COUNTY OF LOS ANGELES

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ROBERT E. KALUNIAN
Acting County Counsel

January 6, 2010

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: JOHN F. KRATTLI
Senior Assistant County Counsel

RE: **Ruben Romero, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. PC 043 490

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

JFK:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Ruben Romero, et al. v. County of Los Angeles, Los Angeles Superior Court Case No. PC 043 490, in the amount of $382,500, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This medical negligence/wrongful death lawsuit arises from treatment received by a patient while hospitalized at the Olive View Medical Center.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Ruben Romero, et al. v. County of Los Angeles
CASE NUMBER		PC 043490
COURT		Los Angeles Superior Court Northeast District
DATE FILED		September 18, 2008
COUNTY DEPARTMENT		Department of Health Services
PROPOSED SETTLEMENT AMOUNT	$	382,500
ATTORNEY FOR PLAINTIFF		George Royce, Esq.
COUNTY COUNSEL ATTORNEY		Narbeh Bagdasarian
NATURE OF CASE		On October 8, 2007, Maria Irazabal, was admitted to Olive View Medical Center complaining of right upper abdominal pain with nausea and vomiting. An ultrasound was performed and the patient was diagnosed with multiple gallstones and inflammation of the gallbladder. Ms. Irazabal underwent laparoscopic cholecystectomy procedure, which proved to be difficult and complicated. On October 17, 2007, Ms. Irazabal was re-admitted to Olive View Medical Center. Another diagnostic procedure was

performed and the patient was suspected of having a tear in her small intestine.

As the patient's condition deteriorated, various medical consultations were requested and the patient was then re-operated on. She was taken to the ICU following surgery and was noted to have multiple organ failure. Despite the resuscitative efforts, she died on October 23, 2007.

Ms. Irazabal's surviving family filed a wrongful death action against the County of Los Angeles, alleging that the staff at Olive View Medical Center negligently treated Maria Irazabal.

The County proposes to settle this case in the amount of $382,500.

PAID ATTORNEY FEES, TO DATE	$	35,090.50
PAID COSTS, TO DATE	$	7,647.79

REVISED

Summary Corrective Action Plan

Date of incident/event:	October 17, 2007
Briefly provide a description of the incident/event:	On October 8, 2007, Maria Irazabal was admitted to Olive View/UCLA Medical Center complaining of right upper abdominal pain with nausea and vomiting. An ultrasound was performed and Ms. Irazabal was diagnosed with multiple gallstones and inflammation of the gallbladder. Ms. Irazabal underwent a laparoscopic cholecystectomy procedure, which was difficult and complicated. On October 17, 2007, Ms Irazabal was re-admitted to the hospital and underwent another procedure at which time it was suspected that she may have a perforation in the small intestine. As her condition deteriorated, various medical consultants were requested and Ms. Irazabal was taken back to surgery. Following surgery she was taken to the ICU and was noted to have multiple system organ failure. Despite resuscitative efforts, she died on October 23, 2007.

1. Briefly describe the root cause of the claim/lawsuit:

- Misinterpretation of a diagnostic study resulting in a delay in surgery

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- Appropriate personnel corrective actions were done
- Resident supervision was monitored system-wide

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

☐ Potentially has County-wide implications.

☐ Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).

X Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) K McKenzie	Date: 12/23/09
Signature: (Interim Chief Medical Officer) R. Splawn	Date: 12/23/09
Signature: (Interim Director) [illegible]	Date: 12-23-09