that there was a pattern of deficient care and follow up to Resnick's chronic respiratory disease by DOCCS medical staff punctuated by failures to address documented findings of respiratory insufficiency.

26. [REDACTED]

27. On 5/28/20 at 7:05 a.m., Resnick was found unresponsive in his cell by CO J.B. A medical response called and CPR was initiated. RN [REDACTED] arrived [REDACTED]. [REDACTED]

ACTIONS REQUIRED:

TO THE DEPUTY COMMISSIONER OF THE NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, DIVISION OF HEALTH SERVICES:

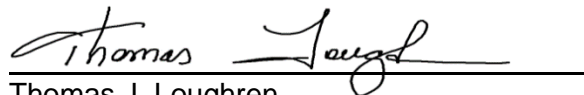
The Deputy Commissioner shall convene a comprehensive quality assurance review on the health care provided to Resnick at the Green Haven CF with a focus on:

1. Why no follow-up or further testing was afforded to Resnick following his evaluation twice on 3/17/20 with an oxygen saturation of [REDACTED] and [REDACTED] Why the provider was not notified of the second sick call and why there was no assessment completed when Resnick was seen the second time;
2. Why Resnick was not assessed nor offered a nebulizer treatment when he requested one during the 4/19/20 visit;
3. Why there was no assessment of Resnick's complaints of [REDACTED] when he was seen on 4/20/20;
4. Whether or not Resnick received the [REDACTED] that was ordered on 5/20/20;
5. Why there was no peak flow performed or any contact made with a provider during the 5/22/20 sick call for [REDACTED]
6. Why the provider was not contacted during the 5/23/20 sick call when Resnick's oxygen saturation was [REDACTED] Why Resnick was not seen as noted during the callout on 5/26/20;
7. Why the indraft medical screening on 5/27/20 indicated that Resnick was prescribed [REDACTED].

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

*In a response dated 3/8/23 to the Commission's preliminary report, the Deputy Commissioner for Health Services indicated that all requested quality assurance reviews were completed and re-training was conducted with Green Haven CF medical staff.*

WITNESS, HONORABLE THOMAS J. LOUGHREN, Commissioner, NYS Commission of Correction, Alfred E. Smith State Office Building, 80 South Swan Street, 12<sup>th</sup> Floor, in the City of Albany, New York 12210 on this 22<sup>nd</sup> day of March, 2023.



Thomas J. Loughren  
Commissioner & Chair  
Medical Review Board

TJL:DC:jdb  
2020-M-0065  
March 2023

cc: Dr. Carol Moores, Deputy Commissioner Chief Medical Officer  
Bryan Hilton, Assistant Commissioner for Mental Health  
Superintendent Mark Miller, Green Haven CF