

# Georgia Court Reaffirms Accountability in COVID-Era Wrongful Death Case

## How the Howard Decision Strengthens Justice for Georgia Families Harmed by Medical Negligence

When the COVID-19 pandemic first swept across Georgia, it brought not only fear and uncertainty but also unprecedented legal questions. Families grieving loved ones lost in hospitals, [nursing homes](#), and [assisted living facilities](#) often faced another heartbreak: being told their cases couldn't move forward because of emergency immunity laws. For many, it felt as if the law itself had shut the courthouse doors.

At [Johnson Greer Law Group](#), we've seen how these immunity defenses have been used to shield institutions from responsibility. That's why the recent [Georgia Court of Appeals decision](#) in *Howard v. Coffee Regional Medical Center* matters so deeply. It reminds every grieving family that accountability does not vanish in times of crisis. Justice still has its place, even in a pandemic.

Like sunlight breaking through storm clouds, the Howard ruling restores clarity to one of the most difficult questions families have faced since 2020: when a loved one dies due to neglect [during the pandemic](#), can those responsible still be held accountable? The answer, finally, is yes.

### The Story Behind the Case

In early 2020, 81-year-old David Lee Northcutt was living in an assisted living facility in Coffee County when he suffered a stroke. He was admitted to Coffee Regional Medical Center and later returned to his facility. Weeks later, he was rushed back to the same hospital with altered mental status; a clear sign of medical distress. Despite an order to move him to the intensive care unit for closer monitoring, the transfer never happened.

By the next morning, Mr. Northcutt's blood pressure, oxygen levels, and temperature had dropped to dangerously low levels. A nurse eventually found him unresponsive, and he was pronounced dead within minutes.

His daughter, Angie Howard, filed a [wrongful death lawsuit](#) against Coffee Regional Medical Center, the hospital's physician group, and the attending doctor, Dr. Charlotte Coggins. Her claim alleged that her father's death resulted from substandard care; not from COVID-19, but from preventable medical neglect.

The trial court initially granted summary judgment in favor of the defendants, citing Georgia's emergency pandemic protections. But on November 3, 2025, the Court of Appeals reversed that decision, clearing the way for Ms. Howard's case to proceed.

As reported by Law.com on November 6, 2025, in Alex Anteau's article "[Immunity Laws, Jurisdiction Challenges Answered in Med-Mal Appellate Opinions](#)," the appellate panel rejected the idea that the hospital and its staff were immune from liability simply because the events occurred during COVID-19. The opinion, authored by Judge Jeffrey Davis, concluded that institutions like hospitals cannot claim immunity under the Georgia Emergency Management Act (GEMA) and that the Georgia COVID-19 Pandemic Business Safety Act (PBSA) cannot apply retroactively to acts that occurred before it was enacted.

[Attorney George Johnson](#), who represents the Howard family, was quoted in the piece:

"We are grateful for the Court of Appeals decision, and we, of course, feel the Court made the right decision in a very thoughtful and detailed manner," said Most of all, we are grateful for Mr. Northcutt's family, and we are honored for the opportunity to continue seeking justice on their behalf."

### **How Pandemic Immunity Laws Complicated Accountability**

During the early months of 2020, healthcare facilities across Georgia faced unprecedented challenges. Staff shortages, fear of infection, and emergency executive orders created chaos in hospitals and long-term care facilities. To protect essential workers, lawmakers enacted emergency legislation like GEMA and later the PBSA, designed to shield those acting in good faith from excessive litigation related to COVID-19.

But as months passed, those same laws were sometimes used as broad shields to dismiss valid claims; even in cases where negligence had nothing to do with the virus itself. Families who had lost loved ones to dehydration, falls, untreated infections, or failure to monitor vital signs were told their cases fell under "COVID immunity."

This blanket application was never what lawmakers intended. The appellate court's decision in Howard reaffirmed that these protections cannot be stretched to cover ordinary neglect. GEMA was written to protect individuals (employees, contractors, or volunteers engaged in emergency management), not the institutions themselves. Likewise, the PBSA could not be applied retroactively to events that took place months before it was enacted.

For families who have long felt ignored, this ruling restores balance. It ensures that the principle of justice — not expediency — remains the foundation of Georgia law.

### **The Court's Key Findings**

The Howard opinion provides an important roadmap for how Georgia courts should interpret pandemic-era defenses in future [medical malpractice](#) and elder neglect cases.

