

Wrongful death lawsuit focuses on emergency action plans, defibrillators

ERLANGER, Ky. (WKRC) – [A family is suing a Northern Kentucky high school five months after their 16-year-old son collapsed during soccer conditioning.](#)

A part of their suit discusses emergency action plans, or EAPs.

Local 12 Investigates' year-long project "Athletes at Risk?" has examined EAPs, which is a piece of paper, but that piece of paper is supposed to outline exactly what should happen in an emergency.

Matthew Mangine Jr. died on June 16, the first day Kentucky high school athletes were allowed to practice following the KHSAA's COVID-19 guidelines.

On Thursday, a wrongful death suit, filed in Boone County, names St. Henry District High School, the Diocese of Covington and St. Elizabeth.

St. Henry is a school of the diocese and the athletic trainer is an employee of St. Elizabeth.

According to the coroner, the chief complaint was a cardiac arrest. An autopsy by the medical examiner ruled the cause of death undetermined.

The lawsuit alleges that St. Henry failed to properly plan for the first practice after an extended layoff, failed to comply with the school's EAP, failed to timely locate an AED, failed to utilize an AED and failed to comply with applicable standards of care. An AED is also known as a defibrillator.

As Local 12 Investigates reported earlier this week, Kentucky law does not require an AED, but the KHSAA, which oversees all high school sports across Kentucky, does require that one is accessible within three minutes of any practice or game.

"We want to get that AED on somebody as fast as possible," said Dr. Samantha Scarneo-Miller, an athletic emergency medical response expert at West Virginia University. "The gold standard is to have an AED on every sideline."

The lawsuit claims there are three AEDs on St. Henry's property: one in the main entrance of the school, one at the concession facility between the soccer and baseball/softball fields and one with the athletic trainer on duty.

The lawsuit claims no AED was on site at the practice and no one in charge, including the head coach or the athletic trainer, brought to or used an AED on Mangine.

St. Henry's EAP lists the head coach and athletic trainer as who would be "in charge in case of an emergency," according to the lawsuit.

"If you get an AED on somebody within three minutes of collapse, their chance of survival is 90%," Dr. Scarneo Miller said.

"This is nothing new," said Dr. Jonathan Drezner, a sports cardiologist. "They've been recommended for a couple decades."

On June 16, the call came into the Boone County 911 at 7:16 p.m. Units were on their way to the soccer practice field three minutes later at 7:19 p.m. and arrived two minutes after that at 7:21 p.m. According to the lawsuit though, Matt collapsed at 7:12 p.m.

The lawsuit states EMS applied an AED at 7:24 p.m. That's 12 minutes.

"For every one minute that that's delayed, you reduce your chance for survival by 10%," said Dr. Riana Pryor, an athletic environmental impact expert at the University of Buffalo.

The lawsuit claims Mangine "needlessly died that day" and seeks damages for negligence and the loss of Mangine's affection and companionship.

On Thursday, Local 12 Investigates hit a milestone of one year of this project where we pledged to drive conversation around AEDs on every sideline in Kentucky.

We called and sent two emails each to the three defendants in the lawsuit. St. Elizabeth emailed us, "We are unable to comment on any potential or active litigation."