

Family sues Amazon One Medical after death followed a virtual appointment

The lawsuit alleges Amazon's health clinic was "reckless and negligent" in its care of a 45-year-old California man who died after seeking help via telemedicine.

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By Caroline O'Donovan

One week before Christmas 2023, Philip Tong logged onto a video consultation with health-care clinic Amazon One Medical and said that he was short of breath, coughing up blood, and that his feet were turning blue. The provider told him to buy an inhaler, according to an October lawsuit.

Hours later, Tong collapsed in an emergency room in Oakland, California, according to a complaint filed against the hospital and One Medical. He died the same day.

The loss of Tong, who had diabetes and had been sick with flu-like symptoms for about a week before his death, was an abrupt blow to his wife Suzanne, a lawyer, and their two daughters.

"I think we're all in shock right now," she said at his Dec. 28 funeral, according to an online recording viewed by The Washington Post. "I think no one expected a 45-year-old man who had the flu to suddenly be dead."

The Tong family's lawsuit, which has not been previously reported, was filed in Alameda County Superior Court in October and also accuses an Oakland hospital of malpractice. It appears to be the first wrongful-death suit to be brought against One Medical, which was acquired by Amazon in February 2023.

The complaint claims that One Medical failed to order appropriate testing for Tong and lacked "adequately trained and qualified staff," resulting in treatment that was "careless, reckless and negligent."

Amazon One Medical said it is "prohibited by law from discussing patient records."

"We care deeply about every patient we serve, and the quality and safety of our care are our highest priorities," Amazon One Medical spokesperson Samantha Kruse said. "We're proud of our extensive quality and safety measures, and of the health outcomes we help our patients achieve. We take concerns about our care extremely seriously, and we're committed to continuous improvement."

Amazon founder Jeff Bezos owns The Washington Post.

Since Amazon acquired One Medical for \$3.9 billion in February 2023, the provider has expanded its telehealth services. A year after the deal closed, One Medical announced layoffs that included cuts to clinical staff and shifted more of its patient care and communication online, The Post reported in February.

Video appointments with medical professionals became much more common since the coronavirus pandemic. More than a fifth of adults reported attending a telehealth appointment between 2021 and 2022, according to a U.S. Department of Health and Human Services report, and experts say telehealth improves patient access to health care.

But the Tong family's suit highlights questions about whether telemedicine is effective in life-threatening situations, especially those that patients themselves might have difficulty recognizing.

Simon Rowland, a researcher with health-care company Haleon who has studied telehealth and malpractice, said that while technology can help patients access health care, few providers receive special training in making remote diagnoses, which can be especially difficult in acute cases.

“Training in that area is in its infancy,” Rowland told The Post. “It’s a clinical scenario that people need to understand better in terms of the risks and benefits.”

Philip Tong worked in the biotech industry and in his spare time collected bicycles, cars and Legos. He loved photography and was building his own watch. Friends at his funeral remembered his sense of humor and his dedication as a dad.

Tong was also struggling with his health. He was diagnosed with diabetes as an adult and, despite being a One Medical patient for years, struggled to get the condition under control, according to his family’s lawsuit.

By the time Tong died, the suit said, he was suffering from “uncontrolled diabetes, Stage 3 chronic kidney disease, infection and sepsis.” Diabetes is a chronic illness that can complicate an acute infection like the flu.

As One Medical has grown under Amazon’s ownership, it has sometimes struggled to adequately care for its more vulnerable patients. Earlier this year, leaked documents revealed that staff had repeatedly mishandled urgent calls from senior patients with potentially life-threatening symptoms, The Post reported. The layoffs that followed Amazon’s acquisition included clinical reception staff who were replaced by a call center in Arizona that One Medical employees told The Post put patients at risk.

One Medical denied harming any patients at the time.

Current and former employees also told The Post that pressure to improve productivity increased after Amazon bought One Medical. Virtual providers’ schedules were so tightly packed, one former employee said, that two different patients reported having telehealth visits with health-care providers who were clearly calling from their cars.

Amazon’s Kruse said the company disagrees that “a change in the duration of visits or location of a virtual visit has impacted the care provided at Amazon One Medical.”

At a recent Amazon media event in Nashville, One Medical CEO Trent Green told reporters that the company plans to use technology to increase patient access to primary care, for example it makes virtual appointments available on nights, holidays, and weekends. “By building, testing, and scaling new models of care delivery we can help reduce costs, improve outcomes, and fundamentally transform health care,” he said.

Amazon is working to combine One Medical with its homegrown pay-per-visit telehealth service, formerly called Amazon Clinic, and Amazon Pharmacy, which grew out of its 2018 acquisition of PillPack.

Health care has long been a challenge for Amazon. It shut down Haven, a joint venture with JPMorgan and Berkshire Hathaway aimed at lowering health costs, after three years and also abandoned a primary-care business called Amazon Care.

The first meeting in the Tong family’s case is scheduled for March.

As Philip struggled with his health in the last week of his life, he and his wife discussed future travel plans for their family.

“We wanted to take these little kids everywhere. We wanted to show them the world,” she said at the funeral. “And to have him taken so quickly, so unexpectedly — there are no words.”