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News

Monday, January 29, 2007

Sunwest lawsuits settled

Published: Monday, January 29, 2007 2:08 PM CST
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Market Watch

Russ 2000 Jan-29-2007 4:59 pm ET

785.1

781.2

787.2

9am 1am 1pm 3pm 5pm

Index	Last Trade	Change
NASDAQ	2441.09	5.00 ▲
SP 500	1420.62	-1.56 ▲
Russ 2000	793.10	4.96 ▲
AMEX	2104.61	17.25 ▲
NYSE	9139.55	-14.55 ▲
30 YR BOND	49.82	0.02 ▲

Jan 29, 2007 10:55 PM ET
ComStock 20 min. delayed

SALEM, Ore. — Three lawsuits charging negligent treatment of seniors by Sunwest Management of Salem, Ore. have been settled for undisclosed amounts.

The lawsuits stemmed from the treatment of three elderly individuals who resided at Meadowlark Assisted Living facility in Yreka, a facility owned and operated by Sunwest Management. The settlements were finalized earlier this month, said Kathryn Stebner, the San Francisco elder rights attorney who filed the lawsuits.

"Operators of facilities for our seniors will be held accountable if they do not treat each resident with care and respect," said Stebner, who also practices in Oregon.

Terms restrict each side from discussing details of the agreement. The three lawsuits charged Sunwest with ignoring staffing problems at its Meadowlark Assisted Living facility in Yreka. Survivors of three deceased Meadowlark residents claimed the Salem firm looked the other way on understaffing, poor staff training and staff negligence in the dealing with falls by residents and other maladies.

Two of the lawsuits were filed in January and February 2006, and one was filed in early 2005.

The estate for Evelyn Hansen charged that when she entered Meadlark she had a history of falls but the center did not properly assess her risk of falling and did not provide care to prevent her falls.

Her lawsuit states that on one occasion, an aide told Hansen to "run" or she would be "late to an exercise class." Upon hearing this, Hansen ran and fell.

She hit her head and suffered a subdural hematoma. She then fell again while unattended. Within days, Hansen died as a result of the subdural hematoma.

The suit for Rutheall Jacks stated she was admitted to the memory care unit at Meadowlark. However, there are no records indicating that the facility performed a memory care assessment on her. Jacks is said to have fallen 29 times during eight months at Meadowlark and nothing was done to prevent her falls.

She eventually transferred to another facility where her falls continued. At that facility, she died from a head injury.

A third lawsuit claims that Lemoin Vaughn fell while attempting to move himself from a wheelchair into bed and lay on the floor unattended for close to ten hours. His body temperature had dropped to 90 degrees Fahrenheit and his blood pressure had dropped dangerously low.

He was taken to the hospital where he was found to have a perforated ulcer, was dehydrated, and malnourished. He underwent surgery for the perforated ulcer and died two days later.

"Elderly individuals deserve to be treated with greater dignity at their time of greatest need," said Stebner.

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