

Skipped for Survival: How Organ Transplant Failures Are Costing Lives in New York

New York Times investigation exposes U.S. organ transplant failures, skipped patients, & unethical practices.

NEW YORK, NY, UNITED STATES, March 26, 2025 /EINPresswire.com/ -- A shocking New York Times investigation has uncovered [systemic failures in the U.S. organ transplant system](#), revealing that critically ill patients in New York have been skipped over for life-saving procedures—sometimes without clear justification. These revelations raise serious legal and ethical concerns, prompting discussions about the need for urgent reforms in medical oversight, transparency, and patient advocacy.

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Jeff Korek

A key finding reveals that despite over 500,000 transplants performed since 2004, procurement organizations frequently bypass waiting lists, even when allocating higher-quality organs.

[Over 103,000 people in the United States](#) are on the national transplant waiting list.

“These numbers paint a grim picture—some patients are simply being left behind—these are real lives being lost due to negligence,” said Jeff Korek, Senior Trial Partner at GLK LAW. “The transplant system must operate with transparency, fairness, and efficiency to ensure that no patient is arbitrarily denied a second chance at life.”

Addressing these inequities requires stronger oversight, accountability, and reforms that prioritize patient health over bureaucratic inefficiencies.

Legal Accountability & Policy Failures

Hospitals and Organ Procurement Organizations (OPOs) could face legal consequences if they deviated from organ allocation protocols. If a hospital or transplant center bypassed a critically ill patient without a justifiable medical reason, that could constitute medical negligence. In cases where patients died due to being unfairly skipped, families may have legal recourse to hold institutions accountable.

The United Network for Organ Sharing (UNOS) oversees organ allocation under federal

guidelines, but Korek argues that its oversight has failed to prevent disparities and mismanagement in the system.

Myriam Hoyos De Baldrich's Case

The alarming issues in organ allocation are not just theoretical—they have devastating real-life consequences. The case of Myriam Hoyos de Baldrich, [a 74-year-old woman whose organs were allegedly taken](#) without proper authorization, (Case Number. 151289/2024) highlights the deep-rooted flaws in the system. (1)

Baldrich was declared dead at a New York hospital under circumstances that her family disputes. The lawsuit alleges that medical staff prematurely withdrew life support and harvested her organs without full legal consent. Her case underscores the urgent need for stricter oversight of hospital practices and the organ donation process.

“This is a horrifying example of what happens when oversight fails,” said Korek. “Families should never have to wonder if their loved ones were taken off life support too soon or if organs were removed without proper consent. This case is not just about one family’s tragedy—it’s about ensuring that no other family endures the same injustice.”

The Baldrich lawsuit raises fundamental questions about patient rights, medical ethics, and the transparency of the organ transplant process. It also reinforces concerns about whether hospitals and transplant centers prioritize organ procurement over patient survival. Korek stresses that stronger legal safeguards are necessary to protect both living patients waiting for transplants and those declared deceased under questionable circumstances.

What needs to change?

- 1) Stronger oversight of UNOS and OPOs to ensure that organ distribution is conducted fairly and transparently.
- 2) Stricter accountability measures for hospitals and transplant centers that fail to follow allocation protocols.
- 3) Independent review mechanisms to prevent premature withdrawal of life support and unauthorized organ harvesting.
- 4) Legal pathways for affected families to seek justice when medical negligence results in wrongful death or harm.
- 5) Equitable access to transplants, ensuring that race, income level or geographic location do not determine a patient’s chances of receiving a life-saving organ.

“Every patient deserves a fair chance at life, and that starts with an organ transplant system that works for everyone,” Korek stated. “It’s time to prioritize patient survival over administrative loopholes.”

References

- 1) <https://trellis.law/case/36061/151289-2024/alberto-anaya-freddys-baldrich-hilder-next-kin-to->

[myriam-hoyos-de-baldrich-deceased-v-liveonny-foundation-kervens-louissant-new-york-university-langone-hospitals](https://www.lawyertime.com/)

About Jeff

Jeff Korek is the Senior Trial Partner at GLK LAW, specializing in personal injury and medical malpractice law, with nearly 40 years of experience. Renowned for his expertise in handling complex cases, he has been repeatedly recognized by Best Lawyers and is a lifetime honoree in "America's Top 100 Attorneys." Korek has served as President of the New York State Trial Lawyers Association and has offered legal commentary on New York Law Journal, NBC News, The Washington Post and other prominent media outlets. For more information, please visit <https://www.lawyertime.com/>.

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