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\$1.2 million for death of 82-year-old woman neglected at Bellhaven Healthcare

CHICAGO, IL-The Circuit Court of Cook County approved a \$1.2 million settlement today, June 7, 2007 on behalf of the family of Eva Jones, an 82-year-old Chicago woman who died from complications of stage IV pressure ulcers (bed sores) and infections which began after only one week of residency at Bellhaven Healthcare Retirement Center (Chicago).

Eva Jones was admitted to Bellhaven Healthcare Retirement Center for short-term rehabilitation following a fall in her home. Prior to her admission to Bellhaven, she lived with her daughter, Annette, and was able to walk with a cane. When Eva was admitted to Bellhaven, she had no bed sores. During only two months of residency at Bellhaven, she was neglected so badly that she developed multiple severe bed sores on her heel and buttocks and multiple infections at the wound sites. One of the pressure ulcers was so deep it caused osteomyelitis, an infection in the bone. She died due to complications of these injuries.

The Plaintiffs were represented by Scott R. Clewis of Levin & Perconti (Chicago) who explained, "There was no excuse for Eva's pain and suffering. The Federal Nursing Home Reform Act (also referred to as OBRA) was created to establish a national set of minimum standards of care for people living in nursing facilities. If Bellhaven had abided by these minimum standards they could have prevented Eva's injuries and avoided liability."

Clewis continued, "The standard requires that long term care facilities complete an initial assessment of the resident's medical condition and identify any risks for potential problems. The evaluation provides a basis for the resident's individual plan of care. The standard also requires,

among other things, that nursing homes make sure that they establish protocols for preventing pressure ulcers, dehydration and other problems and for specifying which staff members are responsible for carrying out the protocols. Bellhaven did not conduct an initial assessment of Eva's overall health, establish a protocol or assign responsibility for her treatment. They completely failed her."

Clewis also alleged that Bellhaven failed to obtain physician orders before initiating treatment to the pressure sores and to notify Eva's doctor in a timely matter that she had developed pressure sores. Once her doctor was notified, Bellhaven failed to carry-out the treatment plan that was ordered. In addition to these allegations, there were numerous nursing home records which were highly suspicious and appeared to be fabricated

Clewis concluded, "The family trusted and relied upon the nursing home to provide the services they promised. They failed to live up to their promise to provide adequate care. Senior citizens and children are among society's most vulnerable populations. They need to be protected from such outright abuse and neglect."

The Defendant was represented by Daniel Mills of Pretzel and Stouffer (Chicago). Bellhaven was owned and operated by Guadalupe Economic Services, Inc.