After a detailed review, the Georgia Court of Appeals held that:

- **Hospitals Are Not Immune Under GEMA:** The court ruled that “auxiliary emergency management worker” protections apply only to individuals, not corporate entities.
- **The PBSA Does Not Apply Retroactively:** Since the law wasn’t enacted until August 2020, it cannot shield hospitals or doctors from acts of negligence that occurred before that date.
- **Individual Defendants Must Prove a True Emergency Connection:** For a doctor to claim immunity, there must be clear evidence that the alleged harm arose directly from emergency management activities related to COVID-19 — not from unrelated patient care.

### Key Takeaways from the Howard Decision

- **Institutions Cannot Hide Behind Worker Immunity:** Hospitals and physician groups cannot invoke laws written to protect individual frontline workers.
- **Retroactive Application of Immunity Is Prohibited:** Courts must apply these statutes only prospectively, not to preexisting claims.
- **Ordinary Negligence Still Matters:** Pandemic-related challenges don’t erase the obligation to provide basic, life-preserving care.
- **Accountability Remains a Jury Question:** If there’s evidence of substandard care, the case belongs before a jury; not dismissed at the summary judgment stage.

Together, these findings reaffirm that even during public emergencies, every patient deserves competent care, and every family deserves the truth.

### Why Does This Decision Matter for Georgia Families?

For many families, the early months of COVID-19 remain a blur of isolation, fear, and unanswered questions. Hospitals restricted visitation. Nursing homes went into lockdown. Loved ones often died alone, their families left to wonder what truly happened behind closed doors.

When those families sought accountability, they often faced a second tragedy: courts interpreting emergency immunity laws so broadly that cases were dismissed before evidence could even be heard. The Howard decision changes that. It draws a vital distinction between genuine emergency response and preventable neglect.

This ruling also offers reassurance to families in nursing home abuse and assisted living neglect cases, which are areas where our firm focuses much of its work. Many facilities that failed residents during the pandemic have tried to rely on the same defenses Coffee Regional Medical Center used. The Court of Appeals has now made it clear that those protections cannot be used as a blanket excuse for negligence unrelated to COVID care.

At its heart, Howard v. Coffee Regional Medical Center is about restoring a sense of fairness. It reinforces that when a loved one suffers or dies due to neglect, families still have a right to seek

answers and hold wrongdoers accountable. No state of emergency can erase that fundamental truth.

## **Understanding Precedent to Protect Victims**

At Johnson Greer Law Group, we study decisions like Howard closely because they shape how justice is achieved for our clients. Each appellate ruling adds clarity to Georgia law and strengthens the foundation for accountability across the healthcare system.

When we take on a nursing home neglect or medical malpractice case, our attorneys approach it from every angle, combining detailed investigation with deep legal analysis. We know that behind every case is a family waiting for answers, and our role is to uncover the truth.

## **How Our Attorneys Build These Cases**

- **Investigating Care Standards:** We analyze medical charts, facility policies, and staffing levels to determine whether accepted standards of care were followed.
- **Challenging Immunity Defenses:** We identify whether a facility is improperly invoking emergency protections to deflect blame for routine neglect.
- **Working With Medical Experts:** We partner with qualified professionals who can explain, in clear terms, how the failure to act or monitor led to catastrophic outcomes.
- **Connecting Law and Compassion:** We translate complex legal issues into clear, human stories that judges and juries can understand.
- **Preparing Every Case for Trial:** Whether through negotiation or litigation, we pursue the best possible outcome for each client we represent.

Through this meticulous process, we help families make sense of what went wrong and take meaningful steps toward justice and closure.

## **A Step Forward for Accountability**

The Howard decision represents more than a legal victory. It marks a shift in how Georgia courts interpret compassion and accountability in the aftermath of crisis.

When emergency laws were written in 2020, they were meant to support overburdened workers, not to silence grieving families. The Court of Appeals' reversal ensures that those who provide care remain bound by their duty, even in times of extraordinary strain.

At Johnson Greer Law Group, we believe every life deserves dignity and every family deserves answers. For the Northcutt family and countless others across Georgia, this decision restores a measure of hope. It shows that the pursuit of justice continues, even when the world feels uncertain.

If your loved one suffered harm or neglect in a Georgia hospital, nursing home, or assisted living facility during the pandemic, our attorneys are here to help you understand your rights and

take action. We'll stand by your side, fight for accountability, and make sure your voice is heard.

[Contact Johnson Greer Law Group today](#) to schedule a free consultation and learn how we can help your family seek justice and closure.